

**The Carrying Trade  
and the  
First Railways in England, c1750-c1850**

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## Abstract

Transport and economic historians generally consider the change from moving goods principally on roads, inland waterways and coastal ships to moving them principally on railways as inevitable, unproblematic, and the result of technological improvements. While the benefits of rail travel were so clear that most other modes of passenger transport disappeared once rail service was introduced, railway goods transport did not offer as obvious an improvement over the existing goods transport network, known as the carrying trade. Initially most railways were open to the carrying trade, but by the 1840s railway companies began to provide goods carriage and exclude carriers from their lines. The resulting conflict over how, and by whom, goods would be transported on railways, known as the carrying question, lasted more than a decade, and railway companies did not come to dominate domestic goods carriage until the 1850s.

In this study I develop a fuller picture of the carrying trade than currently exists, highlighting its multimodal collaborative structure and setting it within the 'sociable economy' of late eighteenth- and early nineteenth-century England. I contrast this economy with the business model of joint-stock companies, including railway companies, and investigate responses to the business practices of these companies. I analyse the debate over railway company goods carriage, and identify changes in goods transport resulting from its introduction.

Finally, I describe the development and outcome of the carrying question, showing that railway companies faced resistance to their attempts to control goods carriage on rail lines not only from the carrying trade but also from customers of goods transport, the government and the general public. I suggest some reasons why the railway companies were able to establish a monopoly over rail goods transport despite this resistance, and briefly describe the ramifications of the change in control of goods transport.

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## Author's Declaration

I declare that this thesis is a presentation of original work and I am the sole author. This work has not previously been presented for an award at this, or any other, University. All sources are acknowledged as References.

## **Introduction**

### **Purpose and scope of this study**

This study is a history of the carrying trade, the collective term for the multimodal network of hundreds of small businesses - carriers on roads, inland waterways and via coastal shipping, and the trades that supported them - that transported goods throughout England between the fourteenth and nineteenth centuries. It considers the change in the carrying trade between about 1750, by which time this domestic goods transport network was well established, and about 1850, by which time the national railway network had been largely constructed and railway companies had taken over much of the carrying trade's role in the domestic economy.

In this introduction I identify how this study contributes to and modifies existing transport history and the history of the Industrial Revolution. I review existing historical writing to highlight gaps in understanding the transition from the carrying trade to railway company carrying. I identify the work of historians of transport and other areas that I build on in this study. I then explain the parameters of this study and sources from which I draw evidence, and conclude with an outline of my arguments and the structure of this study.

This study contributes in two ways to the conversation in transport and economic history about the change in domestic goods transport in England during the first half of the nineteenth century, from primarily on roads, inland waterways and coastal shipping to primarily on railways. First, it offers a wider view of the carrying trade during a period when both it and its economic context were changing rapidly. Second, it investigates, in more detail than has been previously considered, the relationship between the carrying trade and the first mainline railway companies.

In 1825, after the repeal of the Bubble Act of 1720, Parliament began to authorise joint-stock companies to raise capital and obtain land to construct the first mainline, or trunk line, railways (railways connecting city pairs rather than the industrial railways that connected mines and water transport). These railways were conceived as transport infrastructure improvements similar to the turnpike roads, navigations and canals, and port and harbour improvements of the eighteenth and early nineteenth centuries, and were intended to facilitate users of transport, including the carrying trade. Until the 1850s the carrying trade incorporated railways into its multimodal

network in the same way that it had incorporated these earlier transport infrastructure improvements.

The first mainline railway company prospectuses and enabling acts assumed that these companies would generate revenue from tolls charged to third parties using the line to transport goods; they did not suggest that significant revenue would be generated from providing passenger travel. But when the lines began to open in the early 1830s the high demand for passenger travel took everyone, including company directors and investors, by surprise. The Liverpool & Manchester Railway, for example, was so busy transporting passengers that it did not start regularly carrying goods for six months.<sup>1</sup> When railway company directors realised how large and profitable passenger travel was, they focused on capturing the passenger and small parcels transport sector served by the coaching trade. The story of how the railways quickly came to dominate passenger transport is well described in transport and economic histories.<sup>2</sup>

It does seem as if the change from coaching and other forms of passenger transport to rail passenger transport was generally as straightforward as it is typically represented. Rail travel was so much faster and, after legislation passed in 1844 required companies to provide low-cost passenger services, less expensive than coaching that the coaching trade quickly disappeared, as many historians have noted.<sup>3</sup> Aside from being faster, and eventually cheaper, railway passenger service offered orders of magnitude more capacity; between June and December 1831, for example, the Liverpool & Manchester Railway carried more than 250,000 passengers, while the total seating capacity of the coach routes between the two cities during the same period would have been 688 people.<sup>4</sup>

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<sup>1</sup> Robert Eugene Carlson, *The Liverpool & Manchester Railway Project, 1821-1831* (Newton Abbot: David & Charles, 1969), 237.

<sup>2</sup> Michael Robbins, *The Railway Age* (Manchester: Manchester University Press, 1998), 35; James Joyce, *The Story of Passenger Transport in Britain* (London: Ian Allan, 1967), 67-69; Simon Bradley, *The Railways* ([not identified]: Profile Books, 2017), 57; Frank Ferneyhough, *Liverpool & Manchester Railway 1830-1980* (London: Hale, 1980), 82, 119-121.

<sup>3</sup> B. R. Mitchell, 'The Coming of the Railway and United Kingdom Economic Growth', *Journal of Economic History* 24, no. 3 (September 1964): 317; T. R. Gourvish, *Mark Huish and the London & North Western Railway: A Study of Management* (Leicester: Leicester University Press, 1972), 34.

<sup>4</sup> *Mr. Glyn's Report on Loco-Motive Engines, &c.*, Butterley, 11 May 1832, Thomas Telford Papers T/MT2, Institution of Civil Engineers, London.

By the 1840s, however, as the cost of constructing, operating and maintaining rail lines became better understood and as profit margins began to shrink, railway companies began to expand into less profitable goods transport, the work of the carrying rather than the coaching trade. Throughout the 1840s goods revenue made up an increasingly higher proportion of railway company revenues, both in absolute terms and as a percentage of total company revenue. During this period the question of whether railway companies should be permitted not only to provide their own goods carriage services but also to exclude carriers from their lines and thus effectively monopolise the carriage of goods, known at the time as the carrying question, was hotly debated in Parliament, in the courts, in public meetings, and in print. In this study I will show that by 1850 the question had been resolved formally, through legal precedent, in favour of the carrying trade, but informally and effectively in favour of the railway companies. By that time almost all railway companies operated their own goods carrying services and excluded carriers from their lines. Railway companies soon gained almost complete control over long-distance and regional carrying, both by railway and by canal, putting national and regional carriers out of business and exercising economic dominance over local carriers, which by this time largely served the railway companies, directly or indirectly. This study is the first to investigate in detail the origins, development and outcome of the carrying question, and to present the argument that, unlike passenger services, the change from the carrying trade to railway company goods carriage was both contentious and historically contingent.

Historians of transport, economics and policy generally represent this change in domestic goods carriage in England, from the carrying trade to railway companies, as unproblematic and inevitable - the substitution of a superior technology for an inferior one - and take for granted that railway companies quickly achieved market dominance in both passenger and goods transport by offering cheaper and faster services.<sup>5</sup> If rail goods transport was so clearly superior, however, some explanation is needed for why this change took nearly two decades, compared to the adoption of the rail network for passenger travel, which happened almost instantaneously. Harold Pollins acknowledges that this fact 'needs explaining', but covers the transition with a single sentence, '[t]he trend of opinion was soon in favour of the railway companies

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<sup>5</sup> Philip Bagwell and Peter Lyth, *Transport in Britain: from Canal Lock to Gridlock* (London: Hambledon and London, 2002), 58; T. C. Barker and Christopher I. Savage, *An Economic History of Transport in Britain* (London: Hutchinson, 1974), 67; Laurence Albert Williams, *Road Transport in Cumbria in the Nineteenth Century* (London: Allen & Unwin, 1975), 104, 142-155.

becoming carriers'.<sup>6</sup> Harold Dyos and Derek Aldcroft also find the delay surprising, and write, conflating the carrying trade and canal transport, 'it is not easy to see at first why the railways did not bite deep and hard into canal profits.'<sup>7</sup> Gary Hawke, also conflating the carrying trade and canal transport, concludes that the delay was due to the fact that canal transport remained less expensive for some time after the railways began to transport goods.<sup>8</sup> Philip S. Bagwell draws a similar conclusion; '[t]he failure of rail goods traffic to develop as rapidly as passenger travel was partly due to the relative cheapness of inland navigation'.<sup>9</sup> Michael J. Freeman and Derek Aldcroft explain the slow growth of railway goods traffic by suggesting, contrary to evidence of the text of railway company prospectuses, that '[t]raffic managers were slow to perceive the potential scale of railway usage beyond the realm of passenger carriage'.<sup>10</sup> Michael Robbins suggests that the slow development of rail goods traffic was due to lack of innovation in the private sector; '[o]nly after 1850 did the slower-moving processes of industrial and commercial change in Britain catch up with the personal decisions of individuals'.<sup>11</sup>

Although railways offered the individual passenger overwhelming improvements over coaching, in both lower cost and higher speed, these advantages were not necessarily clear to the business customers of goods transport services. W. T. Jackman first suggested that railway companies typically charged one half to one third of what the carrying trade charged to transport goods; later historians have generally agreed with this figure, although more recent work suggests that the difference was not always that great, and that 'the railways' cost advantages are not clear-cut'.<sup>12</sup> Even if transporting goods by rail cost significantly less than by the carrying trade, however, goods transport costs in the early nineteenth century appear to have accounted for only about three per cent of the total cost of goods, so this reduction would only have

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<sup>6</sup> Harold Pollins, *Britain's Railways: An Industrial History* (Newton Abbot: David & Charles, 1971), 55, 58.

<sup>7</sup> Harold James Dyos and Derek Howard Aldcroft, *British Transport: An Economic Survey from the Seventeenth Century to the Twentieth* (Baltimore: Penguin Books, 1974), 215.

<sup>8</sup> Gary Richard Hawke, *Railways and Economic Growth in England and Wales, 1840-1870* (Oxford: Clarendon Press, 1970), 55.

<sup>9</sup> Philip S. Bagwell, *The Transport Revolution 1770-1985* (London: Routledge, 2014), 98.

<sup>10</sup> Michael J. Freeman and Derek H. Aldcroft, *Transport in Victorian Britain* (Manchester: Manchester University Press, 1991), 18.

<sup>11</sup> Robbins, *The Railway Age*, 9.

<sup>12</sup> William T. Jackman, *Development of Transportation in Modern England* (Cambridge: Cambridge University Press, 1916), 607-608; Hawke, *Railways and Economic Growth in England and Wales, 1840-1870*, 84-86; Bagwell, *The Transport Revolution*, 45-48; quote from Maw, *Transport and the Industrial City*, 86-88.

decreased this cost by about two per cent.<sup>13</sup> As I will suggest in chapter 2, this relatively small reduction in the total cost of goods, less than half the typically hotly debated 5 to 10 per cent discounts sellers often offered for reduced credit periods, is unlikely to have had a significant effect on buyers' and sellers' transport decisions.

Buyers and sellers of goods were also generally less interested in the speed with which they were transported. Goods sent by carrier were typically left at inns and warehouses for receivers to collect at their convenience; with few exceptions, goods carriage was not particularly time-sensitive, and higher speed was generally not sought or valued. As one merchant pointed out in his testimony to Parliament in 1840, 'if there is a delay in the delivery of the goods it is of no importance having them quickly conveyed.'<sup>14</sup> Lower cost and higher speed were the most salient advantages that railway company carrying had to offer passengers; however, goods transport customers typically sought adaptability, consistency, reliability, and value for money. The carrying trade, which had spent centuries adapting its business practices to its customers' needs and requirements, met these needs and requirements more effectively and consistently than railway companies, whose business practices were designed to serve the passenger and small parcels trade.

If railway companies did not provide a service that customers of goods transport wanted or valued, how did they come to dominate the goods transport market? In this study I suggest three reasons. First, railway companies acted collectively to achieve their political and economic goals, while the carrying trade was unable to organise on a national or even a regional or local scale. Second, profits from passenger services provided railway companies with financial resources that dwarfed those of the carrying trade, resources which they were able to use against less well capitalised carriers. Finally, as each railway company had to develop a relationship with Parliament to obtain its enabling act, company directors had influence within government that the carrying trade had no reason or opportunity to acquire.

In addition to challenging some of the current thinking among transport and economic historians about the transition from the carrying trade to railway company carrying,

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<sup>13</sup> Dorian Gerhold, *Carriers & Coachmasters: Trade and Travel before the Turnpikes* (Chichester: Phillimore & Co. Ltd., 2005), 38; Gerard L. Turnbull, 'Provincial road carrying in the 18th century', *Journal of Transport History* new series 4 (1977): 34.

<sup>14</sup> *Fifth Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 10 July 1840, 57.

this study also highlights the significance of this change in goods distribution to the history of the Industrial Revolution. Since the nineteenth century economic historians have investigated the causes and consequences of the Industrial Revolution by focusing on changes in manufacture and production. More recently such social and cultural historians as Maxine Berg, Lorna Weatherill and John Brewer have highlighted the role of consumption in driving the Industrial Revolution through the development of national and global economies, the formation of a national market for fashion and the creation and dissemination of taste.<sup>15</sup> Less has been written extending this work on consumption in the Industrial Revolution into the nineteenth century.<sup>16</sup> Although, as I will discuss in more detail below, historians such as John Chartres, Jon Stobart and David Hancock address the significance of the development of distribution networks, the role of distribution is still little understood in this context.<sup>17</sup>

I argue that before the development of the railway network in England the carrying trade, by providing an efficient, affordable and comprehensive goods transport service that facilitated multistage manufacture and wholesale and retail distribution, played a significant role in the development of many industries important in the Industrial Revolution. This aspect of the goods transport network is not addressed by transport historians, and historians writing about the Industrial Revolution have yet to integrate fully the work of transport historians on the change in England's goods distribution network into their own understanding of economic development in eighteenth and early nineteenth-century England. In this study I attempt to bridge the gap between transport history and social and economic history by adding to both the economic history of production and the social history of consumption a fuller understanding of the operation of the goods distribution network, and its development and change during the Industrial Revolution.

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<sup>15</sup> Maxine Berg, *Luxury and Pleasure in Eighteenth-Century Britain* (Oxford: Oxford University Press, 2005); Lorna Weatherill, *Consumer Behaviour and Material Culture in Britain, 1660-1760* (London: Routledge, 1996); John Brewer and Roy Porter, eds., *Consumption and the World of Goods* (New York: Routledge, 1993).

<sup>16</sup> Maxine Berg, 'Consumption in eighteenth- and early nineteenth-century Britain', in *The Cambridge Economic History of Modern Britain* vol 1, eds. Roderick Floud and Paul Johnson (Cambridge: Cambridge University Press, 2004), 357-386.

<sup>17</sup> John Chartres, 'Road Transport and Economic Growth in the Eighteenth Century', in *New Directions in Economic and Social History*, eds. A. Digby, C. Feinstein, D. Jenkins (London: Palgrave, 1992); Jon Stobart, *Sugar and Spice: Grocers and Groceries in Provincial England, 1650-1830* (Oxford: Oxford University Press, 2012); David Hancock, *Citizens of the World: London Merchants and the Integration of the British Atlantic Community, 1735-1785* (Cambridge: Cambridge University Press, 1995).

Historians have typically not considered the change in the structure of goods distribution in England, from a network of small businesses operating on infrastructure assets provided by others to railway companies providing both infrastructure and exclusive transport services, as something that requires a great deal of explanation.

W. T. Jackman's interpretation of this change, mentioned in a footnote, is typical:

when railways began to be worked on a large scale with locomotive power, it was found that the necessities of the case demanded the non-recognition of this Parliamentary safeguard [against railway companies monopolising goods carriage on their lines].<sup>18</sup>

Jackman attributes the change in government policy, allowing railways to control regional and national goods carriage, to some unidentified outside influence ('it was found', 'necessities...demanded') rather than the outcome of a political and economic conflict between two groups with different interests or, as I will argue, between two groups relying on, and engaging with each other using, different business models. Frank Dobbin uses similar wording: '[b]y 1840, Parliament recognized that railway technology made free public access to the rails impracticable.'<sup>19</sup> Philip S. Bagwell describes the elimination of the long-distance carrying trade as one of several 'decisive improvements in organisation' resulting in a 'more business-like organisation of railway freight traffic'.<sup>20</sup> Many historians, like Stephen Hughes, suggest that railway companies were required to act as monopoly transport service providers due to safety concerns: '[i]n these new fully-developed modern public railways a company had to run all its own timetabled trains simply to avoid the risks of the collisions.'<sup>21</sup> As I will show in this study, however, the change in the way goods were transported in England during this period was less the result of a change in technology than of a change in the economic structure of the goods transport sector - the replacement of hundreds of small businesses informally collaborating within a loose social and regulatory framework with a small number of joint-stock firms working collectively through formal organisations. The carrying question pitted the business model of the 'sociable economy', which I will discuss in chapter 2, against the transactional and managerial model of the joint-stock railway companies, which I will discuss in chapter 3, and the latter emerged victorious, with consequences for the way business in general, not just goods transport, was done.

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<sup>18</sup> Jackman, *Development of Transportation in Modern England*, 574 footnote 5.

<sup>19</sup> Frank Dobbin, *Forging Industrial Policy: The United States, Britain and France in the Railway Age* (Cambridge: Cambridge University Press, 1994), 200.

<sup>20</sup> Bagwell, *The Transport Revolution*, 101.

<sup>21</sup> Stephen Hughes, 'The emergence of the public railway in Wales,' in *Early Railways 4: Papers from the Fourth International Early Railways Conference*, ed. Grahame Boyes (Sudbury, Suffolk: Six Martlets Press, 2010), 124.



In order to demonstrate that the transition from the carrying trade to railway company carrying was not a simple technological change between modes of transport but rather a conflict between two types of business practice, I will present the following arguments. First, I will argue that, rather than a set of isolated and competing transport modes, as pre-railway goods transport is usually described, the carrying trade was a complex and sophisticated multimodal network of small businesses that collaborated with each other, with such related businesses as carrying inns and infrastructure managers, and with buyers and sellers of goods, in the context of a 'sociable economy' built on trust, credit and personal relationships. Second, I will contrast this business model with the managerial and transactional business model of joint-stock companies, in which policy and decision-making are based on short-term and narrowly defined business interests, such as revenue and profit, rather than on developing and maintaining long-term business relationships. I will identify ways in which those who dealt with joint-stock companies attempted to control or mitigate the harm caused by their business practices. Finally, I will show that the carrying question, the conflict over control of goods carriage on rail lines, was part of this larger conflict between these two business models, and that the fact that joint-stock companies emerged victorious, despite strong opposition and lack of support from other social structures and institutions, had consequences for the economy as a whole.

In order to provide this history and make these arguments, in addition to using evidence from sources used by other historians researching the development of transport in England during this period (newspaper articles, railway and canal company records, government records, and quantitative information extracted from business directories) I also provide evidence from sources less often used in transport history: business correspondence describing the logistics of goods transport and the relations among the parties involved, evidence and rulings presented in lawsuits between carriers and railways, the Parliamentary Select Committee testimony of those involved in the carrying question, and, thanks to the availability of digitised documents, wills, ephemera, pamphlets, newspaper articles and books written by parties supporting both the carrying trade and the railway companies.

### **Historical background and literature review**

In this section I first briefly mention the principal works in transport history, railway history, and the history of economic development that either do not acknowledge the

existence of the carrying trade or conflate it with passenger transport, to demonstrate that this study fills a gap in existing transport history. I then identify and review historical research that addresses the carrying trade, both directly and indirectly, and explain how my work builds on and expands this research. Finally, I mention the work of historians on other subjects - sociability, trust, credit, and management – that I have drawn on to help contextualise and understand the carrying question.

Before I review the existing historical literature I must first clarify the distinction between the coaching (passenger) and carrying (goods) trades, as historians often conflate the two. Alan Everitt, for example, writes that '[w]ithin a few years of the establishment of rail connections...the old long-distance coach and carrying trade... was extinct.'<sup>22</sup> Jon Stobart refers indiscriminately to 'coaches and carriers' in his description of the pre-railway transport network.<sup>23</sup> J. S. Jeans claims that '[t]he vested interest of stage-coach proprietors and carriers offered a strenuous objection to the new system' when in fact, as I will describe in chapter 4, carriers were eager to collaborate with railway companies.<sup>24</sup> Laurence Albert Williams' work on the development of rail lines in Cumbria, and the subsequent decline in turnpike tolls, is mostly about passenger service, with a single mention that railway goods rates for general merchandise were less by rail than by other modes, but the only goods rates Williams quotes are for coal; by not distinguishing between the coaching trade, the carrying trade, and the use of railways in mining, Williams fails to explain fully the events he describes.<sup>25</sup> Harold Pollins, in *Britain's Railways*, confusingly refers to carrying as 'road coaching'.<sup>26</sup> Roy Church's phrase 'the replacement of packhorse [used for goods carrying] with stage coach [used for passenger travel]' indicates a basic misunderstanding of the pre-railway transport system.<sup>27</sup>

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<sup>22</sup> Alan Milner Everitt, 'Town and Country in Victorian Leicestershire: The Role of the Village Carrier', in *Perspectives in English Urban History*, ed. Alan Milner Everitt (London: Macmillan, 1973), 217.

<sup>23</sup> Jon Stobart, *The First Industrial Region: North-West England, c.1700-60* (Manchester: Manchester University Press, 2013), 47-50, 190.

<sup>24</sup> James S. Jeans, *Railway Problems* (London: Routledge, 1998), 7.

<sup>25</sup> Williams, *Road Transport in Cumbria in the Nineteenth Century*, 142-155.

<sup>26</sup> Pollins, *Britain's Railways*, 67.

<sup>27</sup> Roy Church, 'Ossified or Dynamic? Structure, Markets and the Competitive Process in the British Business System of the Nineteenth Century', *Business History* 42, no. 1 (January 2000): 8.

The carrying trade, as I have mentioned, was a network of small businesses which transported goods, as well as occasionally carrying passengers for low fares.<sup>28</sup> The coaching trade, made up of private coach companies and, after 1784, the Post Office, transported passengers, letters and small parcels. The coaching trade and carrying trade served different types of customers; the coaching trade served individuals as passengers or senders of letters and small parcels while, although carriers transported personal goods and occasionally people, the carrying trade primarily served businesses that bought and sold raw materials and manufactured products.

In addition to conflating coaching and carrying, transport and economic historians tend to describe developments in transport in ways that obscure the role of the carrying trade. Many, like Charles Hadfield and Jack Simmons, write about specific 'transport sectors' or modes of transport.<sup>29</sup> My review of these historians' work, and of transport history in general, suggests that these historians, like most historians of transport, are interested in the origins and development of specific modes (mostly canals and railways, but also roads, shipping, and later aviation and cycling), describing the political, economic and technical issues relating to the conception, design, and construction of infrastructure as well as the growth of each mode into a national network. This focus on single competing modes is sensible when describing the passenger transport network; when planning journeys people do typically consider, for example, whether to drive or take a bus, or to fly or take a train, weighing various factors to make the decision. This model does not, however, accurately describe the goods transport network which, as I explain in chapter 1, often employed, and typically still employs, more than one mode to accomplish a single journey.

Historians who focus on economic development, like Jon Stobart, Neil Raven, Derek Aldcroft, Michael J. Freeman and Rick Szostak, and John F. Wilson and John Singleton, consider transport as a facilitator of production and consumption, and use the availability and capacity of infrastructure links between destinations as a factor to help explain economic change and to compare the development of regions and economic sectors. These scholars primarily focus on the construction or improvement of road, inland waterway, port or rail infrastructure, rather than the actual movement

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<sup>28</sup> I do not address this aspect of the carrying trade in this study, as it was quickly replaced by third-class passenger transport on railways after the 1844 Railway Regulation Act required companies to provide 'penny a mile' service.

<sup>29</sup> Charles Hadfield, *British Canals, An Illustrated History* (London: Phoenix, 1950); Jack Simmons, *The Railway in England and Wales 1830–1914* (Leicester: Leicester University Press, 1978).

of goods, and seem to assume that once infrastructure connecting two destinations is provided or improved that trade between them automatically occurs or increases.<sup>30</sup> This assumption that transport infrastructure leads to trade and development continues to drive government decision-making, as Luke Patey points out, leading governments and global development organisations to fund the construction of transport infrastructure in the expectation that the inevitable economic growth that follows will retroactively pay for it.<sup>31</sup>

Transport historians typically write about three subjects - the financing, design and construction of transport infrastructure (during this period, roads, canals, railways, and the vehicles that travel on them), the management of infrastructure companies, and the role of government as facilitator or regulator of infrastructure development.<sup>32</sup> William Albert identifies this pattern, suggesting that transport historians focus on these issues to provide examples and instruction for developing countries and to demonstrate that unregulated private enterprise - the way the railway network in Britain is generally portrayed as having developed - leads to superior results, and, therefore, to argue implicitly that public support for infrastructure development, in either the developing or the developed world, is unnecessary and potentially counterproductive.<sup>33</sup> This portrayal of the development of Britain's canal and railway infrastructure as entirely the work of private capital is at best incomplete, as it leaves out the role, both direct (through the Exchequer Bill Loan Commission) and indirect (through money disbursed via the Slave Compensation Act of 1837), of public finance in constructing the network; this history of transport infrastructure development in nineteenth-century Britain has not yet been written.<sup>34</sup>

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<sup>30</sup> Neil Raven and Jon Stobart, eds., *Towns, Regions and Industries: Urban and Industrial Change in the Midlands, c.1700-1840* (Manchester: Manchester University Press, c2005), 80; Derek Aldcroft and Michael J. Freeman, *Transport in the Industrial Revolution* (Manchester: Manchester University Press, 1983), 106-107, 122-123, 128-129, 200-202; Rick Szostak, *The Role of Transportation in the Industrial Revolution* (Buffalo: McGill-Queen's University Press, c1991), 58; John F. Wilson and John Singleton, 'The Manchester industrial district, 1750-1939: clustering, networking and performance', in *Industrial Clusters and Regional Business Networks in England, 1750-1970*, eds. John F. Wilson and Andrew Popp (London: Routledge, 2017), 46.

<sup>31</sup> Luke Patey, 'The Chinese Model is Failing Africa', *Financial Times*, 26 August 2018.

<sup>32</sup> Any book on canal or railway history will address these issues. Charles Hadfield's body of work on the English canal system is an example of the genre.

<sup>33</sup> William Albert, *The Turnpike Road System in England: 1663-1840* (Cambridge: Cambridge University Press, 2007), 1.

<sup>34</sup> L. T. C. Rolt, *Thomas Telford* (London: Longmans, 1958), 158; 'Legacies of British Slave-ownership', accessed 14 September 2018, <https://www.ucl.ac.uk/lbs/>.

Transport historians who write about the rail sector, like other transport historians, typically consider railway company goods carrying a natural outgrowth of the logistical and technical requirements of rail technology; the role of the carrying trade in the history of English railways is generally not recognised. Some acknowledge that carriers initially used rail lines, and that the question of whether carriers or railway companies should manage rail goods transport services was not immediately settled. Many others, however, who consider railway companies' monopoly of both passenger and goods carriage on their lines as a defining characteristic of the 'true' or 'modern' railway, find it necessary to assert, for example, that the Liverpool & Manchester Railway Company, generally considered the first 'modern' railway, chose 'not [to] employ contractors for the conveyance of traffic on their railway, but to handle all the business directly' in order to ensure that it fits this definition.<sup>35</sup> Bagwell and others claim incorrectly that '[f]rom the date of [the Liverpool & Manchester Railway's] opening...it was managed and run solely by the company which made all the arrangements for carriage of both goods and passengers.'<sup>36</sup> The history of pre-mainline railways has attracted enough specialist interest to support an International Early Railways Conference every three to four years since 1998.<sup>37</sup> Despite its significance to rail transport during this period, papers published from these conferences do not mention the carrying trade; its sole appearance is in a quotation by Francis Wright, chairman of the Cromford and High Peak Rail Road, explaining the line's financial failure.<sup>38</sup> The carrying question is occasionally mentioned indirectly and in passing, as a transition period, deviation or dead end in the development of the modern railway.<sup>39</sup>

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<sup>35</sup> T. R. Gourvish, *Railways and the British Economy, 1830-1914* (London: Macmillan, 1980), 27; Dobbin, *Forging Industrial Policy*, 200; Hawke, *Railways and Economic Growth in England and Wales, 1840-1870*, 317; Robbins, *The Railway Age*, 77; Simmons, *The Railway in England and Wales*, 19; Sydney Charles Williams, *Economics of Railway Transport* (London: Macmillan, 1910); Robbins, *The Railway Age*, 13.

<sup>36</sup> Bagwell, *The Transport Revolution*, 76, 80; Dyos and Aldcroft, *British Transport*, 24.

<sup>37</sup> Andy Guy and Jim Rees, eds., *Early Railways: A Selection of Papers from the First International Early Railways Conference* (London: Newcomen Society 2001); M. J. T. Lewis, ed., *Early Railways 2: Papers from the Second International Early Railways Conference* (London: Newcomen Society, 2003); Michael R. Bailey, ed., *Early Railways 3: Papers from the Third International Early Railways Conference* (Sudbury: Six Martlets Publishing, 2006); Boyes, *Early Railways 4*.

<sup>38</sup> David Hodgkins, 'Success and failure in making the transition to a modern railway: the Liverpool & Manchester and Cromford & High Peak,' in *Early Railways 2*, 61; Maurice W. Kirby, *The Origins of Railway Enterprise: the Stockton and Darlington Railway, 1821-1863* (Cambridge: Cambridge University Press, 1993), 37, 90, 95, 110, 139; Carlson, *The Liverpool & Manchester Railway Project*, 179, 184, 201, 204, 207, 245.

<sup>39</sup> Winifred Stokes, 'Who ran the early railways? The case of the Clarence,' *Early Railways 2*, 81; Stephen Hughes, 'The emergence of the public railway in Wales,' *Early Railways 4*, 121.

Although most transport historians, with their focus on physical infrastructure, internal company management, and relations with government, do not mention the carrying trade, a few do recognise its existence. W. T. Jackman's comprehensive *Development of Transportation in Modern England*, published in 1916, includes a great deal of material about the carrying trade in the seventeenth century and after 1750, identifying its multimodal nature and addressing its attempts to operate on rail lines.<sup>40</sup> However, like later historians, he states categorically that 'experience had clearly shown that this right [of carrier access to rail lines] could not be exercised without great danger to the public.'<sup>41</sup> Some histories of the Stockton & Darlington and Liverpool & Manchester Railways mention these companies' relationships with the carrying trade, though without a clear understanding of how the latter operated; they do not mention carriers' organisational structures, requirements, objectives and operations, or the business arrangements between carrying firms and railway companies. Robert Carlson's history of the Liverpool & Manchester Railway mentions in passing that the line 'was a public highway like any turnpike road and was open to all users', and R. H. G. Thomas describes negotiations between the directors of the Liverpool & Manchester Railway Company and carrier John Hargreaves.<sup>42</sup>

My description in chapter 1 of the structure and operation of the carrying trade builds on the work of two historians, Dorian Gerhold and Gerald Turnbull, who have written about two regional carrying firms, Russells Flying Waggons (which served London and the southwest) and Pickfords (which served London and Manchester). Gerhold uses the extensive business records of Russell's Flying Waggons, preserved in the National Archives' Court of Exchequer documents as evidence in a lawsuit between the firm's partners, to examine the structure and operations of the firm, how they determined their rates, what goods they carried and for whom. Gerhold briefly mentions the evolution of the relationship between Russells and the Great Western Railway, which started providing services in the region in 1841; '[a]t first, carriers regarded railways as a new variety of turnpike on which to conduct their own businesses,' but due to the nature of rail operations '[i]t was inevitable...that where railways existed, carriers would have a drastically reduced role'.<sup>43</sup> Gerhold, like the

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<sup>40</sup> Jackman, *Development of Transportation in Modern England*, 306, 309-310.

<sup>41</sup> Jackman, *Development of Transportation in Modern England*, 747.

<sup>42</sup> Carlson, *The Liverpool & Manchester Railway Project*, 179; Ronald H. G. Thomas, *The Liverpool & Manchester Railway* (London: B.T. Batsford, 1980), 95-98, 207.

<sup>43</sup> Dorian Gerhold, *Road Transport before the Railways: Russell's London Flying Waggons* (Cambridge: Cambridge University Press, 1993), 206.

historians I mention above, seems to consider the carrying trade as a technology clearly inferior to rail transport and inevitably to be supplanted by it.

Turnbull's study is a similarly detailed description of the development of Pickfords, drawn from company and government records. Turnbull describes the relationship between Pickfords and two railway companies, the London & Birmingham and the Grand Junction. Pickfords had an agreement with the London & Birmingham Railway Company until 1846, when the company merged with two others to form the London & North Western Railway Company. In the 1840s Pickfords was forced to cease carrying on the Grand Junction Railway, even after it won a series of high-profile lawsuits against the company; the Grand Junction also became part of the London & North Western Railway Company in 1846, and the Grand Junction's officials were the driving force behind the new company's exclusive carrying policy.<sup>44</sup> Turnbull explains how Pickfords managed the restriction of its business in the 1840s and 1850s, and continued to survive into the present day, by becoming an agent of the railway companies.

Neither Russells nor Pickfords were typical carrying firms; they were both unusually large, and it is unusual that a substantial number of business records of both firms have been preserved (Russells due to the lawsuit among the partners and Pickfords due to their continuing to exist). These company histories, as well as other work by Gerhold, Turnbull and other historians who have researched other aspects of the carrying trade, which I will describe in more detail in chapter 1, were a useful starting point for my analysis of the carrying trade as a whole. The focus of my analysis, however, is different from that of these historians. In this study I highlight the intermodal and collaborative nature of the carrying trade - how carriers worked with each other to move goods, and adapted their business practices to their customers' needs and requirements. I contrast this collaborative way of doing business, both between carriers and between carriers and customers, with the contractual and transactional way railway companies interacted with their customers and competitors.

Aside from the work of the transport and economic historians I have mentioned, in this study I also build on the work of several scholars in different areas whose

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<sup>44</sup> Gerald L. Turnbull, *Traffic and Transport* (London: George Allen & Unwin, 1979), 106-122.

research is relevant to understanding the carrying trade and the carrying question.<sup>45</sup> My understanding of the 'sociable economy' within which the carrying trade operated is based largely on the work of Craig Muldrew, who analyses the economic structure of early eighteenth-century England.<sup>46</sup> My own research, as well as that of other historians, suggests that the business model Muldrew describes, based on long-term credit exchanged in the context of carefully-cultivated personal connections, continued into the early nineteenth century and beyond. Gillian Cookson, Max Weber and E. P. Thompson also describe and analyse this type of economic interaction within specific groups and business sectors, and Margot Finn and Deborah Valenze have investigated other aspects of this business model.<sup>47</sup> In this study I demonstrate that the carrying trade both conformed to this business model in its own economic behaviour and facilitated it by providing ways for participants to maintain social connections by exchanging gifts, information and favours. Although railway companies ostensibly provided a similar goods transport service, they did not explicitly facilitate the 'sociable economy' and in fact their own business model undermined it.

The first mainline railway companies were joint-stock companies. My assessment of the business model and economic behaviour of railway companies is based on Sidney Pollard's *The Genesis of Modern Management* and James Taylor's *Creating Capitalism*.<sup>48</sup> Pollard, an economic historian, was specifically interested in the relationship between labour and management in industrial settings, and how non-economic factors affected economic behaviour; his book addresses the history and structure of this relationship and investigates how people behave within joint-stock companies. At the time James Taylor wrote *Creating Capitalism* his research focused on corporate governance and commercial fraud; his book describes the social and

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<sup>45</sup> I will provide more detailed consideration of their work, and the work of other scholars I have identified here, in the chapters where it appears.

<sup>46</sup> Craig Muldrew, *The Economy of Obligation: The Culture of Credit and Social Relations in Early Modern England* (Basingstoke: Palgrave Macmillan, 1998).

<sup>47</sup> Gillian Cookson, 'Family firms and business networks: Textile engineering in Yorkshire, 1780-1830', *Business History* 39, no. 1 (1997); Max Weber and Colin Loader, "'Churches" and "Sects" in North America: An Ecclesiastical Socio-Political Sketch', *Sociological Theory* 3, no. 1 (1985): 7-13; E. P. Thompson, *Customs in Common: Studies in Traditional Popular Culture* (London: Merlin Press, 2010); Margot C. Finn, *The Character of Credit: Personal Debt in English Culture, 1740-1914* (Cambridge: Cambridge University Press, 2003); Deborah M. Valenze, *The Social Life of Money in the English Past* (Cambridge: Cambridge University Press, 2006).

<sup>48</sup> Sidney Pollard, *The Genesis of Modern Management* (Cambridge [MA]: Harvard University Press, 1965); James Taylor, *Creating Capitalism: Joint-Stock Enterprise in British Politics and Culture, 1800-1870* (Woodbridge, UK: Boydell Press for the Royal Historical Society, 2006).



political reactions to the introduction of the joint-stock business model into the early nineteenth-century English economy, with particular reference to public concern about fraud and other unethical corporate behaviour. As my own research demonstrates that railway companies' business practices and styles of interaction resemble those of other contemporary joint-stock firms, their analysis of the behaviour of joint-stock companies helps to put the actions of railway companies with regard to the carrying question into context. I have also drawn on Mark S. R. Jenner's research on customers' and government's responses to the business practices of the joint-stock companies supplying water to London in the 1820s to show that the business behaviours and others' responses to them over the carrying question were not unique to railway companies.<sup>49</sup> My exploration of responses to railway company goods carrying policy also builds on the work of R. W. Kostal, who analyses the 'small package wars' in his book on the legal issues related to railway companies, and to Frank Dobbin, whose research highlights government responses to the growth of joint-stock firms in England during this period.<sup>50</sup> Kostal's and Dobbin's work help to put the carrying question into a larger context of the government's unsuccessful attempts to control the behaviour of joint-stock companies in the early nineteenth century, in the courts and through legislation.

### **Parameters of this study**

To make my arguments about the carrying question clearer, limit the amount of evidence reviewed, and present a consistent picture of the changing economy which is not affected by national variations, I have limited the geographical scope of this study to England. Because the political, financial, commercial, legislative and economic issues surrounding international trade render the subject complex, and because other scholars, particularly David Hancock, have already addressed international trade in this context, this study focuses exclusively on goods transport within England; I have not included evidence relating to goods transport outside England except as it relates to internal transport links (for example, between inland waterways and international ports).<sup>51</sup> Although where relevant to my arguments I

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<sup>49</sup> Mark S. R. Jenner, 'Monopoly, Markets and Public Health: Pollution and Commerce in the History of London Water 1780-1830', In *Medicine and the Market in Pre-Modern England and its Colonies 1450-1850*, eds. Mark S. R. Jenner and Patrick Wallis (Basingstoke: Palgrave MacMillan, 2007).

<sup>50</sup> R. W. Kostal, *Law and English Railway Capitalism* (Oxford: Clarendon Press, 1994); Dobbin, *Forging Industrial Policy*.

<sup>51</sup> Hancock, *Citizens of the World*; David Hancock, *Oceans of Wine: Madeira and the Emergence of American Trade and Taste* (New Haven: Yale University Press, 2009).

discuss how carriers used transport infrastructure - roads and turnpikes; rivers, navigations and canals; and coastal port facilities, as well as rail lines - I do not address the financing, construction and management of this infrastructure as this topic has already been exhaustively covered in both general transport histories and books and articles about each transport mode.<sup>52</sup> This study does not address passenger transport for the same reason. Because the carriage of bulk goods has its own requirements and constraints, because other scholars have already written about the carriage of bulk goods, particularly coal, and because before the middle of the nineteenth century mainline railway companies were not interested in the carriage of bulk goods, this study focuses on the carrying of general merchandise, and does not discuss the carriage of bulk goods except where relevant to the development and characteristics of the goods transport network.<sup>53</sup> Some of these parameters serve to limit the amount of material to review in a consistent way, and others to avoid duplicating or recreating the work of other historians; none seem likely to affect the nature of the evidence I use in my arguments. I will discuss the limitations of evidence as I provide it; in my conclusion I will summarise this discussion and identify the potential effects on my arguments of including new or different evidence.

### **Structure of this study**

This study describes and analyses the carrying question and its outcome in four sections:

- The structure and operation of the carrying trade
- The carrying trade and the 'sociable economy'
- The business model of joint-stock companies
- The carrying question and its outcome

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<sup>52</sup> For general economic and transport history please refer to the footnotes earlier in this chapter. For roads and turnpikes: Sidney and Beatrice Webb, *The Story of the King's Highway* (London: Cass, 1963); Albert, *The Turnpike Road System in England, 1663-1840*; John R. Copeland, *Roads and their Traffic* (London: David & Charles, 1968). For inland waterways: the work of Charles Hadfield; Thomas Stuart Willan, *River Navigation in England 1600-1750* (London: Cass, 1964); Peter Maw, *Transport and the Industrial City: Manchester and the Canal Age, 1750-1850* (Manchester: Manchester University Press, 2013); John Douglas Porteous, *Canal Ports: The Urban Achievement of the Canal Age* (London: Academic Press, 1977). For coastal shipping: the work of John Armstrong; Thomas Stuart Willan, *The English Coasting Trade, 1600-1750* (Manchester: Manchester University Press, 1967); John Armstrong, ed., *Coastal and Short Sea Shipping* (London: Ashgate, 1996).

<sup>53</sup> John Ulric Nef, *The Rise of the British Coal Industry* (London: Cass, 1966); *Fifth Report*, 531.

In chapter 1 I review the research of Dorian Gerhold, Gerald Turnbull and others to synthesise what is currently understood about the carrying trade, then expand this understanding of the carrying trade from individual carrying firms to the multimodal goods carriage network, including carriers and the other businesses - carrying inns, transport infrastructure companies, and the Post Office - that supported them. I describe the structure and operation of the carrying trade and interaction among carriers and between carriers and their support networks. I identify the legal and regulatory frameworks affecting carrying, and conclude with some thoughts on the role of the carrier in the society and culture of Georgian England. Transport and economic historians generally describe goods carriage before the railways as unsophisticated and poorly-organised, on bad roads and slow canals, a technological constraint on economic development which was removed by the railways. I argue instead that, although not centrally managed or controlled, the carrying trade was well organised and adaptable, and that it facilitated economic interaction, specialisation of production and the development of national markets. I draw evidence for the arguments in this chapter from transport, economic, social and local histories and from a variety of sources including newspaper articles, pamphlets, legal records, wills, literature and trade cards.

In chapter 2 I focus in more detail on the business structures of both carrying firms and their customers, and the way businesses interacted with and through carriers. I begin the chapter by developing the idea of the 'sociable economy' described by Craig Muldrew and others. I then use evidence primarily from the correspondence of twenty businesses that employed carriers, held in ten archives around the country, to show how the carrying trade facilitated and was integrated into the kind of economy described by Muldrew, in which economic interaction took place in the context of a social structure based on credit and personal relationships. Carriers both worked within this business structure and facilitated its operation, providing a way for people doing business with each other to establish, maintain and strengthen personal relationships. These relationships allowed long-term credit to be given and accepted, and disagreements or conflicts to be resolved informally, without the necessity of legal or government intervention.

In chapter 3 I contrast the business model of the 'sociable economy' I developed in chapter 2 with the business model of the joint-stock company, based on different principles and operating outside of and differently from this economy. I begin by

arguing that the first mainline railway companies, though not always considered part of the 'modern management' revolution, exhibited the characteristics of organisations described by historians of corporations. I then analyse the business practices of the joint-stock company, applying them to the behaviour of the first mainline railway companies. I then consider how businesses and individuals responded to the business practices of joint-stock companies, building on James Taylor's analysis of these responses in the early nineteenth century. In this chapter I argue that, when faced with the perceived disruptive actions of joint-stock companies, people and businesses accustomed to the operations and interactions of the 'sociable economy' tended to exhibit a specific set of responses, beginning with attempts at negotiation, then escalating to legal action, publicity and calls for government intervention, and finally, if possible, to boycott or disengagement. To demonstrate and delineate this set of responses I use as a case study customers' responses to the policies and actions of the joint-stock companies providing London's water supply in the 1820s. I draw evidence for the arguments in this chapter from newspaper articles and government records, particularly the testimony of witnesses at Parliamentary Select Committee hearings investigating complaints about London's water supply.

The final three chapters of this study address the carrying question and its outcome. In chapter 4 I introduce the carrying question of the 1840s and 1850s: whether railway companies should be permitted to exclude carriers from their lines and operate their own goods carriage service as a monopoly. I begin by investigating the precedents for railway company carrying in the practice of 'self-carrying' (operating their own carrying services) by inland waterway companies. I then consider the debate over railway company carrying among railway company officials and shareholders in the 1840s, to understand how and why companies decided to exclude carriers from their lines. I then describe how this policy, controversial even within railway company management, spread to the entire railway network through collective organisations, and the quantifiable effects of the exclusion of carriers from railways on the carriers themselves, the businesses that employed them, and the wider economy. The evidence for arguments in this chapter comes from company and organisation records held at the National Archives, a series of published pamphlets and open letters outlining the arguments for and against railway company carrying, and several sources of quantitative evidence including business directories and demographic information.

In chapter 5 I use the model I developed in chapter 3 to identify and categorise the responses of carriers, businesses, the public and government to railway company policy excluding carriers from their lines. The historians I cited earlier in this chapter typically claim that, with the exception of a few classes of goods that continued to be transported by canal, customers of the carrying trade moved their goods carriage business to railway companies due to their clear superiority in cost, speed, and service; the range of responses to railway company goods carrying that I document in this chapter, however, suggests that many customers did not support or welcome railway company carrying, preferred working with carriers on railway lines, and attempted to influence railway company policy and practice via direct negotiation, lawsuits, publicity, calls for government action, and boycotts. For this chapter I draw on evidence from the testimony recorded in Parliamentary Select Committee hearings investigating the carrying question, legal records, and books, pamphlets and articles published by and about the participants in the conflict.

In chapter 6 I describe the ramifications of the outcome of the carrying question in favour of the railway companies. I begin by speculating about why the railway companies succeeded in monopolising goods carriage despite the concerted and principled opposition I identified in chapter 5. Once their monopoly position was secured, railway companies vertically integrated the carrying trade by purchasing and either managing or removing competitors, including carriers and canal companies. As railway companies became, in effect, the only carriers, the legal definition of the word 'carrier', originally describing the small businesses that comprised the carrying trade, changed to include railway companies. As the carrying functions of railway companies, formerly separate from the companies' original purpose of building and maintaining transport infrastructure, became integral to their business, railway companies became subject to taxes on their revenue as carriers and to laws making carriers responsible for goods in their care. The responses I identified in chapter 5 proved unsuccessful in the short term in changing railway company policy or behaviour, but it could be argued that they contributed in the longer term to more government regulation of railway companies, culminating in the nationalisation of the railway network. Evidence from this chapter is drawn largely from testimony before Parliamentary Select Committees, transcripts and analyses of legal cases, and newspaper articles and reports of lawsuits involving railway companies.

I conclude this study by summarising the arguments of the previous chapters. I describe the effects of the outcome of the carrying question on the wider economy and on how business was done, and suggest how my arguments contribute to our understanding of the Industrial Revolution. I conclude this chapter with some suggestions about areas where research about the carrying trade affects and is affected by other areas of historical interest, including the transport infrastructure; industrialisation and regionalisation; consumer culture, consumption and fashion; distribution and retailing; literacy, letter writing and the postal service; and women's work and family firms.

## **Chapter 1: Development of the carrying trade 1750-1850**

### **Introduction**

In this chapter I analyse the work of Gerald Turnbull, Dorian Gerhold and others who have written about the carrying trade, and draw on the work of scholars in several fields - transport history, economic history, local history, and the history of inns, literacy and the Post Office - and my own analysis of sources previously uninvestigated or underused for transport history to create a more complete view of the multimodal carrying trade between about 1750 and about 1850. I begin the chapter by describing the structure and operation of the carrying trade, in order to understand the business, but my primary focus in this chapter is on the relationships between carriers, between carriers and the businesses and organisations that supported the carrying trade, between carriers and their customers, and between carriers and their communities.

The businesses that comprised the carrying trade in England in the eighteenth and early nineteenth centuries ranged in size from a single person with a horse and waggon or canal boat to a partnership managing a fleet of waggons or seafaring vessels covering hundreds of miles of route. Carriers operated on road, inland waterway and coastal shipping routes, co-ordinating with each other via a 'hub and spoke' network (in which goods were transported to central 'hubs' to be transferred between local and longer-distance routes) to transport goods between any two points in the country. Carrying firms relied on and collaborated with other businesses: carrying inns, transport infrastructure built and managed by trusts or joint-stock companies, and the government-supported postal service. Carrying had a significant role in the economic and social life of the country - both businesses and individuals relied on their services. As the owners and operators of businesses essential to communication and trade, carriers were integrated into and recognised and respected by the communities they served. These statements appear to have been true since at least the second half of the eighteenth century, and remained true until, as I describe in chapter 4, railway companies largely took over the business of carrying, managing regional goods transport directly and local transport indirectly.

This chapter has eight sections. In the first section I review what is known about the scope and scale of the carrying trade in the eighteenth and early nineteenth centuries. In the second section I explore the structure and operation of carriers and the carrying trade. In the third and fourth sections I consider how carriers' customers interacted

with them - how customers chose a carrier and planned a journey, and how they engaged with the carrying trade to accomplish the journey. In the fifth section I discuss how carriers collaborated with each other to move goods around the country, and in the sixth I show how carriers interacted with and relied on other businesses and organisations - carrying inns, transport infrastructure owners and the Post Office. In the seventh section I review the legal, regulatory and customary framework within which the carrying trade operated, showing that carrying was an established and well-regulated part of the economy by the mid-eighteenth century. In the final section I explore what we can determine about carriers themselves - their self-image, social status, economic role, and place in society – from available evidence, and provide some examples of portrayals of carriers in contemporary media, showing that carrying and carriers were an established part of the economy and culture of eighteenth- and early nineteenth-century England.

### **Scope and scale of the carrying trade**

Although the carrying trade has been 'especially resistant to statistical enquiry', historians have attempted to extract statistical information from a variety of sources to provide some sense of its nature and scale, and how it changed over time.<sup>1</sup> John Taylor's *Carriers Cosmographie* of 1637, listing 270 waggons leaving London every week, attests to a comprehensive national goods transport network centred on London by that time.<sup>2</sup> The number of waggons had doubled by 1700 and doubled again by 1800. By 1838 about 1,000 waggons, each carrying up to six tons, entered and left London each week.<sup>3</sup> Gerald Turnbull and John Chartres, collaborating on a study of the economic history of British inland transport and communications between 1600 and 1850, investigated the volumes and types of goods carried and the horses and waggons used by the carrying trade; Dorian Gerhold's review of their research concludes that road carriers moved about 74,700 ton-miles of goods into and out of London per week in 1690, a figure that had increased to 369,800 ton-miles per week by 1826.<sup>4</sup> W. T. Jackman states that in 1818 about 1.5 million tons of goods entered London via coastal shipping; Bagwell provides a higher number, about 2.2 million

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<sup>1</sup> Dorian Gerhold, 'The growth of the London carrying trade, 1681-1838', *Economic History Review*, second series (1988): 392.

<sup>2</sup> John Taylor, *The Carrier's Cosmographie. Innes, Hostelries, and Other Lodgings in and neere London* (Amsterdam: Theatrum Orbis Terrarum, 1974); Turnbull, *Traffic and Transport*, 4; Dorian Gerhold, *Road Transport before the Railways*, 11.

<sup>3</sup> Turnbull, *Traffic and Transport*, 4-5; Gerhold, *Road Transport Before the Railways*, 1.

<sup>4</sup> Turnbull, 'Provincial road carrying', 17-39; Dorian Gerhold, 'Packhorses and wheeled vehicles in England, 1550-1800', *Journal of Transport History* 14 (1993): 13-18; Gerhold, 'The growth of the London carrying trade', 403.



tons, for the year 1824. Bagwell states that 84% of the tonnage brought into London by coastal shipping was coal and 14% grain, leaving only 2% of this figure as general merchandise.<sup>5</sup>

Goods transported by general merchandise carriers (as opposed to transporters of bulk goods) can be separated into three broad categories: agricultural products, manufactured goods and their components, and personal goods. A significant portion of the carrying trade's business was agricultural products and foodstuffs, both locally grown and imported.<sup>6</sup> Several food routes, such as the Droitwich-Worcester salt route, have been identified.<sup>7</sup> As dairies near cities specialised in providing fresh milk, butter and cheese were often brought in from farther away; in his *Tour through the Whole Island of Great Britain*, first published between 1724 and 1727, Daniel Defoe described the cheese routes from Cheshire down the Trent to Hull then by sea to London, and from Gloucestershire to Lechlade and Cricklade by road then down the Thames.<sup>8</sup> By 1730 producers in York, Hull, Scarborough, Stockton, Newcastle and Suffolk were sending butter and cheese to London via coastal shipping.<sup>9</sup> By the late eighteenth century Manchester residents were buying Irish butter shipped to Liverpool and then transported by canal to the city; by the early nineteenth century London was also being supplied with Irish butter.<sup>10</sup> Higglers purchased eggs from farms in southeast Scotland and shipped them from Berwick-on-Tweed down the east coast and up the Thames to London, and grain was sent via the 'corn road' from Hexham to Alnmouth then shipped down the coast to Leith and London.<sup>11</sup> Hops were grown in the Vale of Farnham, Kent, Worcester and Hereford and sent all over the country during the brewing season.<sup>12</sup> Although historians have documented several of these traditional agricultural carrying routes, due to the lack of correspondence related to this sector of the carrying trade this study does not consider the transport of agricultural products.

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<sup>5</sup> Jackman, *Development of Transportation in Modern England*, 154; Bagwell, *From Canal Lock to Gridlock*, 30.

<sup>6</sup> Brewer and Porter, *Consumption and the World of Goods*, 179-183.

<sup>7</sup> Albert, *The Turnpike Road System in England*, 44.

<sup>8</sup> Daniel Defoe, *A Tour thro' the Whole Island of Great Britain*, vol. 2 (London: G. Strahan et al., 1724), 47, 108-109, 198-199.

<sup>9</sup> G. E. Fussell and Constance Goodman, 'Eighteenth century traffic in milk products', *Economic History* 3 (1934-7): 380.

<sup>10</sup> Roger and Pauline Scola, *Feeding the Victorian City* (Manchester: Manchester University Press, 1992), 80-81; Fussell and Goodman, 'Eighteenth century traffic in milk products', 381.

<sup>11</sup> Tony Barrow, 'Corn, carriers and coastal shipping', *Journal of Transport History* 21 no. 1 (2000): 19.

<sup>12</sup> Gerhold, *Road Transport before the Railways*, 102-104.

Carriers also transported raw materials and manufactured products in various stages of completion, for wholesale or retail sale and for export. The putting-out system, in which products were manufactured over several stages in several different locations, relied on the carrying trade to transport raw materials, components and partially-made products between production locations as well as to London for wholesale purchase and subsequent redistribution for further production, sale or export.<sup>13</sup> Some products such as nails or containers were both sold directly to wholesale and retail buyers and fed back into the manufacture of more complex products. Clay from Cornwall, for example, was carried to Staffordshire to be made into pots, which were sent to London for wholesale purchase and then to farms and factories to be used as containers for products eventually sold to wholesale and then retail customers.<sup>14</sup> Merchants met weekly in London, Colchester and Hull to buy raw wool, then send it to Yorkshire and other parts of the country for manufacture into cloth; they then sent the finished cloth back to these ports and ultimately to the London wholesale market for purchase and export or redistribution to wholesalers and retailers.<sup>15</sup> Correspondence containing information about these kinds of transactions has been preserved in several archives around the country; in the next chapter I will analyse some of this correspondence in detail to develop a fuller understanding of the operation of the carrying trade and the relationships among buyers, sellers, carriers and agents.

Finally, carriers transported the personal goods of people in all classes of society - wealthy people moving between seasonal homes as well as poorer people relocating for economic reasons. Because any surviving records for these kinds of transactions are likely to be widely scattered among personal documents, this study does not address this sector of the carrying trade.

### **Organisation and operation of the carrying network**

In this section I describe how carrying firms were organised and how they operated, to provide a comparison to the joint-stock companies I describe in chapter 3. Although in 1974 Aldcroft and Dyos stated that 'how the carrying business was organized...is

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<sup>13</sup> Gerhold, *Carriers & Coachmasters*, 36-37.

<sup>14</sup> Francis Edwin Hyde, *Liverpool and the Mersey* (Newton Abbot: David and Charles, 1971), 28; Lorna Weatherill, 'The Business of Middleman in the English Pottery Trade Before 1780', *Business History* 28, no. 3 (1986): 59.

<sup>15</sup> Eric Kerridge, *Textile Manufacture in Early Modern England* (Manchester: Manchester University Press, c1985), 215; Willan, *The English Coasting Trade*, 88-93.

not known in detail', more recent research by Gerhold, Turnbull, Freeman and others have provided some insight into how carrying firms operated.<sup>16</sup>

By the early nineteenth century carriers were operating on three transport modes: road, inland waterway, and coastal shipping. Carriers were also using the industrial railways that had been constructed before the 1830s; when mainline railways began to be added to the transport network after 1830 both the representatives of railway companies and the members of Parliament that approved their enabling acts assumed that carriers would use these railways in the same way they used turnpikes, navigations, canals and existing rail lines.

### *Road carriers*

Historians generally divide road carriers into three groups which comprised a 'hub and spoke' network - long distance or national carriers between London and regional hubs, regional carriers between these hubs, and between these hubs and smaller settlements, and local carriers typically not travelling more than a day's trip of 25 to 30 miles each way.<sup>17</sup> The latter made up the majority of carrying firms; in 1767 the routes of 65 per cent of Birmingham-based carriers were no longer than 40 miles, and in 1772 the routes of 77 per cent of Manchester-based carriers were no longer than 40 miles. In these cities only 12.5 per cent and ten per cent of carriers respectively served London.<sup>18</sup>

Neil Raven and Jon Stobart used business directories from 1835 to determine the density of road carrying services in the Midlands at that time, showing that the urban centres of this region had widely varying levels and types of service.<sup>19</sup> Carriers based in Leicester, for example, offered connections to about 160 destinations, more than 100 within ten miles of Leicester, while only eight destinations were served directly from Newcastle under Lyme. The number of waggons entering and leaving each centre also varied widely; while the average was about 50 per week, Birmingham's carriers collectively operated 579.<sup>20</sup> The results of Raven and Stobart's study clearly show the 'hub and spoke' pattern; places like Birmingham had frequent high-capacity connections to relatively few locations, typically other regional centres, while carriers

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<sup>16</sup> Dyos and Aldcroft, *British Transport*, 110.

<sup>17</sup> Turnbull, *Traffic and Transport*, 5.

<sup>18</sup> H. P. R. Finberg and Joan Thirsk, *Agrarian History of England and Wales*, vol. 6 (London: Cambridge University Press, 1967- 2000), 218.

<sup>19</sup> Raven and Stobart, *Towns, Regions and Industries*, 83-86.

<sup>20</sup> Raven and Stobart, *Towns, Regions and Industries*, 85-86.

in smaller towns provided fewer services per week to a higher number of closer destinations.<sup>21</sup>

Road carriers were typically small family firms, often lasting several generations. Although lack of records makes it difficult to determine, some evidence supports the continuity of carrying businesses and routes, though some firms may have changed hands either by purchase or by transfer to relatives with different surnames.<sup>22</sup> Gerhold suggests that starting a carrying business required a great deal of capital, so the number and size of carrying firms was relatively stable; however, many firms started with an investment in a multipurpose waggon and a few horses.<sup>23</sup>

Road carriers generally served regular routes on a fixed schedule, departing and arriving weekly, twice-weekly, or sometimes daily, generally at the same time, to and from carrying inns in two destinations, and often stopping on scheduled days and times at inns in places along the route between them. Carrying, particularly local carrying, was not always a full-time job; local carriers often served a weekly or twice-weekly route over the course of two or four days. Many farmers used their own vehicles to carry their produce into towns to sell at markets, and carry others' goods back, or they or their employees carried during less agriculturally busy times of year. Families whose primary occupation was carrying also worked land for farming and feeding their horses, and carriers also practiced craft occupations such as blacksmithing or weaving, or occupations related to goods distribution such as shopkeeping and innkeeping.<sup>24</sup> Carriers sometimes employed assistants to help with loading and delivery, and larger firms employed casual or full-time porters, watchmen, ostlers, clerks, smiths, waggon repairers, and guards.<sup>25</sup> Gerhold estimates that in 1816 Russells Flying Waggons, one of the country's largest carrying firms at that time, employed up to 60 or 70 full time staff to operate a 316 mile long route.<sup>26</sup> Carriers also sometimes outsourced 'back office' functions; a letter from a Kendal grocer, for example, mentions that 'Mr Worrall is Bookkeeper for the Kendall waggoners'.<sup>27</sup>

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<sup>21</sup> Raven and Stobart, *Towns, Regions and Industries*, 86.

<sup>22</sup> Gerhold, *Carriers & Coachmasters*, 4; Dorian Gerhold, *Road Transport in the Horse-drawn Era* (Aldershot: Scolar Press, c1996), xii.

<sup>23</sup> Gerhold, *Carriers & Coachmasters*, 21.

<sup>24</sup> Finberg and Thirsk, *Agrarian History of England and Wales*, vol. 6, 441, 533, 949; James P. Bowen, 'The carriers of Lancaster 1824-1912', *Local Historian* 40 (2010): 185.

<sup>25</sup> Alan Everitt, 'Country carriers in the nineteenth century', *Journal of Transport History* 3, no. 3 (1976): 187.

<sup>26</sup> Gerhold, *Road Transport before the Railways*, 73.

<sup>27</sup> WDB63/6, 8 April 1783, Kendal Archive Centre, Kendal.

Most road carrying firms typically operated on low overheads, with a small staff of waggon drivers and overseers. Road carriers typically made a 6-7% profit; a figure that may have been considered 'fair' by government and the business community.<sup>28</sup> It was reported in 1752, in a pamphlet written by a farmer concerned that carriers' rates would increase with the passage of a new roads act, that

an Inquiry [was] made into the Circumstances of our common Carriers, upon which it is found, there are not Twenty, amongst the great Number who follow that Business, that are reputed to be worth 1000 l. each, and that, in general, they scarce get a reasonable Subsistence.<sup>29</sup>

Although carriage rates, usually per hundredweight per mile, or per hundredweight between destinations, were typically fixed by the carrier and capped by local government, as I will explain below, they were subject to variation and could be negotiated based on an object's size and weight, value, perishability or fragility, and the attitude of the customer. Long journeys were more profitable than short ones; thus some sources suggest that goods sent short distances along long-distance routes were occasionally not picked up.<sup>30</sup> Up to 80 per cent of the operating cost of a road carrying firm went toward feeding and caring for the horses that provided motive power.<sup>31</sup>

Because carrying firms, like most contemporary businesses, were family owned, women often participated as partners to their husbands, as widows, and as single women. Women are occasionally listed as carriers in newspaper announcements and business directories. Of the 73 York carriers listed in Pigot & Co.'s 1828-1829 business directory, for example, three were women: Sarah Carr, who carried to Riccall, Ann Wilson, who carried to Hull and Lincolnshire, and the Widow Giles, who carried to Pocklington.<sup>32</sup> Five of the 67 carriers' wills I analyse later in this chapter were written for women.

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<sup>28</sup> Gerhold, *Road Transport before the Railways*, 159; *Minutes of Evidence Taken before the Select Committee on the Supply of Water to the Metropolis*, House of Commons, 20 June 1821, 7.

<sup>29</sup> 'Country Gentleman', *The Farmers and Traders Apprehensions of a Rise upon Carriage &c* (London: M. Cooper, 1752), 13.

<sup>30</sup> Gerhold, *Road Transport before the Railways*, 80.

<sup>31</sup> Gerhold, *Carriers & Coachmasters*, 47; Gerhold, *Road Transport before the Railways*, 38-41, 129.

<sup>32</sup> Pigot & Co., *National Commercial Directory*, 1828-1829. In addition to these three, six carriers were identified only by initials. A few of the many examples of women carriers mentioned in newspapers: *Bath Chronicle and Weekly Gazette*, 4 August 1763; *Salisbury and Winchester Journal*, 27 July 1767; *Bath Chronicle and Weekly Gazette*, 9 January 1777;

### *Inland waterway carriers*

Inland waterway carriers operated on rivers, navigations and canals, and each type and size of waterway had its own type of business organisation and vessels designed for it.<sup>33</sup> By the late eighteenth century navigations and canals connected Britain's extensive river network; canals connecting the rivers Severn, Thames, Great Ouse, Trent, Humber and Mersey were all in place by 1790.<sup>34</sup> A 1795 survey of canal boats in five counties indicates that fewer than four per cent were operated by owners or part owners; most were owned by manufacturers of bulk commodities (coal, iron, salt), and 20 per cent were owned by canal companies.<sup>35</sup> Although most boats on these waterways were owned and operated by businesses transporting their own bulk materials, particularly coal, some canal traffic, like most traffic on rivers and navigations, was general merchandise transported by carriers.<sup>36</sup>

The business practices of inland waterway carriers were generally similar to those of road carriers; small family firms owned their own boats and horses to pull them, served fixed routes on regular schedules, and where applicable paid tolls to the owners and maintainers of the infrastructure they used. Inland waterway carriers, however, had a wider range of business models than road carriers. Some navigation and canal companies rented boats, often too expensive for a small business to afford and, unlike waggons, not useful for anything but waterway carrying, to carriers who provided labour and horsepower.<sup>37</sup> Some carriers worked directly for infrastructure companies which paid them a salary; others worked in collaboration with infrastructure companies.<sup>38</sup> The Thames & Medway Canal Company, for example, hired Henry Drury, based in Maidstone, to operate their six barges as a carrying business. Two months later they hired another carrier, Henry Simmonds, and eventually provided boats and facilities to six carriers on the canal.<sup>39</sup> The Aire & Calder

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*Gloucester Journal*, 11 January 1796; *Gloucester Journal*, 23 September 1799; *Taunton Courier and Western Advertiser*, 27 October 1830.

<sup>33</sup> Denys Wilfrid Blundell, 'Transport in the West Midlands from 1660 to 1840' (Master's thesis, Birmingham University, 1933), 18-20.

<sup>34</sup> Dyos and Aldcroft, *British Transport*, 93.

<sup>35</sup> Hanson, *The Canal Boatmen*, 17.

<sup>36</sup> Harry Hanson, *The Canal Boatmen, 1760-1914* (Gloucester: Alan Sutton, 1984), 21; Chris Davies, 'Josiah Wedgwood and canal management', *Journal of Transport History* third series, 1 (1980): 55.

<sup>37</sup> Hanson, *The Canal Boatmen*, 8.

<sup>38</sup> Michael Nash, 'Barge traffic on the Wey Navigation in the second half of the seventeenth century', *Journal of Transport History* 7 (1965): 219.

<sup>39</sup> Charles Hadfield, *The Canals of South and South East England* (Newton Abbot: David and Charles, 1969), 93-94.

Navigation made several types of arrangements with carriers, including those who owned their own boats and horses, those who contracted with the company for horse towing, and those who rented boats and horses from the company.<sup>40</sup> Other inland waterway carriers worked full time for large multimodal carrying firms. Pickfords, for example, put ten fly boats, mostly to send goods to ports, into service in 1795, employing 40 boatmen; this number had increased to nearly 100 boats and 500 boatmen by 1832.<sup>41</sup> Like road carriers, many inland waterway carriers also farmed or practiced a craft, although this practice had largely died out by the 1820s.<sup>42</sup> Canal carriers were more likely than river carriers to work as a family, and to live on their boats.<sup>43</sup>

### *Coastal shipping*

Coastal shipping is the least-studied of the three modes used by the carrying trade. In 1996 John Armstrong wrote that the last important work on coastal shipping had been written in 1938, and no significant work on the subject appears to have been published since then.<sup>44</sup> Coastal ships served not only major cities but also the hundreds of small ports along Britain's 10,000 miles of coastline. From Hull, for example, coasters called at Newcastle, Sunderland, Stockton & Seaton, Whitby & Bridlington, Boston, Lynn, Yarmouth, and Burnham & Clay, among other places; by 1772 coasters from Hull called at 31 ports including Bristol.<sup>45</sup> Coastal ships varied widely in size and capacity, from the 400 ton colliers, large enough to be used for overseas trade, that travelled between London and Newcastle, to ships carrying about 40 tons, small enough to sail several miles up navigable rivers.<sup>46</sup> Most coastal ships transported bulk commodities such as coal, timber and clay, but often took general merchandise to top up their holds or to fill empty holds on the return journey after delivering bulk cargo. Coastal ships travelled up rivers to such transshipment ports as York and Bawtry, their penetration inland depending on the extent of river improvements as well as the tide and the season.<sup>47</sup> Some ships travelled on both

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<sup>40</sup> Charles Hadfield, *The Canals of Yorkshire and North East England* (Newton Abbot: David and Charles, 1973), 35-36.

<sup>41</sup> Hanson, *The Canal Boatmen*, 48-49, 51.

<sup>42</sup> Hanson, *The Canal Boatmen*, 11.

<sup>43</sup> Prior, *Fisher Row*, 202-203.

<sup>44</sup> Armstrong, *Coastal and Short Sea Shipping*, ix. T. S. Willan's *The English Coasting Trade, 1600-1750* was first published in 1938.

<sup>45</sup> Gordon Jackson, *Hull in the Eighteenth Century* (Oxford: Oxford University Press, 1972), 73.

<sup>46</sup> Armstrong, *Coastal and Short Sea Shipping*, xv, 21, 24; Bagwell, *From Canal Lock to Gridlock*, 21-22.

<sup>47</sup> Jackson, *Hull in the Eighteenth Century*, 73, 75, 119.

inland waterways and coastal routes; a 1796 advertisement, for example, offered carriage from the Aire & Calder Navigation via the Humber River and down the coast to Kings Lynn and Wisbech.<sup>48</sup>

The business model for coastal shipping, like that of other carriers, tended to be small-scale. Local merchants, manufacturers and landowners bought 1/64 shares in ships, hired captains and crew, and shared in the profit or loss.<sup>49</sup> Most captains owned a share of their ships; some owned their ships outright or in partnership with friends and relatives.<sup>50</sup> The capital cost per ton of coastal shipping was about half that of road carriage, or about £7 per ton to construct and equip a ship; although ships required more labour than the other carrying modes, their operation and maintenance cost was less as they had fewer moving parts and no horses to feed, care for and replace.<sup>51</sup>

### **Comparative cost and mode choice**

Sir Robert Southall told the Royal Society in 1673 that coastal ships could transport goods for 1/20 the cost of road carriers, and inland waterway carriers could transport goods at one-twelfth the cost of road carriers; coal could be transported 300 miles by water at the same cost as 15 miles by road.<sup>52</sup> Due to the efficiency of horse power resulting from the lack of friction on water, and the greater weight a barge could carry compared to a waggon, the per-mile cost of transport by inland waterway could be far less than by road. Historians have thus often assumed that the cheaper the goods to be sent the more likely they would be sent by water, and goods that could be sent more slowly would be sent by water.<sup>53</sup> William Court, for example, suggests that 'the economic advantages of water over road transport were so considerable that it might almost be said that the chief function of roads was to bring traffic to the point...at which it could leave them for less expensive modes of travel.'<sup>54</sup>

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<sup>48</sup> Hadfield, *The Canals of Yorkshire and North East England*, 121-122.

<sup>49</sup> I. S. Beckwith, 'River trade of Gainsborough', *Lincolnshire History and Archaeology*, II (1967): 11; Freeman and Aldcroft, *Transport in Victorian Britain*, Barrow, 'Corn, carriers and coastal shipping', 6-27.

<sup>50</sup> Peter Earle, *The Making of the English Middle Class: Business, Society and Family Life in London, 1660-1730* (London: Methuen 1989), 76.

<sup>51</sup> Armstrong, *Coastal and Short Sea Shipping*, xiv.

<sup>52</sup> T. S. Willan, *The Inland Trade: Studies in English Internal Trade in the Sixteenth and Seventeenth Centuries* (Manchester: Manchester University Press, 1976), 1.

<sup>53</sup> C. P. Griffin, 'Transport change and the development of the Leicestershire coalfield in the canal age: a re-interpretation', *Journal of Transport History* 4, new series (1977): 234.

<sup>54</sup> William Henry Bassano Court, *The Rise of the Midland Industries, 1600-1838* (London: H. Milford, Oxford University Press, 1938), 13.



These conclusions, however, do not take into account the other factors that influenced senders' mode choices. Road carriage had the advantage of being 'quick if dear'.<sup>55</sup> However, while the per-mile cost of water carriage might be less, road carriage was often more direct and thus loads travelled fewer miles. Additionally, inland waterway carrying could incur additional costs. Although most natural waterways were free to use, the owners of artificial waterways charged tolls, and transferring from one waterway to another often incurred expense as well as delay. Water transport also incurred wharf charges and, usually, the cost of road carriage at each end. Taking these factors into account, it could be less expensive to employ road than waterway carriage for a journey. The choice between road and waterway carriage, even on a cost basis, was often not obvious; even such goods as bulk flour could often be transported as cheaply by road as by water, and a shipment of marble was once sent from London to Sidmouth overland.<sup>56</sup> As late as the late eighteenth century most coal arriving in Manchester came by road, as the addition of transfer and road carriage costs to the cost of water transport made it less cost effective.<sup>57</sup>

In addition, customers of goods carriage often considered other factors besides cost. For example, depending on the type of goods being sent, they might prefer to spend more money on road carriage to ensure that goods arrived on time and undamaged. Shipments were subject to delay, damage or loss due to bad weather, shipwreck or attack, and could be damaged by water or eaten by rats.<sup>58</sup> Gerald Turnbull notes that Scottish agents of John Wilson & Son, linen merchants of Leeds, were instructed to select nearly full ships to send their goods by, as they were more likely to leave soon after loading, and if the linen was loaded last it would be on top and highest out of the water, and thus less subject to water damage.<sup>59</sup> Customers had varying opinions about the safety of road compared with waterway carriage; goods were more likely to be damaged by water on canals, rivers and navigations, but less likely to be shaken by waggons or roughly handled. Canal boats were easier to pilfer from than waggons, which were guarded during travel and kept secure during stops. Additionally, customers might not be specifically concerned with the speed of goods travel, but

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<sup>55</sup> Gerald Turnbull, 'Scotch linen, storms, wars and privateers: John Wilson & Son, Leeds linen merchants, 1754-1800', *Journal of Transport History* 3 series 3, no. 1 (1982): 47.

<sup>56</sup> Gerhold, *Road Transport before the Railways*, 122; Turnbull, *Traffic and Transport*, 58-59.

<sup>57</sup> Barker and Savage, *Economic History of Transport in Britain*, 38.

<sup>58</sup> Gerhold, *Road Transport before the Railways*, 84; Beverly Lemire, *Fashion's Favourite: The Cotton Trade and the Consumer in Britain, 1660-1800* (Oxford: Oxford University Press 1991), 123.

<sup>59</sup> Turnbull, 'Scotch linen, storms, wars and privateers', 53.

could be concerned that goods arrive on the expected day; in these situations road carriage was preferable because waterway carriage was typically not only slower and less frequent but also less reliable.

Carriers' customers chose routes and modes considering their own requirements and priorities, including but not exclusively the cost of carriage. The same goods sent over the same routes could be carried on either road or waterway, depending on time of year, weather conditions, or the time the shipment was required. Michael Freeman's study of the mode choices of cotton manufacturers in Lancashire and the Midlands shows that these firms used all three modes to transport the same types of goods at different times and under different circumstances, and that decisions about mode choice were complex. Road carriage was used more often than would be predicted if choices were based primarily on per-mile cost, or even on total cost.<sup>60</sup> The biggest advantage of road carriage, speed, was generally not considered significant, as most goods were sent from and to inns and warehouses to be held until receivers collected them; speed was not typically factored into a decision unless goods were being sent to a vessel leaving for an overseas port on a certain date, and even in these situations reliability was more significant than speed per se. Speed was a significant factor in mode choice when producers sent perishable, fashionable or seasonable goods by road, the decision to do so typically based on the price differential between goods arriving sooner and later.<sup>61</sup>

Road carriers' descriptions of their services, and the correspondence I analyse in chapter 2, suggest that road carrying was generally considered a reliable method of goods transport. Most newspaper announcements and carriers' trade cards roughly identified the time of day a weekly, twice-weekly or daily waggon could be expected, and some provided specific arrival and departure times. A 1796 carrier's advertisement in the *Gloucester Journal*, for example, stated that their waggon departed at 12:00 precisely.<sup>62</sup> A carrier's trade card from 1800 stated that he delivered goods to St. Ives every Monday night 'at 10 o'Clock Precisely'.<sup>63</sup> Several letters from Thomas Nowill specified fixed arrival dates for silver goods probably intended for shipment overseas - 'Wanted here 14 Novemr...Certain I trust you will not fail being

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<sup>60</sup> Michael Freeman, 'Transporting methods in the British cotton industry during the Industrial Revolution', *Journal of Transport History* third series 1 (1980): 59-74.

<sup>61</sup> Gerhold, *Road Transport before the Railways*, 123.

<sup>62</sup> *Gloucester Journal*, 27 June 1796.

<sup>63</sup> Trade card of William Bamford (c. 1800), British Museum, Banks,31.22.

in time as we expect no other vessel this year' - indicating that he felt he could rely on carriers to meet these deadlines.<sup>64</sup> Dorian Gerhold found waggoners using clocks to time their runs, and notes that while delays did occur due to accidents, inclement weather or other unforeseen circumstances, '[d]elays were never blamed on bad roads'.<sup>65</sup>

Coastal shipping, by contrast, was generally not expected to achieve any sort of schedule. Because the low cost of coastal shipping depended on economy of scale and free motive power, captains were typically reluctant to keep fixed schedules, preferring to wait until they had a full hold and favourable wind before setting sail. Some coastal ships promised regular departures, but weather always affected departure and arrival dates.<sup>66</sup> One merchant wrote in 1732 of what must have been a common situation: the ship containing his goods 'cannot Sail on the tuesday last having no wind to Send him away'.<sup>67</sup>

### **The logistics of carrying**

Much of my evidence for the logistics of carrying described in this section comes from records of trials at the London central criminal court, found in the 'Proceedings of the Old Bailey, 1674-1913' online database. This database includes transcripts of 53 hearings between 1760 and 1831 in which carriers were defendants, plaintiffs or witnesses. While it would be impossible to determine how close to verbatim these transcripts are, historians generally consider them to be reliable records of what was said in court.<sup>68</sup> Technical information about carriers and carrying (such as logistics and legal issues) from this source is likely to be reliable, as the participants in these trials were specifically concerned with resolving conflicts over ownership and liability and identifying the potential for fraud or theft; these transcripts contain clear and complete descriptions of logistical issues so that judges and juries, who may have little or no understanding of or involvement in the carrying trade, could understand them. On the other hand, information about carriers themselves drawn from this source may not be representative of carriers in general, as the carriers that appear in these records were atypical in that they were victims of crimes (or, less often,

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<sup>64</sup> Letter to Samuel Marindin, 29 October 1821, Nowill letters, Sheffield City Council Archives, Sheffield.

<sup>65</sup> Gerhold, *Road Transport before the Railways*, 84.

<sup>66</sup> Gerhold, *Road Transport before the Railways*, 92.

<sup>67</sup> Lemire, *Fashion's Favourite*, 123.

<sup>68</sup> 'The Proceedings of the Old Bailey, 1674-1913', accessed 12 September 2018, <https://www.oldbaileyonline.org/index.jsp>.

witnesses or defendants). In addition, the editors of these transcripts may have left out information that might have been considered obvious or well-known, thus providing an incomplete depiction of the situation being discussed in court.

The descriptions of carrying in business correspondence, newspaper reports and legal records suggest that most goods delivered to carriers for transport were packed in standardised ways: flats for butter and eggs, bales for fabric, barrels for potatoes and books, trusses, boxes, hampers, or firkins for other goods. These packages were not marked with the receiver's address, as goods were typically left at inns or warehouses for the receiver to pick up; instead, senders typically marked them either with the receiver's name and delivery location or with a symbol representing the receiver which the sender provided to the receiver via separate correspondence, as shown in the examples below.<sup>69</sup> These symbols protected the receivers, by making it difficult for others to identify and collect a receiver's package without the associated symbol.

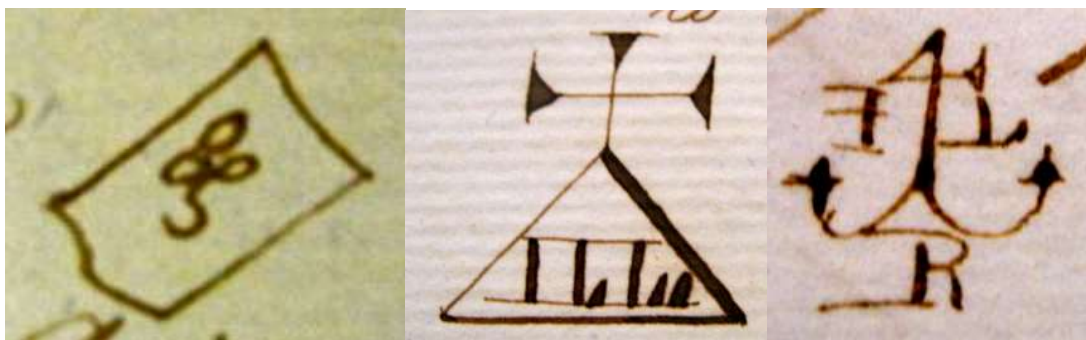


Figure 1: Carriers' marks

*Source:* Letters from William Lupton and Company Limited, 8 November 1811 and 16 July 1816, BUS/Lupton/6, Brotherton Library, Leeds.

Senders selected a carrier and mode for the first segment of a journey, and brought their goods to the inn or wharf from which the selected carrier departed for the appropriate destination, determining the carrier and departure point from a newspaper notice, business directory, or word of mouth. At the inn or wharf a bookkeeper logged the package, including its value, in a delivery book which the sender countersigned. These delivery books were considered evidence in court; a bookkeeper could use them to prove that a package had been received and sent on.<sup>70</sup> Goods were weighed

<sup>69</sup> 'The Proceedings of the Old Bailey, 1674-1913', trial of Samuel Fletcher, Samuel Barker, George Fletcher, 26 November 1838, reference number t18381126-49.

<sup>70</sup> 'The Proceedings of the Old Bailey, 1674-1913', trial of Robert Brown and James Pink, 16 April 1806, reference number t18060416-81; *The Sheffield Independent, and Yorkshire and Derbyshire Advertiser*, 3 January 1835.

and numbered, then stored until the arrival of the appropriate waggon or vessel.<sup>71</sup> For each journey the bookkeeper prepared a waybill or manifest of the carrier's load, stating where each package was to be left, the contents of the package, the name of the receiver, and the fee owed by the receiver. Waybills were sent ahead to waggon stops. Some court transcripts suggest that waggons were locked, and that bookkeepers at the inns where the carriers stopped had the only keys.<sup>72</sup> Waggons' log books recorded not only what was loaded and unloaded at each stop (and thus how much space a carrier had to pick up goods en route) but also waggon maintenance, money spent on the journey, and other useful notes.<sup>73</sup> Goods were generally left at inns or warehouses for receivers to arrange to pick up; parties agreed beforehand where and when goods would arrive, so receivers knew when to arrange to pick up their goods and pay for delivery. These records and descriptions of the logistics of carrying suggest that the carrying trade was well organised, that carriers operated within a structure generally understood by all parties involved in or paying for their work, and that carriers' customers had reliable expectations of the service they were paying for.

### **Intermodal and intercarrier cooperation**

Although goods could be taken from sender to receiver by a single carrier, it was typical for them to be transferred between carriers, and often between transport modes, to accomplish a journey or to reduce the cost of a journey. Although transfers cost both time and money, and created a risk of goods being lost, stolen or damaged, they were so common that the benefit must have outweighed the cost and risk. Hadfield mentions several formal transfer arrangements between inland waterway carriers and road carriers. By the late eighteenth century, for example, carriers on the Calder & Hebble Canal were offering a regular twice-weekly service connecting with carriers to Manchester and via Huddersfield to Wakefield and then by boat to Hull.<sup>74</sup> In 1819 the company advertised its 'very active operation of several new establishments for the expeditious conveyance of Goods from Manchester and Leeds

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<sup>71</sup> 'The Proceedings of the Old Bailey, 1674-1913', trial of William Jones, 13 January 1808, reference number t18080113-19; trial of Robert Cochrane, Christopher Atkinson, William Cork, 20 February 1822, reference number t18220220-30; trial of Julian Somerville, alias Francis Alexander Randall, 2 April 1838, reference number t18380402-1019; trial of Samuel Fletcher, Samuel Barker, George Fletcher.

<sup>72</sup> 'The Proceedings of the Old Bailey, 1674-1913', trial of Thomas Curtis, 24 October 1804, reference number t18041024-27.

<sup>73</sup> Gerhold, *Road Transport before the Railways*, 77.

<sup>74</sup> Hadfield, *The Canals of Yorkshire and North East England*, 58.

to Hull by means of Waggon and Steam Packets.<sup>75</sup> The Chester Canal Company operated two boats on the Trent & Mersey Canal which carried goods to Wheelock, where they were put on waggons to the Nantwich Canal; goods could continue by water from there to Chester where they could be sent on to Liverpool.<sup>76</sup> Gerhold notes that by the early nineteenth century some intermodal routes had become so standardised that carriers were advertising direct delivery to destinations they themselves did not carry to. For example, around 1800 the Carlisle carrier Holmes advertised service to London, York, Liverpool, Manchester, Leeds and the northeast through Penrith.<sup>77</sup> An 1816 advertisement in a Sheffield newspaper for Deacon, Harrison and Co. offered daily shipments 'By Waggon and Canal', and Crowley, Hicklin, Batty & Co. operated waggons from Shifnal to Wolverhampton connecting to fly boats from Wolverhampton to London.<sup>78</sup>

Other historians describe carrier coordination and goods transfer on standard routes. Before Liverpool became the dominant cotton port, cotton was typically shipped from London to textile producers in the northwest via either coastal ship to Liverpool and inland waterway to Manchester, or coastal ship to Hull and inland waterway to Wakefield, Doncaster or Rotherham and then across the Pennines by road.<sup>79</sup> Woollen manufacturers determined that it was cheaper and quicker to send yarn to be bleached at Tean from London than from Manchester, a third of the distance away; the yarn was sent from London to Gainsborough by inland waterway, then transferred to boats travelling up the River Trent to Willington Ferry near Repton, then sent the last 18 miles by road. Sending bleached yarn from Tean to Manchester to be made into cloth could be more challenging, as the carriers that served Manchester were often fully loaded by the time they reached Tean and unable to pick up additional goods; a shipment could be delayed in Tean for weeks before accomplishing the journey.<sup>80</sup> Finished textiles and other goods were sent from Manchester and Stockport by road over the Pennines to Doncaster, then by inland waterway to Hull and coastal ship to London.<sup>81</sup>

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<sup>75</sup> Hadfield, *The Canals of Yorkshire and North East England*, 130.

<sup>76</sup> Charles Hadfield, *The Canals of the West Midlands* (Newton Abbot: David & Charles, 1966), 44.

<sup>77</sup> Dorian Gerhold, 'The growth of the London carrying trade', 394; Williams, *Road Transport in Cumbria in the Nineteenth Century*, 102.

<sup>78</sup> David Hey, *Packmen Carriers and Packhorse Roads* (Leicester: Leicester University Press, 1980), 223; Raven and Stobart, 'Networks and hinterlands', 89.

<sup>79</sup> Alfred P. Wadsworth, *The Cotton Trade and Industrial Lancashire, 1600-1780* (Manchester: Manchester University Press, 1965), 220.

<sup>80</sup> Wadsworth, *The Cotton Trade and Industrial Lancashire*, 294-295.

<sup>81</sup> Stobart, *The First Industrial Region*, 50-51.

Goods could often be sent between the same two places by several different routes and modes; senders assessed their choices and selected the routes that best met their requirements. In 1836 B. Redfern, a general merchant in Birmingham, sent goods by waggon and canal to London, then by coastal ship to Edinburgh, as he found it cheaper than sending goods directly by waggon, or by waggon and inland waterway to Hull and then by coastal ship to Edinburgh.<sup>82</sup> Other merchants sent goods from Birmingham to Scotland via canal to the Mersey, then coastal ship from Liverpool to Glasgow and then by canal to Edinburgh.<sup>83</sup> Gerald Turnbull's analysis of the mode choices of John Wilson & Son, importers of Scottish linen, during the second half of the eighteenth century shows that the firm continuously assessed and altered transport arrangements between Scotland and Leeds. They employed road carriage from rural Scotland to Edinburgh, to Newcastle, and occasionally all the way to Leeds, depending on the relative cost and risk of road, inland waterway and coastal ship. They also selected different combinations of modes for different types and qualities of cloth.<sup>84</sup>

A few large carrying firms constructed and managed their own mode transfer infrastructure and logistics. In 1780 Pickfords began operating canal boats as well as waggons, employing ten boats in 1795 and 28 boats by 1803.<sup>85</sup> In 1801 they opened their own wharfs on the Grand Junction Canal, in which Pickfords owned shares, and developed extensive canalside infrastructure in Castleford and Manchester.<sup>86</sup> In 1825 Pickfords advertised that 'they have established Waggons for the Conveyance of Goods to and from Kidderminster and Birmingham, from which their Fly Boats Sail to various parts of the Kingdom'.<sup>87</sup> Some evidence suggests that Pickfords and other carriers developed and used vehicles designed to facilitate intermodal carrying, such as waggons that could be transferred directly to barges. Such equipment was proposed to carry coal on the Monkland Canal in 1775; it appears it was never

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<sup>82</sup> Bagwell, *The Transport Revolution*, 59.

<sup>83</sup> Bagwell, *The Transport Revolution*, 59.

<sup>84</sup> Turnbull, 'Scotch linen, storms, wars and privateers', 56.

<sup>85</sup> Arthur Ingram, *The Story of Pickfords* (Wellington, Somerset: Roundoak Publishing, 1993), 12.

<sup>86</sup> E. Halfpenny, 'Pickfords: Expansion and crisis in the early nineteenth century', *Business History* 1 (1958-9): 115-125; Maw, *Transport and the Industrial City*, 238, 243.

<sup>87</sup> Hadfield, *The Canals of the West Midlands*, 130.

constructed although coal waggons were carried on boats on the River Don by the 1830s.<sup>88</sup>

Like the evidence for carrier logistics, this evidence of standardised goods transfer arrangements also shows that the carrying trade was a well-organised and sophisticated network of small businesses that routinely worked together to coordinate goods delivery.

### **The carrying trade and other businesses**

In addition to coordinating with other carriers, carriers also worked with the owners of carrying inns and other storage facilities, often through written communication delivered by the Post Office, and with the owners of such private transport assets as turnpikes and canals.

#### *Carrying inns and other storage facilities*

The role of inns in the distribution of goods in the eighteenth and nineteenth centuries is still little understood. Alan Milner Everitt's 1973 overview of the 'very considerable literature' on English inns and taverns finds it largely 'a mass of popular sentiment and Pickwickian nonsense'; Everitt states that aside from some architectural and local history there has been 'no serious, systematic study of the functions of the inns'.<sup>89</sup> Although since 1973 there has been some historical work on inns and taverns in continental Europe, to date most historical research on English inns has been in relation to the consumption and regulation of alcohol.<sup>90</sup> It appears that no research has yet been done on role of inns in goods distribution, or the relationships and interactions between carriers and inns.

Carriers typically made arrangements with inns along their routes to collect, store and distribute goods and to accommodate drivers, horses and waggons overnight. Carriers relied on inn staff to receive and store goods for pickup by waggon or by receiver, supervise loading and unloading, accept supplies for waggons and drivers

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<sup>88</sup> Lewis, *Early Wooden Railways*, 283; Hadfield, *The Canals of Yorkshire and North East England*, 80. Pickfords proposed to operate similar intermodal goods transfer infrastructure for the Liverpool & Manchester Railway; see chapter 4 of this study.

<sup>89</sup> Alan Milner Everitt, 'The English urban inn, 1560-1760', in *Perspectives in English Urban History*, 91.

<sup>90</sup> Beat A. Kümin and B. Ann Tlusty, 'The world of the tavern: an introduction', in *The World of the Tavern*, eds. Beat A. Kümin and B. Ann Tlusty (Aldershot: Ashgate c2002): 3-11.



and deal with carriers' customers.<sup>91</sup> These support services for carriers and their customers were part of the general function of inns as hubs of commercial activity.<sup>92</sup> Aside from offering food, drink and accommodation to travellers, inns provided various types of services to the public and to other businesses. Innkeepers acted as postmasters, hired out horses and vehicles, and operated coaching services.<sup>93</sup> Inns also provided space for such institutional, commercial and public functions as law courts, sales and auctions, company board meetings, club meetings, and entertainments, as well as for the practitioners of many trades including doctors and dentists, tailors and staymakers, fencing and dancing masters, and other educational and retail businesses. Many of these activities were later moved to purpose-built public and private buildings, though such events as wedding receptions and trade shows are often still held in the modern equivalents of inns.<sup>94</sup> Commercial travellers and businesspeople met at inns to make deals, particularly for seeds, grain, cloth and horses; innkeepers often constructed storage facilities to support these transactions.<sup>95</sup> Everitt also notes that highwaymen were based out of inns, which served as the sites of various criminal activities.<sup>96</sup>

Carrying inns were distinct from, and lower in social status than, the coaching inns that catered to travellers in private carriages, post coaches or stagecoaches. While carrying and coaching routes often overlapped, the two types of inns provided different facilities for their customers. Coaching inns offered accommodation for well-off travellers and their servants, stablemen and spare horses to change coach horses rapidly, and facilities to serve meals at any time. Carrying inns provided basic accommodation for carriers and horses, a secure area for waggons, and storage for goods, as well as such administrative support and customer-facing services as collecting and recording items for transport, issuing receipts and collecting fees, and offering information about the carrying service.

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<sup>91</sup> 'The Proceedings of the Old Bailey, 1674-1913', trial of Joseph Bishop, May 1760, reference number t17600521-29; Everitt, 'Country carriers in the nineteenth century', 197; Gerhold, *Road Transport before the Railways*, 75; John Chartres, 'The Eighteenth-Century English Inn: A Transient "Golden Age"?' in *The World of the Tavern*, 217.

<sup>92</sup> Peter Clark, *The English Alehouse: A Social History, 1200-1830* (London: Longman 1983), 138, 231; David Sunderland, *Social Capital, Trust and the Industrial Revolution, 1780-1880* (Abingdon: Routledge, 2007), 87.

<sup>93</sup> Chartres, 'The Eighteenth-Century English Inn', 217.

<sup>94</sup> Chartres, 'The Eighteenth-Century English Inn', 221.

<sup>95</sup> Everitt, 'The English Urban Inn', 92.

<sup>96</sup> Everitt, 'The English Urban Inn', 137; Andrew Swift and Kirsten Elliott, *The Lost Pubs of Bath* (Bath: Akeman Press, 2005), 363.

Although Gerhold suggests, based on the records of Russells Flying Waggon, that carriers contracted with innkeepers to provide food and accommodation for drivers and horses at fixed prices, in order to keep operating costs consistent, the exact financial and administrative arrangements between carriers and innkeepers remain unclear.<sup>97</sup> As the existing literature on inns has not investigated the agreements, formal and informal, between innkeepers and carriers, which defined how carrying inns supported the carrying trade, and as I have not yet found any sources that provide evidence of these arrangements, many questions remain. For example, what duties did inn staff perform on behalf of carriers? Were they done by specific staff members with skills relevant to carrying (such as bookkeeping, loading and unloading), or by any inn staff available? An 1817 newspaper advertisement for a barmaid required a potential candidate to 'write a good hand, and ha[ve] a competent knowledge of accounts'; not necessarily skills required to perform the duties of a barmaid.<sup>98</sup> Were carriers responsible for hiring or supervising inn staff that supported their work? How were mistakes or suspected dishonesty handled?

Hans Medick argues that families in the eighteenth century often made matrimonial and reproductive choices to optimise the household 'unit of labour'.<sup>99</sup> Some evidence suggests that carriers and innkeepers often had personal relationships instead of, or in addition to, business relationships; some carriers owned inns, and wills, newspaper articles and wedding announcements provide evidence of family connections between carriers and innkeepers. An 1828 announcement in the *Bath Chronicle and Weekly Gazette*, for example, mentions a wedding between an innkeeper and a carrier's daughter.<sup>100</sup> Such connections may indicate deliberate diversification strategies of both family businesses.<sup>101</sup> Further evidence of the nature of relationships between carriers and inns might appear in court records, which would record situations where such customary relationships broke down; however, in the legal

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<sup>97</sup> Gerhold, *Road Transport before the Railways*, 12, 19.

<sup>98</sup> Paul Jennings, *Public House in Bradford, 1770-1970* (Keele: Keele University Press, 1996), 47.

<sup>99</sup> Hans Medick, 'The Proto-Industrial Family Economy: The Structural Function of Household and Family during the Transition from Peasant Society to Industrial Capitalism', *Social History* 1, no. 3 (October 1976): 303-304.

<sup>100</sup> *Bath Chronicle and Weekly Gazette*, 26 June 1828.

<sup>101</sup> Mary B. Rose, *Firms, Networks and Business Values: the British and American Cotton Industries since 1750* (Cambridge: Cambridge University Press, 2000), 59.

sources I reviewed for this study I did not find any records of cases identified as involving a carrier and an innkeeper.<sup>102</sup>

Although some inland waterway carriers established similar arrangements with waterside inns, they more typically relied on storage and transshipment facilities built by canal and navigation companies which provided space to anyone paying to use the canal, often free for two weeks to two months with a nominal charge thereafter.<sup>103</sup> Storage and business facilities were also often constructed on private land adjacent to inland waterways and used by the landowner or leased to carriers. Peter Maw describes this situation in Castlefield, where the warehouse constructed in 1776 by the Bridgewater Canal Trustees was occupied by carriers Henshall and Co. as well as local merchants. Other canal companies and carriers, including Pickfords, built and extended warehouses at the same site in the late eighteenth and early nineteenth centuries.<sup>104</sup> Larger carrying firms also often invested in storage and transshipment facilities adjacent to canals.<sup>105</sup> Customer-facing support for inland waterway carriers was usually provided by paid agents, who also arranged waterside warehousing and support and maintenance for boats and horses.<sup>106</sup>

This evidence of a national network of inns and storage facilities providing support to carriers shows that the carrying trade was well-organised and that carriers and supporting industries made full use of existing technologies, demonstrated continuous improvement (such as in the design of boats, waggons and storage facilities and the development of administrative procedures), and put in place standardised practices to move, store, and keep track of large volumes of a variety of goods.

### *Literacy and the Post Office*

The business of carrying relied on written communication. During this period carriers kept meticulous records of pickups, transports and deliveries, including countersigned receipt books, receipts to senders and invoices to receivers, waybills recording the contents of each waggon, and log books recording every transaction and significant

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<sup>102</sup> During this period the records of Courts of Requests in Bath, where such disputes would most likely be brought, include only lists of the names of plaintiffs and defendants, amounts in dispute, and verdicts; BC/22/1/1, BC/22/1/4, Bath Records Office, Bath.

<sup>103</sup> Maw, *Transport and the Industrial City*, 238-242.

<sup>104</sup> Maw, *Transport and the Industrial City*, 211-214.

<sup>105</sup> Ingram, *The Story of Pickfords*, 12; Hanson, *The Canal Boatmen*, 11, 17; Halfpenny, 'Pickfords: Expansion and Crisis in the Early Nineteenth Century', 120.

<sup>106</sup> Prior, *Fisher Row*, 130.

piece of information on a journey. Many of these carriers' account books (though far fewer than might be expected, given their ubiquity at the time) can be found in archives around the country.<sup>107</sup> Carriers and their customers communicated by letter to agree on routes, modes, charges, and delivery dates and times, and to resolve problems or conflicts. Thus the operation of the carrying trade depended on a high level of general literacy for both staff and customers.

Until recently scholars had extrapolated general literacy rates from the proportion of people able to sign their names to legal documents; by the middle of the eighteenth century this figure was about 60 per cent for men and 40 per cent for women. This extrapolation is now considered inaccurate for several reasons, including the common teaching of reading as a skill distinct from writing, the availability of free or charity schools, the frequency of teaching within families outside formal schooling, and the popularity and dissemination of printed material.<sup>108</sup> Understanding these factors has led scholars to believe now that literacy, promoted for both men and women for religious reasons and to maintain family and social ties through correspondence, as well as for business reasons, was in fact widespread among farmers, artisans and merchants in the eighteenth century.<sup>109</sup> Although in at least some cases carriers were known to assist illiterate customers - it was stated in Parliament in 1840 that in the pig trade '[c]arriers write the notes as [m]any of the men who send them [pigs] cannot write at all' - in general the operation of the carrying trade depended on widespread literacy, as written instructions, records, waybills, invoices and receipts were necessary to manage the complex intermodal network.<sup>110</sup>

The carrying trade relied on the Post Office to facilitate rapid communication among senders, receivers, agents and carriers. By the late eighteenth century the postal system had expanded and improved both technologically and administratively in the nearly two centuries since it had been established.<sup>111</sup> Royal Mail coaches left the General Post Office in London every evening, travelling along 42 designated routes, stopping at inns in strategic towns, and delivering and receiving mail bags on the

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<sup>107</sup> Gerhold, *Road Transport before the Railways*, 77.

<sup>108</sup> Eve Tavor Bannet, *Empire of Letters: Letter Manuals and Transatlantic Correspondence, 1688-1820* (Cambridge: Cambridge University Press 2005), 13-14.

<sup>109</sup> Susan E. Whyman, *The Pen and the People: English Letter Writers 1660-1800* (Oxford: Oxford University Press 2009), 6, 30.

<sup>110</sup> *Fifth Report*, 62.

<sup>111</sup> Kenneth Ellis, *The Post Office in the Eighteenth Century: A Study in Administrative History* (Oxford: Oxford University Press, 1969), 2.

move.<sup>112</sup> John Palmer, who developed the mail coach route system in the 1780s, explicitly referred to the postal service as 'merely a branch of the carrying trade' operated by government in the public interest, using the same routes and sometimes the same inns as carriers, although it would have been more accurate to describe the Post Office as a branch of the coaching trade, transporting passengers and small parcels as well as letters.<sup>113</sup> The postal system adopted the intermodal structure of the carrying trade; in addition to post coaches, the mail was carried by coastal ship and packet boat.<sup>114</sup>

### *Carriers and transport assets*

In addition to carrying inns and the postal service, carriers relied on the support of owners and managers of private transport assets. The most significant change in the carrying trade between 1750 and 1850 was the development of transport infrastructure - the construction of turnpike roads, ports and harbours, the canal system both linking existing internal waterways and opening up new routes, and finally the railway network. Carriers adapted to the availability of these transport assets by extending and improving their services and by reducing their rates as their own costs dropped.

Turnpiking began in 1663 as a temporary measure to finance the maintenance of major roads to and from London; by 1750, 71 per cent of major London routes had been turnpiked, and by 1835 about 20 per cent of all roads in the country were turnpiked or managed by turnpike trusts.<sup>115</sup> The first turnpike acts authorised Justices of the Peace to supplement existing road maintenance arrangements by collecting tolls and supervising repairs, but after 1714 these tasks were more typically performed by commissions or trustees, responsible for erecting toll gates, collecting tolls, and borrowing money to finance maintenance and repairs.<sup>116</sup>

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<sup>112</sup> Thomas De Quincey, *The English Mail-Coach, and Other Essays* (London: Everyman's Library, 1912), 20; Tom Bradley, *Old Coaching Days in Yorkshire* (Leeds: Yorkshire Conservative Newspaper Co. *The Yorkshire Post*, 1889), 171; Judith Hunter, 'English Inns, Taverns, Alehouses and Brandy Shops: The Legislative Framework, 1495-1797', in *The World of the Tavern*, 80.

<sup>113</sup> Whyman, *The Pen and the People*, 58.

<sup>114</sup> Ellis, *The Post Office in the Eighteenth Century*, 34.

<sup>115</sup> Albert, *The Turnpike Road System in England, 1663-1840*, 18; Barker and Gerhold, *The Rise and Rise of Road Transport*, 38; Gerhold, *Carriers & Coachmasters*, 69.

<sup>116</sup> Aldcroft and Freeman, *Transport in the Industrial Revolution*, 33.

Although contemporary sources suggested that the principal benefit of turnpiking was to render travelling 'safer, easier and pleasanter to Gentlemen and others', improved roads also reduced the cost of road carriage by as much as 30 per cent.<sup>117</sup> Although tolls increased the nominal cost of transport, and carriers were required to comply with the rules of the turnpike trusts, which typically limited waggon weight and number of horses and prescribed wheel width and configuration, these costs were outweighed by the fact that on turnpike roads 'our Carriers are enabled to draw greater Weights, with the same Number of Horses in one Carriage, than they formerly could do.' Speed is not mentioned as a benefit of turnpiking.<sup>118</sup> Albert states that 'the returns show that it was generally cheaper to carry goods along the main routes', and Bogart states that the improvements resulting from turnpiking accounted for half the 40 per cent reduction in goods carriage rates between 1750 and 1800, a downward trend that continued as better roads, improved waggon design, cheaper fodder and horses bred to pull more while eating less led to lower road carriage rates in the 1820s and 1830s.<sup>119</sup>

Although access to rivers was generally free, river carriers faced several obstacles including weirs, traditional fishing rights and collectors of corporate tolls, and in any conflict between river transport and the use of river water for power the latter had priority.<sup>120</sup> Responding to requests to improve waterway transport, Parliament authorised several river improvements, referred to as navigations, which were constructed in the late seventeenth and early eighteenth centuries.<sup>121</sup> In the mid-eighteenth century, in addition to improvements to existing rivers, Parliament began to authorise corporations to construct canals. Between the mid-eighteenth century and the early nineteenth century the length of navigable inland waterway in Britain grew from about 1,400 miles to nearly 4,000 miles.<sup>122</sup>

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<sup>117</sup> Gerhold, *Road Transport before the Railways*, 147.

<sup>118</sup> Aldcroft and Freeman, *Transport in the Industrial Revolution*, 56; Gerhold, *Carriers & Coachmasters*, 69; *The Farmers and Traders Apprehension of a Rise upon Carriage &c.*, 4, 5, 8.

<sup>119</sup> Albert, *The Turnpike Road System in England, 1663-1840*, 173; Dan Bogart, 'Inter-Modal Network Externalities and Transport Development: Evidence from Roads, Canals, and Ports During the English Industrial Revolution', *Networks and Spatial Economics* 9 (2000): 309–338; Aldcroft and Freeman, *Transport in the Industrial Revolution*, 86.

<sup>120</sup> Blundell, 'Transport in the West Midlands'; Baron F. Duckham, 'Selby and the Aire and Calder Navigation, 1774-1826', *Journal of Transport History* 7 (1965): 90; Willan, *River Navigation in England*, 20.

<sup>121</sup> Willan, *River Navigation in England*, 28-30.

<sup>122</sup> Gerald Crompton, 'The tortoise and the economy: inland waterway navigation in international economic history', *Journal of Transport History* 25, no. 2 (2004): 2, 4.

Coastal shipping carriers did not pay to use the seas, but relied on those who built, maintained and operated the ports and harbours at which they called. Ships needed varying types and levels of onshore support to operate and to transfer cargo, from the extensive dock system constructed in Liverpool in the 1830s to none at all, transferring goods 'overside' directly between ships and inland waterway vessels that rowed out to meet them.<sup>123</sup> Due to the substantial financial resources required to construct maritime infrastructure, the connection between national and international trade and communication, and the customs revenue and national security interest involved, coastal shipping attracted more public investment than the other carrying modes. Local and national government provided naval protection for merchant shipping and invested in docks, ports, breakwaters and lighthouses, raising funds from duties on international goods and penalties for evasion of customs fees.<sup>124</sup>

This brief review of carriers' connections with other businesses and organisations suggests that carriers were part of a larger network of small and large businesses, and government organisations and that improvements in transport infrastructure during the late eighteenth and early nineteenth centuries resulted in both improvements in carrying service and reductions in the cost of carrying.

### **Legal, regulatory and customary framework of the carrying trade**

In this section I briefly describe the legal and regulatory framework within which the carrying trade operated, to show that the carrying trade was well-established legally and politically as well as physically and operationally. The body of law concerning carrying had evolved along with the carrying trade, and was generally sufficient to protect both carriers and their customers and to clarify the roles and responsibilities of each. By contrast, in later chapters I will show that existing law was inadequate to regulate the actions of railway companies and their relationships with their customers.

By the early nineteenth century the carrying trade was securely embedded in English statute law, common law and custom, regulated and monitored by rules reinforced by centuries of legal precedent. All of the precedents cited in a lengthy treatise on carrier law written in 1827 predated the nineteenth century; some from the sixteenth and seventeenth centuries were still considered pertinent, and carrier law relating to

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<sup>123</sup> Armstrong, *Coastal and Short Sea Shipping*, xvi; Charles Hadfield and Gordon Biddle, *The Canals of North West England* (Newton Abbot: David & Charles, 1970), 120.

<sup>124</sup> Willan, *The English Coasting Trade*, 8.

shipping cited the Rhodian law of Byzantium.<sup>125</sup> Since the medieval period legal precedent identified carriers, like innkeepers, farriers, brewers, merchants, schoolmasters and surgeons, as common traders, who worked directly for the public rather than for an individual employer and who were 'obliged to accept the custom of all who claimed their service'; common traders could be sued if they discriminated against any member of the public by refusing service or charging different rates for the same service.<sup>126</sup>

Although most common traders faced direct competition, carriers often effectively monopolised their routes due to lack of demand for more than one carrier between two destinations, and thus local and national governments considered it necessary to oversee and if necessary limit carriers' rates.<sup>127</sup> A 1692 law empowered Justices of the Peace to 'assess and rate the Prices of all Land Carriage of Goods whatsoever' every year at the Quarter or General Sessions following Easter; maximum rates were posted in public places and recorded in business directories, and any carrier charging more could be fined. This law was amended and reinforced in 1748, as part of a more general set of laws regulating road carriage, and updated in 1766 to give the power of yearly rate assessment to grand juries at the Summer Assizes.<sup>128</sup>

The law regulating carriers' rates appears to have been haphazardly followed, however; by 1766 eighteen counties had no record of assessed maximum carriage rates.<sup>129</sup> T. S. Willan suggests that carriers and their customers used these maximum rates, when available, as a 'very general guide to the market rate of land carriage'.<sup>130</sup> Carriers influenced rate assessments by informing magistrates of their costs and requirements; letters between Yorkshire carriers and their agent in early 1800 suggest that carriers operated fewer services if they could not make a profit at the assessed

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<sup>125</sup> George Frederick Jones, *A Treatise of the Law Concerning the Liabilities and Rights of Common Carriers* (London: Joseph Butterworth and Son, 1827), 138, 159, 161.

<sup>126</sup> James B. Speta, 'A Common Carrier Approach to Internet Interconnection', *Federal Communications Law Journal* 54, no. 2 (2002): 254-255; John Crofts, *Packhorse, Waggon and Post: Land Carriage and Communications under the Tudors and Stuarts* (London: Routledge and Kegan Paul, 1967), 20; Turnbull, 'Provincial road carrying', 19.

<sup>127</sup> Milne and Laing, *The Obligation to Carry*, 10-11.

<sup>128</sup> Gerald L. Turnbull, 'State regulation in the eighteenth-century economy: another look at carriers' rates', *Journal of Transport History* 6, series 3 (1985); Twelfth Parliament of Great Britain: Fifth Session (17 December 1765-6 June 1766) *A Bill to explain, amend, and reduce into One Act of Parliament, the several Laws now in being for settling the Rates of the Carriage of Goods; The laws concerning travelling &c* (Bristol: J. Ferryman, [1720]), 74.

<sup>129</sup> Turnbull, 'State regulation in the eighteenth-century economy', 33.

<sup>130</sup> Turnbull, 'State regulation in the eighteenth-century economy', 18-19.



maximum rate and customers refused to pay more.<sup>131</sup> Carriers charged customers according to their own costs, offering lower rates for regular customers and large shipments and higher rates for bulky goods or personal goods; '[g]entlemen cannot expect Carriage quite so cheap as a Trader, who perhaps half loads a Waggon every Journey.'<sup>132</sup>

As I will describe in more detail in chapter 2, carriers were paid by, and responsible to, the receivers of goods rather than the senders. When goods were transferred between carriers, the carrier receiving the goods, acting on behalf of the receiver, paid the previous carrier, and the last carrier in the chain collected payment for the entire journey from the receiver of the goods. Goods transfers were arranged and paid for directly between carriers, without requiring any involvement of the sender or receiver, and without any overall direction or management. The way the chain of carriers was organised and compensated was described in an 1855 newspaper article reporting a lawsuit between carriers. Carrier Kenworthy & Co. successfully sued another carrying firm for payment for carrying goods from Manchester to Liverpool that were subsequently lost at sea en route to Penzance. Kenworthy's Manchester agent explained to the judge:

It was the universal custom that when goods were received by a first carrier, and handed...to a second carrier...the second carrier paid the first carrier's charges...the third carrier paid to the second carrier his charges...and also refunded the charges paid by the second to the first carrier, and so on; the last carrier paying to the one from whom he received the goods the accumulated charges upon them, in the expectation of being repaid by the person to whom the goods were to be delivered. If the consignee would not repay him, he had a lien [the right to seize the customer's property to pay the debt] upon the goods.<sup>133</sup>

Kenworthy & Co. had carried the goods in question on the segment of the journey for which they were responsible, and thus reasonably expected compensation for that segment whether or not the goods arrived at their final destination; any loss incurred was solely that of the carrier responsible for the goods at the time they were lost.

Responsibility for compensating a receiver for loss or damage of goods in transit was determined by extensive legal precedent. Goods were the responsibility of the sender

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<sup>131</sup> Turnbull, 'State regulation in the eighteenth-century economy', 18-20.

<sup>132</sup> Turnbull, 'State regulation in the eighteenth-century economy', 25; *The Farmers and Traders Apprehensions of a Rise upon Carriage &c.*, 23.

<sup>133</sup> *Liverpool Mercury etc.*, 27 April 1855; *The Sheffield & Rotherham Independent*, 5 May 1855, 6; *Liverpool Mercury etc.*, 1 May 1855.

until received by the carrier's bookkeeper, then the responsibility of the inn where the goods were held until signed for by the carrier. Once a sender handed goods to the bookkeeper, they were legally the property of the receiver; if goods were lost or damaged in transit, the receiver could sue the carrier for compensation, but the sender could not. The description of an 1804 lawsuit demonstrates how liability for goods was transferred from carrier to carrier. The plaintiff sued the Aire & Calder Navigation, acting as a carrier, for the loss of a bale of leather destined for London. He claimed that the carrier was responsible for the goods until they reached their destination, but the defendant successfully argued that they were liable only for the portion of the trip between Leeds and Selby, as they had only been paid to carry the bale between Leeds and Selby.<sup>134</sup> Similarly, in an 1835 case the court agreed with the carrier defendant who argued that he was not responsible for the loss of a package once he proved that it had been transferred to another carrier.<sup>135</sup>

A substantial body of statute law and legal precedents documented the expectations customers had when hiring carriers. Carriers were legally responsible for the goods they carried, with the exception of 'acts of God or the King's enemies', and were expected to make good any loss or damage. As Richard Burn stated in *Justice of the Peace and Parish Officer*, first published in 1755 but in use well into the nineteenth century:

[w]here goods are delivered to a carrier, and he is robbed of them, he shall be charged...although it might be thought a hard case, that a poor carrier who is robbed on the road...should be answerable for all the goods he takes; yet the inconvenience would be far more intolerable, if he were not so, for it would be in his power to combine with robbers, or to pretend a robbery...and the law will not expose him to so great a temptation....<sup>136</sup>

In his justification of what appears to be a harsh law Burn expressed sympathy for the situation of an honest carrier who might be penalised due to circumstances beyond his control, but his explanation illustrates the significant responsibility carriers undertook to safeguard the goods in their care.

A 1748 comprehensive carrying law permitted carriers to request that senders insure goods worth more than £5, and to not be held liable for loss or damage to certain types of goods worth £10 or more unless the sender declared their value and paid a

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<sup>134</sup> *The Ipswich Journal*, 11 August 1804; *The Hull Packet*, 14 August 1804.

<sup>135</sup> *The Sheffield Independent, and Yorkshire and Derbyshire Advertiser*, 3 January 1835.

<sup>136</sup> Richard Burn, *Justice of the Peace and Parish Officer* (London: A. Strahan, 1800), 370.

surcharge.<sup>137</sup> Despite this law, however, courts were ambivalent about the extent to which carriers could shirk their liability. One court ruled that a sign on the wall of a carrier's booking office claiming no liability for uninsured articles worth more than £5 was insufficient to exempt them; notification also needed to appear on senders' receipts.<sup>138</sup> Another ruled that a carrier was liable for broken glass; the sender had identified the package as fragile but not insured it, as the carrier had not informed the sender that he would not be liable for any damage to it if it was not insured.<sup>139</sup> On the other hand, courts generally ruled that carriers were not liable for the full value of costly goods not disclosed to them by senders. One plaintiff had entrusted a box of goods worth £4,000 to a carrier without informing him of its value, and it was subsequently lost; the opinion accompanying a verdict for the carrier defendant stated that if the plaintiff had wanted to save himself the cost of paying a premium for shipping the box, and it was lost, it was a risk he had chosen to take.<sup>140</sup> Another court ruled in favour of a carrier who had lost two boxes of fabrics worth more than £200; although the carrier had apparently been aware that the boxes were worth more than £5, the sender had not indicated this or paid the required surcharge.<sup>141</sup>

As I will show in chapter 2, carriers and their customers understood their roles and responsibilities, and often informally agreed to appropriate compensation when one party was found deficient. By contrast, as I will discuss in chapter 5, customers of railway companies often found them unwilling to take responsibility for goods in their care, unresponsive to negotiation, and content to continue to lose expensive and time-consuming lawsuits rather than accept liability or adapt their business practices to assist their customers.

### **The place of carriers in the economy, society and culture**

In this section I consider what we can learn from contemporary evidence about carriers as people - their place in society, social and economic status, personal connections and role in contemporary culture. I have included this section to demonstrate another way in which carriers were integrated into the social and cultural life of their communities. Carriers were ubiquitous in the eighteenth- and early

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<sup>137</sup> *Jackson's Oxford Journal*, 15 August 1835.

<sup>138</sup> *The Morning Chronicle*, 28 April 1817; *The Bury and Norwich Post: Or, Suffolk, Norfolk, Essex, Cambridge, and Ely Advertiser*, 21 February 1816.

<sup>139</sup> *The Morning Chronicle*, 12 March 1834.

<sup>140</sup> *The Leeds Mercury*, 2 December 1820.

<sup>141</sup> *The Morning Chronicle*, 9 May 1826; *The Lancaster Gazette and General Advertiser, for Lancashire, Westmorland, &c.*, 27 May 1826.

nineteenth-century English landscape; they worked alongside and were well known to the communities they served, and were connected through family to those practicing the trades that employed and supported them.<sup>142</sup> Aside from moving goods, carriers often took on personal errands for their customers, including passing on letters or news, delivering gifts, collecting bills, selling goods and shopping.<sup>143</sup> A witness's description of a carrier at a trial at the Old Bailey in 1813 suggests the multiplicity of a carrier's business: '[h]e held in his hand a pocket-book; it appeared to contain letters, as carriers commonly have directions and orders and patterns of goods that he had got to match.'<sup>144</sup> By contrast, as I will discuss in chapter 3, as is the case with all joint-stock companies most of the owners of railway companies were anonymous, and their directors and officers removed from the communities their railways served and thus not directly accountable to these communities for their decisions and actions.

In this section I present evidence that shows details of carriers' personal lives and offers insight into how carriers were and wished to be perceived by customers, potential customers and the general public. Mentions in newspapers allow us to compare the social status of carriers to that of those in other occupations, and identify the connections among carriers and their families. Obituaries, as well as the representations of carriers in literature, help us understand how carriers were viewed by their communities. Carriers' trade cards provide both explicit and implicit evidence of the operations of these carriers (such as the type, frequency and quality of the services they offered) as well as the expectations carriers believed their customers to have of their services (such as care, punctuality, respectability) and the ways in which they wanted to be seen by their customers and communities. Finally, the wills of 67 carriers, dated between 1750 and 1850, preserved in the National Archives, provide evidence of carriers' wealth, social status, family relationships and personal connections.

This evidence suggests that carrying belonged to the lower to middling ranks of traditional occupations. Some contemporary sources suggested that carrying was considered somewhat disreputable and that carriers '[a]s a class...lacked the dignity

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<sup>142</sup> Prior, *Fisher Row*, 139.

<sup>143</sup> Earle, *Making of the English Middle Class*, 42.

<sup>144</sup> 'Proceedings of the Old Bailey, 1674-1913', trial of Thomas Hatfield, 13 January 1813, reference number t18130113-109.

and skill that was usually associated with the stage and mail coach drivers'.<sup>145</sup> Contrary to this image of carriers as disreputable, however, my analysis of articles in south-western newspapers between 1750 and 1850 that mention carriers shows that the most common adjective used to describe a carrier was 'respectable', and the second most common was 'eminent'.<sup>146</sup> Even the defendant in a trial for theft was described in a local newspaper in 1839 as a 'respectable carrier'.<sup>147</sup>

This image of carriers as 'respectable' members of society is reinforced by the absence of contrary evidence in the 'Proceedings of the Old Bailey, 1674-1913' online database and in newspaper reports of crimes or lawsuits. In these sources carriers occasionally appear as victims of robberies, and carriers appear to be neither more nor less often mentioned in accounts of such personal criminal behaviour as assault as those of any other occupation. Carriers were also sometimes cited for 'traffic violations' like speeding, drunk driving, or blocking the road, including incidents where a carrier's negligence resulted in injury or death. However, although an occasional newspaper report or record of a lawsuit described carriers' employees stealing from a carrier, or a dispute between carriers or between carriers and customers over payment, reports involving fraud or theft by carriers (as distinct from criminals impersonating carriers, a relatively common occurrence) seem to be virtually nonexistent.<sup>148</sup> I found no reports of a carrier being accused of defrauding someone, or even (as railway companies often did) making it difficult for someone to obtain compensation for loss or damage to their goods. I suggest two reasons for this apparent rectitude among the carrying community. First, unlike railway companies during this period, the carrying trade was heavily regulated, and it would have been difficult for carriers to exploit ambiguities, loopholes or misunderstandings with respect to business practice, relationships or responsibilities. Second, as I will suggest below, carriers traded on their integrity, honesty and 'respectability' (which makes it unsurprising that criminals impersonating carriers could so easily fool unsuspecting customers). Carriers worked autonomously, without supervision, and

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<sup>145</sup> Copeland, *Roads and their Traffic*, 79.

<sup>146</sup> *Sherborne Mercury*, 6 January 1840; *Bristol Times and Mirror*, 20 November 1841; *Salisbury and Winchester Journal*, 30 May 1842; *Bristol Times and Mirror*, 6 May 1843; *Bath Chronicle and Weekly Gazette*, 15 September 1785; *Bath Chronicle and Weekly Gazette*, 14 July 1803; *Gloucestershire Chronicle*, 7 October 1843. I analysed newspapers from this region in order to attempt to tie any names mentioned with records in local archives; I only succeeded in matching one name, that of Edward Mitchell.

<sup>147</sup> *Wiltshire Independent*, 10 January 1839.

<sup>148</sup> 'POLICE', *The Morning Chronicle*, 3 August 1829; 'EXCHANGE, LEICESTER, TUESDAY, JULY 21', *The Leicester Chronicle: or, Commercial and Agricultural Advertiser*, 25 July 1835.

took on the responsibility of holding valuable goods in their custody for long periods of time; they perhaps needed, even more than other businesspeople, to maintain a reputation for reliability and trustworthiness.

Marriage announcements suggest that carriers associated with the 'middling sort', and often had family connections to those practicing the trades that employed them - farmers, millers, maltsters, coachmakers, wine merchants, innkeepers, coal merchants, carpenters, and occasionally minor gentry.<sup>149</sup> Although most carriers were not wealthy, or well-known except to the communities they served, it was possible for a carrier to achieve some distinction, and a few did, accumulating enough wealth to purchase or construct stately homes and associating with high-ranking members of society. Walter Wiltshire, for example, was born in 1718/1719 into a family involved in carrying and entertainment, operating both Wiltshire's Flying Waggons between London and Bath and the Wiltshire Assembly Rooms in Bath; in the mid-eighteenth century Walter took on the carrying business. Wiltshire was a local councillor, turnpike trustee, member of the Bath improvement commission, and Justice of the Peace for Somerset. He enjoyed a friendly relationship with Thomas Gainsborough, whose paintings he transported to London, reportedly for no fee; this friendship was strengthened through gifts of horses on Wiltshire's part and paintings on Gainsborough's. Wiltshire earned enough from the carrying trade to purchase land and construct a country house on the outskirts of Bath.<sup>150</sup> William Jackson, the landlord of Samuel Taylor Coleridge and Robert Southey during their residence in the Lake District, earned enough in the carrying trade to acquire a substantial estate.<sup>151</sup> Perhaps the only carrier to become a household name was the seventeenth-century Cambridge carrier Thomas Hobson, who is remembered in the expression 'Hobson's

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<sup>149</sup> Prior, *Fisher Row*, 139; *Bath Chronicle and Weekly Gazette*, 10 October 1799; *Bath Chronicle and Weekly Gazette*, 13 August 1818; *Bristol Mercury*, 11 January 1840; *Bath Chronicle and Weekly Gazette*, 26 June 1828; *Gloucestershire Chronicle*, 4 October 1834; *Salisbury and Winchester Journal*, 28 October 1839. Also the folk song 'The Jolly Waggoner' and R. D. Blackmore, *Cripps, the Carrier: A Woodland Tale* (London: Sampson Low, Marston, Searle and Rivington, 1883), 5.

<sup>150</sup> Brenda J. Buchanan, 'Wiltshire, Walter (1718/19–1799)', *Oxford Dictionary of National Biography*, Oxford: Oxford University Press, 2004; 'Rocky Wooded Landscape with Rustic Lovers, Herdsman and Cows', accessed 13 September 2018, [https://museum.wales/art/online/?action=show\\_item&item=2181](https://museum.wales/art/online/?action=show_item&item=2181); *Sherborne Mercury*, 3 August 1829.

<sup>151</sup> 'Greta Hall - a brief history', accessed 13 October 2018, <https://web.archive.org/web/20040816175510/http://www.gretahall.net/>; Ernest Hartley Coleridge, 'S. T. Coleridge as a Lake Poet', *Transactions R.S.L.*, vol. 24 (1903): 12.

choice', and who was the subject of a eulogy by John Milton; one of Hobson's daughters married a baronet.<sup>152</sup>

Obituaries in local newspapers portrayed carriers as valued and respected members of their communities. The *Bath Chronicle*, for example, reported in 1777 on the death of carrier Mary Penn, known as Mary Marshfield as she had carried between Bristol and Marshfield for 50 years. The reporter noted that over the course of her career she had walked nearly 400,000 miles, and that her considerable fortune, saved over the years due to her 'somewhat parsimonious disposition', had been left to her only daughter.<sup>153</sup> These statements suggest that, like members of the clergy, medical practitioners, innkeepers and other prominent citizens, carriers were at least occasionally similarly recognised for their contribution to the community.<sup>154</sup>

Some evidence of how carriers affected and were affected by their communities' view of them can be found in carriers' trade cards held in ephemera collections. Historians have used trade cards to help understand the development of branding, marketing and advertising, the development and dissemination of trends in taste and fashion, and the transactions involved in making and selling specific products or trades, and to provide biographical insights into the collectors of the cards and those in their social networks.<sup>155</sup> Trade cards preserved in collections tend to be more visually complex and interesting than usual, so cards for producers and sellers of fashionable clothing and homewares tend to be overrepresented; presumably, cards for less visually-appealing occupations like carrying are underrepresented. Maxine Berg and Helen Clifford suggest that trade cards were expensive, and thus used by relatively large and prosperous businesses, which carriers tended not to be; on the other hand, they also suggest that the target market for trade cards was returning rather than new

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<sup>152</sup> 'On the University Carrier', accessed 1 September 2018, <http://www.bartleby.com/4/108.html>.

<sup>153</sup> *Bath Chronicle and Weekly Gazette*, 9 January 1777.

<sup>154</sup> *Bath Chronicle and Weekly Gazette*, 10 May 1804; *Bath Chronicle and Weekly Gazette*, 14 July 1803.

<sup>155</sup> Robert L. Williams, Jr. and Helena A. Williams, *Vintage Marketing Differentiation: The Origins of Marketing and Branding Strategies* (New York: Palgrave Macmillan, 2017); Rachael Morton, 'Perceptions of production and the retailing and marketing of quality metalware in eighteenth-century England', *History of Retailing and Consumption* 2, no. 2 (2016): 143–163; Maxine Berg and Helen Clifford, 'Selling Consumption in the Eighteenth Century', *Cultural and Social History* 4, no. 2 (2007): 145-170; Philippa Hubbard, 'Trade Cards in 18th-Century Consumer Culture: Movement, Circulation, and Exchange in Commercial and Collecting Spaces', *Material Culture Review* 74-75 (Spring 2012): 30-46; Philippa Mapes, 'The English Wallpaper Trade, 1750-1830' (PhD thesis, University of Leicester, 2016); Arlene Leis, 'Cutting, Arranging, and Pasting: Sarah Sophia Banks as Collector', *Early Modern Women: An Interdisciplinary Journal* 9, no. 1 (Fall 2014): 127-140.

customers, and that they served as reminders of the locations where goods and services could be obtained, both of which uses would have made them particularly valuable to carriers.<sup>156</sup>

The British Museum holds 18 trade cards for carriers, dated between 1759 and 1811. Most of these cards simply indicate the destinations the carriers served and the days of the week they arrived and departed. Some state the time of day (morning, afternoon, evening or night) that goods could be expected to be collected and to arrive, though a few state specific hours for both pickups and deliveries. Several cards state their terms of business with respect to insurance - which types of goods cannot be insured, and that the carrier can only insure goods up to a certain value.<sup>157</sup> A few cards indicate that the carrier will assure 'the greatest Care shall be taken of the Goods sent by him.'<sup>158</sup>

The images on the few carriers' cards that include them show the equipment of a large and prosperous firm - a waggon with six or eight horses and an outrider, usually mounted (only the most prosperous waggon drivers rode; most walked beside their waggons), occasionally set in an industrial or bucolic landscape.<sup>159</sup> In these images the waggon is clean, fully loaded and in good repair, the horses are well fed and carefully matched, and the driver is well dressed and alert. Overall, both the text and images in the carriers' cards in these collections, like the ones shown in figure 2 below, convey an air of prosperity, businesslike efficiency and careful, attentive service.

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<sup>156</sup> Berg and Clifford, 'Selling Consumption in the Eighteenth Century', 145-170; Hubbard, 'Trade Cards in 18th-Century Consumer Culture', 30-46.

<sup>157</sup> Trade card of William Dancer, c. 1800, Banks,31.7, British Museum, London.

<sup>158</sup> Trade card of Byrch, 1806, D,2.2917, British Museum, London.

<sup>159</sup> Trade card of James Salmon, c. 1775, D,2.2916, British Museum, London.



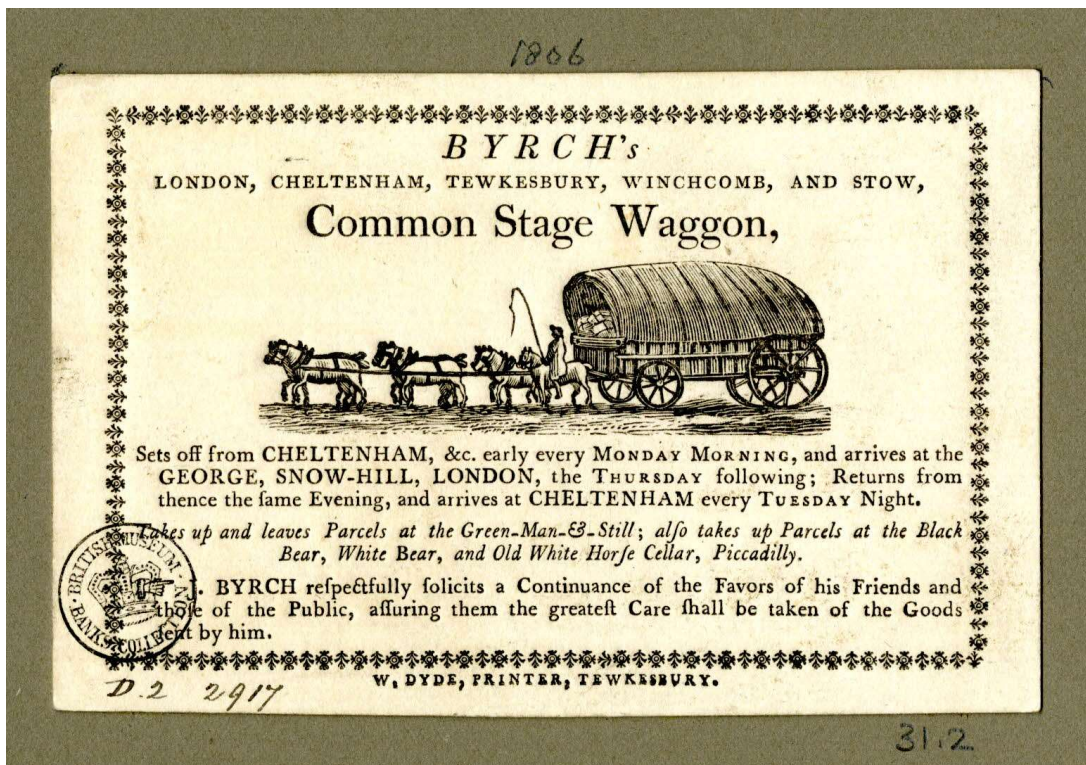
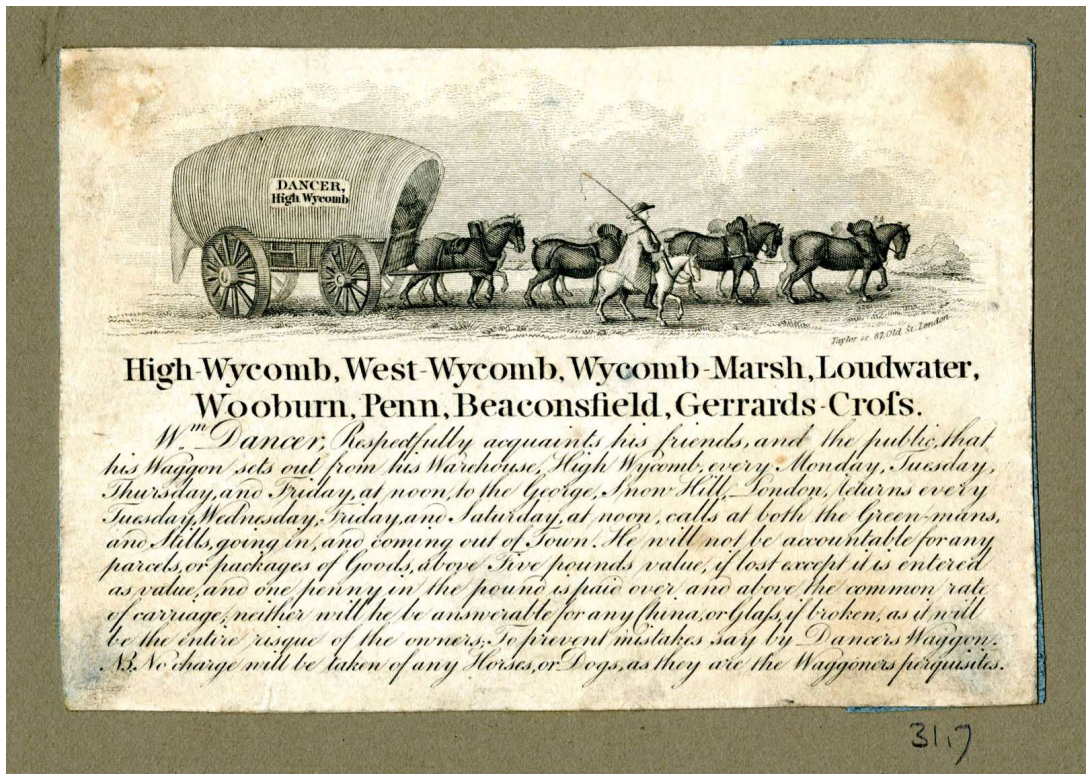


Figure 2: Carriers' trade cards

Source: Trade card of William Dancer, c. 1800, Banks, 31.7, British Museum, London; trade card of Byrch, 1806, D, 2.2917, British Museum, London.

Newspaper announcements contained similar images and information to trade cards, but allowed carriers more space to describe their businesses to prospective

customers. The text of these announcements tended to be standardised, using the polite and sociable language of business relationships that I will discuss in more detail in the following chapters. John Millard, for example, taking on the carrying business of his brother Edward, who had died in March 1800, requested the 'favours of his Friends and the Public', and pledged to undertake his business with 'unremitting Care, Diligence and Dispatch'.<sup>160</sup> Carriers also used newspaper announcements to thank their customers for their support. In 1804 Charles Pugh

with the greatest deference, humbly begs leave to return his most unfeigned Thanks to the MERCHANTS, TRADESMEN, &c. of this city...for their very liberal Support and Patronage...and solicits a continuance of the same; assuring them that no expence, or exertion, shall be wanting on his part for the accommodation of the Trade, by keeping a tight Vessel, good Tarpauling-Coverings, careful and skilful Hands, together with every other necessary requisite on board.<sup>161</sup>

These announcements sometimes included endorsements from customers and other businesses that supported them. Leonard Darke, for example, a river carrier in Swansea, included in his 1801 announcement the names of 21 local merchants who,

being desirous of giving Mr. Leonard Darke...every Recommendation and Support in our Power...give this public Notice of our Wish, that all Goods, Wares, or Merchandize intended for us by our respective Friends, should be directed to go by the said Mr. Leonard Darke.<sup>162</sup>

And, finally, carriers mentioned their connections to carriers who would forward goods to additional destinations.<sup>163</sup>

In addition to evidence from trade cards and newspaper announcements, we can learn about carriers from their wills. Although by the late-eighteenth century wills were no longer accompanied by the detailed inventories of personal property that historians like Lorna Weatherill used to assess levels of and changes in wealth, consumption and economic status, we can still learn something from them about the relative wealth and status of carriers and gain some idea of the nature and extent of their belongings, investments and real estate holdings, as well as their social networks through those identified as executors and beneficiaries. Gregory Clark suggests that by the late eighteenth century wills were less common among all sectors of the population than

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<sup>160</sup> *Gloucester Journal*, 31 March 1800. Similar language referring to favours, Friends and the Public can be seen in carriers' announcements in *Gloucester Journal*, 11 January 1796; *Gloucester Journal*, 23 September 1799.

<sup>161</sup> *Gloucester Journal*, 10 December 1804.

<sup>162</sup> *Gloucester Journal*, 5 October 1801.

<sup>163</sup> *Gloucester Journal*, 13 February 1809; *Gloucester Journal*, 17 July 1841.

they had been, instead becoming the 'preserve of the propertied', though Nigel Goose and Nesta Evans suggest that the decision to incur the cost of preparing a will was not determined by wealth but by whether the inheritance was complex or counterintuitive.<sup>164</sup> Scholars have pointed out that many wills only mention property whose ownership needed to be confirmed; real estate and other goods already given away, or the ownership of which was agreed, might not be mentioned.<sup>165</sup> Nevertheless, even with these caveats it is possible to gain some understanding of the physical situation, economic status, family structure and social and business connections of carriers from their wills, although the proportion of carriers who prepared wills is likely to have been wealthier and higher in economic status than the average, and therefore not necessarily representative.

I reviewed 67 wills and probate materials preserved in the National Archives of people identified in the catalogue descriptions as carriers, filed between 1751 and 1855 in 12 counties. These counties - Cornwall, Cumberland, Derbyshire, Devon, Dorset, Lancashire, London, Middlesex, Northumberland, Somerset, Wiltshire and Yorkshire - represent a variety of regions, and also correspond to the regions for which I have archival material; unfortunately, however, none of the names in these wills matched any of the names of carriers that I encountered in other sources. Of these 67 documents, 33 were handwritten wills, which often included descriptions of property to be inherited and complex and contingent instructions about how it should be divided. The remaining 34 documents were Abstracts of Wills or Abstracts of Administration, which provided less information - typically the names, relationships and occupations of the executors and beneficiaries and the total value of the testator's legacy, rounded to increments of £100 (typically written as 'under £100', 'under £200', 'under £300', 'under £600', 'under £1000', and 'under £2000'). The 29 wills and abstracts in this sample that mentioned specific sums of money can be summarised as follows:

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<sup>164</sup> Gregory Clark, 'The Consumer Revolution: Turning Point in Human History, or Statistical Artifact?' 4 July 2010, accessed 12 September 2018, <http://faculty.econ.ucdavis.edu/faculty/gclark/papers/Consumer%20Revolution.pdf>, 6; Nigel Goose and Nesta Evans, 'Wills as an historical source', in *When Death Do Us Part: Understanding and Interpreting the Probate Records of Early Modern England*, Tom Arkell, Nesta Evans and Nigel Goose, eds. (Oxford: Leopard's Head Press, 2000), 44, 49.

<sup>165</sup> Goose and Evans, 'Wills as an historical source', 48.

Table 1: Value of monetary legacies in carriers' wills

| Approximate total amount of money mentioned in will | Percentage of wills (number of wills) |
|---|---------------------------------------|
| Under £200  | 25 (7)                                |
| £201-£599   | 44 (13)                               |
| £600-£1,999   | 5 (1)                                 |
| £2,000 or more                                      | 26 (8)                                |

Source: IR 26, PROB 11, The National Archives, London.

Although these counts cannot be used to calculate the average wealth of the carriers in this sample of wills, the proportions generally confirm what is suggested in other contemporary and later sources, that carriers tended to be in the lower to middle ranks of the 'middling sort', though some seemed substantially better off. The mode figure of £201-£599 is about the average of personal wealth, derived from late-eighteenth century fire insurance records, of £287; it is broadly similar to the personal wealth calculated for workers in manufacturing (£478.0), agriculture (£446.5), skilled services (£431.6), and shopkeeping and trade (£392.3), and substantially higher than the figures calculated for those working in low-wage services and service (£87.5) and labourers (£17.6).<sup>166</sup> The remaining wills in the sample did not mention specific sums, but bequeathed such property as silver, 'tea equipage', furniture, real estate, and investments and interests in other businesses.

Many wills indicated that the testator and his or her family operated other businesses. For example, John Bush of Dorset, who died in 1753, left his business to his sons, with the instruction that they 'give to my said Wife the Carriage of such Goods as she shall choose to sell in her house or Shop'.<sup>167</sup> George Mitchell of Morley, who died in 1811, left his property to his wife, with whom he ran an inn. At her death he instructed that their daughter inherit the household (and presumably the innkeeping business) and their son inherit the carrying business.<sup>168</sup> Most wills left the equipment of the carrying business to wives or children, though sometimes it was to be passed to people whose relationship to the testator is unclear. It was common for a husband to make his wife his executor and to leave the entire estate, including the business, to her, with the exception of some bequests to children and other family members, which reflects mentions in newspaper advertisements and articles and in business directories of widows managing carrying businesses.

<sup>166</sup> John A. James, 'Personal Wealth Distribution in Late Eighteenth-Century Britain', *Economic History Review* 41 (1988): 551.

<sup>167</sup> Will of John Bush (1753), PROB 11/799/388, The National Archives, London.

<sup>168</sup> Abstract of Will of George Mitchell (1811), IR 26/435/157, The National Archives, London.

The designation of executors and beneficiaries in carriers' wills provides some information about their social networks and connections. Executors and beneficiaries included labourers, farmers, dyers, tanners, chandlers, bargemasters, maltsters, grocers, butchers, apothecaries, clerks, yeomen, and gentlemen, which again seems to put carriers into the broad middle class, their precise situation depending on their wealth and family connections.<sup>169</sup> In his will of 1766, for example, Thomas Phillips of Devizes named three friends - James Powell, a gentleman, William Waylon, an apothecary, and William Stead, a yeoman - as executors. He requested that they sell his house, a nursery ground, and his carrying equipment and use the proceeds to pay his debts, arrange an annuity for his mother, provide funds for his brother and a woman named Anne Still, and use the remainder to raise his niece.<sup>170</sup> Carrier families were sometimes connected to each other; in her will of 1806 Mary Pixton, carrier of Lancashire, left her estate to her daughter, who was married to John Kenworthy of Kenworthy & Co., or Kenworthy & Holt, an inland waterway carrier operating services in the northwest.<sup>171</sup>

In addition to this information we can determine a few other things from carriers' wills. This sample does not suggest any trends over the course of a century; both rich and poor carriers are represented in both earlier and later wills. Of the sample of wills, five are for women, the earliest from 1797 and the latest from 1850; while this does not tell us anything about the proportion of women involved in carrying, it does indicate that women did participate in the business and were successful enough to accumulate enough property to bequeath. The wills of two of these women, Hannah Thornton and Susannah Roff, identified them as widows; the records include the will of Thomas Roff, who died six years before Susannah.<sup>172</sup> In her will Mary Baseden left 'my late husband's silver watch' to a beneficiary; none of her beneficiaries was identified by a

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<sup>169</sup> Will of Thomas Phillips (1766), PROB 11/920/403, The National Archives, London; Will of Jeremiah Brewer (1771), PROB 11/966/162, The National Archives, London; Abstract of Will of Susanna Hutchings (1797), IR 26/333/4, The National Archives, London; Abstract of Administration of George Atkinson (1802), IR 26/425/116, The National Archives, London; Abstract of Administration of Thomas Hall (1802), IR 26/425/263, The National Archives, London; Abstract of Will of James Heys (1811), IR 26/311/116, The National Archives, London; Will of Ambrose Phillips (1816), PROB 11/1577/209, The National Archives, London.

<sup>170</sup> Will of Thomas Phillips (1766), PROB 11/920/403, The National Archives, London.

<sup>171</sup> Abstract of Administration of Mary Pixton (1806), IR 26/305/700, The National Archives, London. I could have obtained more evidence on the nature of carriers' social networks by performing a similar analysis of witnesses to marriages or baptisms.

<sup>172</sup> Will of Hannah Thornton (1850), PROB 11/2115/221, The National Archives, London; Will of Susannah Roff (1842), PROB 11/1968/275, The National Archives, London; Will of Thomas Roff (1836), PROB 11/1866/87, The National Archives, London.

relationship to her, and none has the same surname, so it is difficult to determine if and how they were related to her.<sup>173</sup> Mary Pixton was not identified as a widow in her will, but as her daughter was her executor it seems likely.<sup>174</sup> Susannah Hutchings left all her property to nieces and nephews, which suggests that she may not have been married.<sup>175</sup> Of this sample of wills, only two testators did not sign their names. This figure seems to confirm the high literacy rate of carriers; although there is no easy way to explain why two carriers did not sign their wills, it is possible that these testators were too sick or old to physically accomplish the task.<sup>176</sup>

The contemporary evidence related to specific carriers - from newspapers, trade cards, wills and records of lawsuits - consistently portrays carriers as 'respectable' and well-connected within their communities. The image of the carrier in contemporary literature, however, is more varied. Some poems, novels and stories similarly portray the respectable but not very bright carrier, diligently serving his community.<sup>177</sup> Others portrayed carriers, who travelled from place to place and worked alone, as transgressive characters; in these works, the carrier in his wide brimmed hat and heavy coat, accompanied by his vicious dog, was a distinctive figure both on the road and in town.<sup>178</sup>

## Summary and conclusions

Although several historians have written about the carrying trade, and others mention aspects of it in their work on other topics, to date no history of transport, economic development, or Georgian society has developed a comprehensive picture of the carrying trade before the railways. In order to describe the conflict between the carrying trade and the railway companies in the 1840s, I began this study by providing such a picture, pieced together from secondary sources (business and economic histories, local histories, histories of transport assets, and studies of individual

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<sup>173</sup> Will of Mary Baseden (1842), PROB 11/1956/50, The National Archives, London.

<sup>174</sup> Abstract of Administration of Mary Pixton (1806), IR 26/305/700, The National Archives, London.

<sup>175</sup> Abstract of Will of Susanna Hutchings (1797), IR 26/333/4, The National Archives, London.

<sup>176</sup> Will of Ambrose Phillips (1816), PROB 11/1577/209, The National Archives, London; Will of Charles Hinder (1843), PROB 11/1984/77, The National Archives, London.

<sup>177</sup> Some favourable characterisations of carriers in literature include those in James Templeman, *Gilbert; or the Young Carrier* (London: H. D. Symonds, 1808); Blackmore, *Cripps, the Carrier: A Woodland Tale*, and Charles Dickens, *A Cricket on the Hearth*, accessed 5 August 2015, <http://www.gutenberg.org/files/678/678-h/678-h.htm>.

<sup>178</sup> Carriers are portrayed in a less favourable light in *The History of Tom Long the Carrier*, eighteenth edition (London: L. How, 1750[?]); William Wordsworth, 'The waggoner', accessed 14 September 2018, <https://www.bartleby.com/145/ww284.html>; and a gruesome 'urban legend': 'Extraordinary Event.' *The Friend* 18 (1845): 167.

carrying firms) and original research using such contemporary documents as business directories, court records, wills, newspaper articles and announcements, literature and ephemera. This picture suggests that, although the carrying trade had no central management structure or overseeing authority, it provided an effective national goods distribution network embedded in the law and custom of the country. The carrying trade was part of the social and economic structures of contemporary business, and carriers and carrying were integral to the work and lives of ordinary people.

## **Chapter 2: The carrying trade and the 'sociable economy' of eighteenth-century England**

### **Introduction**

In this chapter I argue that the carrying trade I described in the previous chapter was part of the 'sociable economy' of eighteenth- and early nineteenth-century England, an economy based on personal relationships, and that the carrying trade facilitated these relationships by enabling participants to exchange goods, services and information. I begin the chapter by reviewing the scholarship on social networks and the 'sociable economy', also referred to as the 'moral economy' and 'high-trust culture', specifically that of Craig Muldrew, Margot Finn, Deborah Valenze, and other historians who have recognised the role of personal relationships in economic activity.<sup>1</sup> I then apply this work to the carrying trade and the businesses it served, analysing business correspondence to demonstrate this 'sociability' with respect to carrying and carriers.

In the following chapter I will compare the 'sociable economy' and its business model with the contractual, managerial and adversarial model developed and employed by joint-stock companies, including the first mainline railway companies. In chapters 4 and 5 I will explore the outcome when the two models came into conflict in the 1840s, and the effect of this conflict on the carrying trade and on the economy as a whole.

### **Contemporary and recent historiography of the 'sociable economy'**

The first scholars to describe the 'sociable economy' of eighteenth-century England were its contemporaries. Francis Hutcheson, David Hume and Adam Smith, philosophers of the Scottish Enlightenment, worked to develop a secular 'science of man' with laws of human behaviour as powerful and predictive as those Isaac Newton had developed to describe the behaviour of matter nearly a century earlier.<sup>2</sup> In contrast to such philosophers as Thomas Hobbes and Samuel von Pufendorf, they believed that humanity must be considered collectively rather than individually; '[b]orn into society he must be studied in society'.<sup>3</sup> They argued that human society was based

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<sup>1</sup> Mark Casson, 'An economic approach to regional business networks', in *Industrial Clusters and Regional Business Networks in England, 1750-1970*, eds. John F. Wilson and Andrew Popp (London: Routledge, 2017), 28.

<sup>2</sup> Eric Schliesser, 'Hume's Newtonianism and Anti-Newtonianism', in *The Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta (Winter 2008), accessed 13 September 2018, <https://plato.stanford.edu/archives/win2008/entries/hume-newton/>.

<sup>3</sup> Alan Swingewood, 'Origins of sociology: The case of the Scottish Enlightenment', *The British Journal of Sociology* 21, no. 2 (1970): 168.



on personal relationships which grew out of people's innate 'kind *Instincts*; of natural Affections to associate...of *Compassion*, of *Love of Company*...and of a *natural Delight* Men take in being esteem'd and honour'd by others for good Actions'.<sup>4</sup> Smith's first book, *The Theory of Moral Sentiments*, published in 1759, explored the individual and collective mechanisms by which humans created and maintained mutually beneficial social groups; in this work he 'showed subtly and convincingly that social institutions could channel self-love into decent and sometimes virtuous behavior'.<sup>5</sup>

Smith and Hutcheson based their theories of human behaviour primarily on observations of their own society, in which 'sociable' values and behaviours were not only highly esteemed but crucial to the functioning of an increasingly complex economy. Later historians concurred with and built on their insights, arguing against a view of economic behaviour based solely on a narrow interpretation of individual self-interest. Although E. P. Thompson, in his book *Customs in Common*, published in 1991, does not directly name the 'sociable economy' described by Smith and Hutcheson, he observes that 'many "economic" relations are regulated according to non-monetary norms'.<sup>6</sup> He presents evidence from several areas of study that reveal a culture in which non-economic motivations and concerns influenced what other historians had considered 'purely' economic activity, people collectively regulated economic activity, and 'custom' and social norms rather than individual economic rationality governed economic behaviour.<sup>7</sup> During the long eighteenth century, which Thompson describes as a transition between feudal dependence and industrial discipline, he suggests that the 'subordination' of feudal relationships was transforming into 'negotiation' - not necessarily among equals, but among people who were developing some power to determine their own 'rules of engagement'.<sup>8</sup>

In his 1998 book *The Economy of Obligation* Craig Muldrew explains how the complex trading economy of early modern England functioned without the sophisticated economic institutions and fiscal liquidity seemingly required to underpin it.<sup>9</sup> He argues that most business was transacted in the context of a previously underappreciated

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<sup>4</sup> Francis Hutcheson, quoted in Nicholas T. Phillipson, *Adam Smith: An Enlightened Life* (New Haven: Yale University Press, 2010), 46.

<sup>5</sup> Jerry Z. Muller, *Adam Smith in His Time and Ours: Designing the Decent Society* (Princeton: Princeton University Press, 1995), 53-54.

<sup>6</sup> Thompson, *Customs in Common*, 340.

<sup>7</sup> Thompson, *Customs in Common*, 71-72, 256-257, 336-339.

<sup>8</sup> Thompson, *Customs in Common*, 38.

<sup>9</sup> Muldrew, *The Economy of Obligation*.

reliance on extensive personal credit that facilitated the long production and distribution chains that developed during this period. Credit was essential for economic activity, as so little money was in circulation and as most income was variable, from piecework or odd jobs, or tied to the seasonal pace of agriculture; it was typical, for example, for landowners to collect rents once a year, after tenants had received their income from the harvest.<sup>10</sup>

Muldrew argues that for an economy so extensively based on credit to function effectively people doing business with each other needed to trust each other enough to extend credit, often for very long periods. In order to obtain credit terms that allowed them to participate in economic interaction, people needed to exhibit behaviours that inspired trust, such as frugality and moderation, to establish a reputation for creditworthiness. Muldrew suggests that the deliberate display of these virtues led to a culture of 'competitive piety' amongst merchants, traders, and manufacturers.<sup>11</sup> In addition to facilitating transactions without currency, long-term credit relationships were also 'a means of forming social bonds to secure repeated custom'.<sup>12</sup> Long-term social and economic relationships discouraged cheating; as rumour of unfair dealings discouraged others from interacting with their subject it was in everyone's self-interest to act honestly.

Although Muldrew draws his evidence from early eighteenth-century sources, other historians demonstrate that the beliefs, relationships, and behaviours he describes persisted throughout the century and into the next.<sup>13</sup> Margot Finn, for example, in *The Character of Credit*, provides evidence from legal records relating to debt and the portrayal of debt and credit in contemporary fiction and nonfiction to extend the types of social relationships on which Muldrew argues the early modern English economy depended well into the twentieth century.<sup>14</sup> Deborah Valenze points out that '[t]he web of joint indebtedness that Muldrew traced in seventeenth-century King's Lynn was not unlike business in eighteenth-century London'.<sup>15</sup> She suggests two reasons for the continuation of this type of economic interaction. First, although more silver coins were

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<sup>10</sup> Earle, *The Making of the English Middle Class*, 116-117.

<sup>11</sup> Muldrew, *The Economy of Obligation*, 148.

<sup>12</sup> Muldrew, *The Economy of Obligation*, 124.

<sup>13</sup> Robin Pearson and David Richardson, 'Business Networking in the Industrial Revolution', *Economic History Review*, new series 54, no. 4 (2001): 674; Valenze, *The Social Life of Money*, 117, 266.

<sup>14</sup> Finn, *The Character of Credit*.

<sup>15</sup> Valenze, *The Social Life of Money*, 32.

minted in the late seventeenth century, the government remained reluctant to mint small change in large quantities until the nineteenth century.<sup>16</sup> Second, although money was used both for contributions to the church and 'penitential' fines, the direct exchange of goods and services for money continued to be considered socially and morally suspect, and '[t]he detoxification of money was never complete...[s]uch coin-starved conditions contributed to the persistence of an aura of gifting...well into the nineteenth century.'<sup>17</sup>

Our understanding of the use of credit in the eighteenth and early nineteenth centuries also comes from recent research on trust and credit, part of more general economic and sociological study of collective action, social networks and social capital. Several historians have noted a connection between business transactions and personal relationships in specific economic sectors. R. G. Wilson, for example, identifies this pattern in the interactions of textile merchants in Leeds during this period:

Relationships with customers were most cordial, disputes detested. Mirrors, barrels of oysters and silver cutlery...were exchanged with old correspondents. Constant advice was given on market trends.... Calculations of returns were based not simply on securing an adequate percentage on capital employed but also on retaining the goodwill of customers.<sup>18</sup>

and Geoffrey Jones and Mary B. Rose identify it in business elites:

Held together by common experience and regular contact, the bonds within nineteenth-century business elites went far deeper than mere economic ties. There existed...a community of trust cemented by ties of religion and intermarriage, which facilitated common action.<sup>19</sup>

These and other scholars have suggested that social networks provided economic value by reducing financial risk, lowering transaction costs and disseminating information.<sup>20</sup>

Max Weber's essay "Churches" and "Sects" in North America: An Ecclesiastical Socio-Political Sketch' specifically focuses on the economic value of participation in a

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<sup>16</sup> This information seems to be contradicted here: Tony Clayton, 'Coins of England and Great Britain', accessed 31 July 2015, <http://www.coins-of-the-uk.co.uk/penny.html>.

<sup>17</sup> Valenze, *The Social Life of Money*, 117, 266.

<sup>18</sup> Richard George Wilson, *Gentlemen Merchants: The Merchant Community in Leeds, 1700-1830* (Manchester: Manchester University Press, 1971), 81.

<sup>19</sup> Geoffrey Jones and Mary B. Rose, *Family Capitalism* (London: Cass 1993), 9, footnote 32.

<sup>20</sup> Jon Stobart, 'Personal and commercial networks in an English port: Chester in the early eighteenth century', *Journal of Historical Geography* 30 (2004): 277–293; Andrew Popp, *Entrepreneurial Families: Marriage, Business and Life in the Early Nineteenth Century* (London: Routledge, 2016), 107; John F. Wilson, *British Business History, 1720-1994* (Manchester: Manchester University Press, 1995), 25, 52, 56.

religious community, arguing that 'religious sects formed the foundation of a robust informal social control system that would make trust, norms of reciprocity, and cheap information about individuals' creditworthiness abundant public goods.<sup>21</sup> Gillian Cookson makes the same points about English Quaker networks in the early nineteenth century.<sup>22</sup> Although at least one of the business owners whose correspondence I analyse in this chapter was a Quaker, in this study I have not investigated the role of religion in the formation and maintenance of the social networks underlying credit and economic interaction as I have too little information about the religious affiliations of the people whose writings I analyse, both in the carrying trade and in the railway companies, to make any meaningful comparisons or draw any conclusions.

The principal focus of most of the research on social networks in business has been concerned with how these networks facilitated capital formation and business management, rather than how they affected day-to-day interactions and the relationships between businesses and between businesses and their customers. Some historians initially considered the salience of social networks in the economic sphere 'a sign of market failure in young economies', but others have come to appreciate the role they played in the development of an industrial economy.<sup>23</sup> Social networks have been of particular interest to economists seeking to understand how enough capital could have been accumulated to finance the Industrial Revolution in an economy with rudimentary financial tools and institutions.<sup>24</sup> Gillian Cookson argues that the 'sociable economy' facilitated the development of industry in England:

To accept that some kind of collaboration operated...requires an imaginative leap out of the competitive and confrontational framework upon which much late-twentieth-century management thinking rests.... This apparently anachronistic pre-industrial milieu provided a highly suitable setting for the new industry.<sup>25</sup>

Mary Rose makes a similar observation in her work on the development of the cotton trade in Lancashire and the United States.<sup>26</sup>

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<sup>21</sup> Weber and Loader, "Churches" and "Sects" in North America', 9.

<sup>22</sup> Gillian Cookson, 'Quaker networks and the industrial development of Darlington, 1780-1870', in *Industrial Clusters and Regional Business Networks*, 155-173.

<sup>23</sup> Pearson and Richardson, 'Business Networking in the Industrial Revolution,' 657.

<sup>24</sup> Peter Mathias, *The Transformation of England* (London: Methuen, 1979), 88-115; Wilson, *British Business History*, 52, 56.

<sup>25</sup> Cookson, 'Family firms and business networks', 8-9.

<sup>26</sup> Rose, *Firms, Networks and Business Values*, 3-4.

In the remainder of this chapter I will provide evidence from the correspondence of 20 businesses, written between 1741 and 1866, which describes how customers selected carriers, transport modes and routes, how carriers were instructed and paid, and how problems were addressed and conflicts resolved. This correspondence illustrates the nature of the relationships among the parties involved in business transactions and the expectations each had of the others, and demonstrates that the carrying trade both facilitated and was part of an economy of obligation, reciprocity, and credit based on personal relationships and social networks.

### **Evidence of the ‘sociable economy’ in contemporary business correspondence**

As surviving records of the carriers themselves do not provide much direct information about the operation of the carrying trade and its interactions with customers, I have found the evidence I use in this chapter in the correspondence of customers of the carrying trade. I identified the correspondence I used in this analysis by searching regional archives for correspondence for the appropriate time period of companies which bought and sold physical objects, rather than providing services, and thus employed the carrying trade as part of their business. The most valuable correspondence of this type was that of companies selling goods directly to a variety of individual customers, rather than to well-established partners, as these letters often laid out the details of carrying arrangements; in the latter case correspondents had no need to specify the details of carrying transactions. All of the firms whose correspondence I analysed had national markets, and many (particularly those providing luxury goods - furniture, wine and silverware) bought raw materials and sold products globally. As I am focusing in this study on domestic transport, I have not analysed specific correspondence dealing with international trade and transport.

I reviewed letters and letter books held in archives in Bradford, Leeds, London, Manchester, Newcastle and Sheffield. I also later reviewed some of the extensive correspondence of Boulton & Watt held in the Birmingham Public Library, though not as thoroughly (the archive was unavailable during the period in which I was doing archive research); my review of these documents did not identify any ways in which their relevant content differed from that of the firms I have analysed in this chapter. As the processes and relationships described in these letters are remarkably consistent among the wide range of types, sizes and locations of businesses whose correspondence I reviewed, it seems unlikely that analysis of additional collections

will reveal anything substantially different than what I describe in this chapter. I have no reason to think these processes were substantially different for other firms and other carriers; in fact, several descriptions of processes (particularly those pertaining to how problems were resolved) explicitly stated that the writer was describing what he perceived to be standard business practice.<sup>27</sup>

Although the correspondence represents a range of goods, a range of regions and a period of more than 100 years, there does not appear to be any significant variation in business methods, processes, and interaction styles across industry sector, region or time period. The single exception to this consistency is the decline over time in the importance of 'recycling' empty containers, which I discuss later in this chapter. Despite the fact that the evidence I analyse in this chapter is remarkably consistent, as preserved business correspondence from before 1850 is rare it can be considered neither comprehensive nor representative, and conclusions drawn from these documents may not apply to the carrying trade as a whole, or across regions or time periods. The fact that these particular sets of letters were preserved, while the correspondence of thousands of similar businesses was not, may be due to chance, but might be due to these businesses being unusual in some way, such as more prone to lawsuits (some of this correspondence was found in the preserved records of law firms), more problematic with respect to transition of ownership or authority, or longer-lived. It seems unlikely, however, that the ways in which these companies may be distinctive would relate to the way they managed goods transport.

Although the sample of correspondence I refer to in this chapter suggests a uniformity of business models and practices, it represents only a small fraction of the range of goods I mention in chapter 1 and cannot be considered a representative sample of the economic activity of the time. As I have only reviewed business correspondence, I have not considered the transport of personal goods, and the firms whose correspondence I have analysed includes none which bought or sold agricultural products. The correspondence does include firms that bought and sold both raw materials and finished products shipped to and from manufacturing locations as well as to wholesale and retail distributors and individual customers. The raw materials covered in this correspondence include lead, tanned leather, cotton, iron, and various components of finished goods (wood, metal, furniture fittings, horsehair and fabric).

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<sup>27</sup> Letter from Harrisons, 27 December 1819, B/HRS/013, London Metropolitan Archives, London.

Manufactured or finished goods include machine parts, cloth, furniture, silver goods and cutlery, wine, spirits and vinegar, plants, bulbs and seeds, and wallpaper. A list of the names and locations of the companies, documents consulted, years reviewed, and archive in which documents are held, as well as a short description of each company, can be found in the appendix.

### **Arranging the sending of goods**

Aside from requests for payment and negotiations of bills, goods transport was the most frequent subject of the correspondence I analysed for this chapter; letters to and from sellers, buyers, carriers and agents arranged deliveries, organised logistics, and investigated delays or damage.<sup>28</sup> As I will describe in more detail below, the process of arranging goods carriage was iterative and cooperative, and relied on the relationships among the parties involved. Buyers, sellers and carriers chose among a number of available options, allowing them to prioritise speed, cost, risk, or (in the case of selecting a carrier) an existing personal relationship. The method of arranging for carrying allowed for a great deal of flexibility; the parties involved were continually consulted and provided with regularly updated information in order both to make initial decisions and to change them during the process if new circumstances arose.

Although, as I mentioned in chapter 1, the buyer typically paid for carriage on receipt of the goods, the seller, who had business connections to the carrying trade and was typically more familiar with the logistics of carrying, generally arranged carriage with the buyer's agreement. Sellers negotiated transport arrangements based on the buyer's instruction, then reported to the buyer, after consultation with the carrier, how their goods would be sent. For example, in 1800 the furniture manufacturer Gillows wrote to a buyer in Cockermouth, 'The Carpets...were sent on Saturday to Scotts Warehouse he forwarded them on Monday to Kendal from whence they wou'd be sent on Tuesday by the Cockermouth Carrier', and to a buyer in Leeds, 'The Ladies Wardrobe and other articles...are this Day forwarded by Geo Hitchinsons Waggon to Gargrave where they will be put on the Canal'.<sup>29</sup> Sellers typically trusted carriers to determine the most appropriate route, and either obtained advice from the carrier before sending or allowed the carrier to use his judgment on the way:

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<sup>28</sup> 'The terms of credit laid down between the merchant and his customers always appears to have been the most controversial between the two parties.' Wilson, *Gentlemen Merchants*, 78.

<sup>29</sup> Letter from Gillows to Sir Winfred Lansons, 17 December 1800, 344/174, Westminster City Archives, London; Letter from Gillows to Thos Fisher, Leeds, 14 May 1800, 344/174, Westminster City Archives, London.

The Two Board Table...was forwarded 17th inst by Geo Atkinson's Waggon to Skipton with directions to forward it by the best conveyance...to Pontefract, as the Canal has been dry some time we were fearful if we had given positive directions to send them by the Canal it might have caus'd delay<sup>30</sup>

Buyers and sellers generally seemed to be informed purchasers of transport services, and were sufficiently aware of logistical issues to be notified of any problems that arose in transit; a 1795 letter from Thomas Bradbury & Sons, for example, pointed out to a buyer of their silverware presumably enquiring about a delay, '[we] can assure the last goods were sent immediately after the breaking up of the Ice; we could have sent them sooner, but they would have been detained...and perhaps put in a damp place, which would have caused them to be much tarnished'.<sup>31</sup> Sellers often explained to buyers that weather affected their decisions about how and when to send goods; Gillows wrote to a buyer in January 1800 that their furniture order would be sent 'most likely by land as a Conveyance by Sea from London at this Season of the Year is precarious and the difference in the expence from thence is not much.'<sup>32</sup>

An 1812 letter from Thomas Bradbury & Sons to a buyer of silverware stated that they 'cannot ascertain here which of the Plymouth Coasters the Box will come by'; this is unusual, as sellers generally informed buyers by which carrier or captain they were sending their goods so that the buyer could enquire whether the waggon or ship had arrived.<sup>33</sup> In 1826 one buyer chided wine and vinegar merchant H. Singers & Co. for omitting this information in a letter: 'as you do not give the carrier's name am quite at a loss of whom to enquire why [a shipment of whiskey and vinegar] has not been delivered...there is foul play at work with my *favourite beveredge*'.<sup>34</sup> As early as 1813 at least one manufacturer provided his customers with such printed notices as the following:

Sir, We have forwarded for you under, per \_\_\_\_ which wish safe and soon to hand. We have the pleasure to inform you the \_\_\_\_ Captn \_\_\_\_ has arrived from \_\_\_\_ having on board for you \_\_\_\_ which we have forwarded by \_\_\_\_ to \_\_\_\_ and hope will soon be received.<sup>35</sup>

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<sup>30</sup> Letter from Gillows, 23 September 1800, 344/174, Westminster City Archives, London.

<sup>31</sup> Letter from Thomas Bradbury & Sons, 14 May 1795, BR240, Sheffield City Council Archives, Sheffield.

<sup>32</sup> Letter from Gillows, 23 January 1800, 344/174, Westminster City Archives, London.

<sup>33</sup> Letter from Thomas Bradbury & Sons to Mr Lamport, 29 May 1812, BR240, Sheffield City Council Archives, Sheffield.

<sup>34</sup> Letter from John Leybourne to H. Singers, 3 November 1826, 578/222, Tyne and Wear Archives, Newcastle.

<sup>35</sup> 13 January 1813, John Goodchild Collection, Wakefield.



As the buyer was legally the owner of the goods as soon as they were transferred from the seller to the carrier, the seller typically asked for the buyer's instruction when arranging transport, and was required to comply with any instructions from the buyer with respect to carrier or transport mode.<sup>36</sup> A 1795 letter from Thomas Bradbury & Sons asks for instructions on which mode the buyer would prefer for sending their order of silver;

[t]he goods...being nearly ready and the canal...being froze we shall be glad to know whether you will have them by land carried...as...many of the Goods which are so heavy as...to pay for Land Carriage...would amount to near of the cost of the whole order.<sup>37</sup>

In other cases the seller offered a suggestion, requesting the buyer to inform them if it was not acceptable, as in this letter of 1812 from silversmiths Thomas Bradbury & Sons:

[We] purpose sending the principal part of your Goods...this week, and the remainder we will forward [by] Coach free of expence to you to arrive same time as those [by] Waggon...We hope you will allow the Goods to be sent [by] Waggon...if sent [by] Sea the time of delivery will be uncertain but should you still prefer the latter please inform us [by] return of Post.<sup>38</sup>

On occasion sellers consulted buyers about the details of shipping, as with this 1813 letter from Thomas Bradbury & Sons:

as the Dishes will pack in the Tureen and the Plates be 4 on ea Side, we think they would be better in one Box, as they would take two Boxes...to divide them in equal Weights and you observe they must not exceed 80 lb ea shall therefore wait your Answer.<sup>39</sup>

The details were agreed, and Thomas Bradbury & Sons wrote again the following month,

[w]e have this Day forwarded...the Goods...in 2 Mahogany Cases...one of which weighs 23 lb the other 23 1/2 lb which are enclosed in a deal Case to prevent their being damaged and suppose will save expence in Shipping as being only one Package.<sup>40</sup>

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<sup>36</sup> Letter from Gillows to Henry Tomkinson, 15 July 1801, 344/175, Westminster City Archives, London; Letter from Gillows to Rev. Mr. Calvert, 14 August 1801, 344/175, Westminster City Archives, London; Letter from Gillows to B. F. Hesketh, 21 December 1801, 344/175, Westminster City Archives, London.

<sup>37</sup> Letter from Thomas Bradbury & Sons, 23 January 1795, BR240, Sheffield City Council Archives, Sheffield.

<sup>38</sup> Letter from Thomas Bradbury & Sons, 31 August 1812, BR240, Sheffield City Council Archives, Sheffield.

<sup>39</sup> Letter from Thomas Bradbury & Sons, 25 October 1813, BR240, Sheffield City Council Archives, Sheffield.

<sup>40</sup> Letter from Thomas Bradbury & Sons, 20 November 1813, BR240, Sheffield City Council Archives, Sheffield.

Though many buyers allowed sellers to make carrying arrangements, some indicated that they would arrange for their own delivery and others provided sellers with detailed instructions for how, where and to whom goods should be sent. Such instructions as the following letter written in 1797 to George Trollope for an order of wallpaper are not untypical: 'send them in a parcel by Cook's Salisbury Coach which sets Off at 4 O'clock in the afternoon from the Old White Horse Cellar Piccadilly, & direct it to Wm Chute Esq the Vyne Basingstoke'.<sup>41</sup> Buyers often provided instructions for several segments of a journey. When requesting goods to be sent to them, for example, Thomas Bradbury & Sons wrote in 1814, 'you may send the 5 Blocks of tin immediately by Water to Manchester, from there by Johnsons Waggon'.<sup>42</sup> A buyer of machine parts from George Hattersley & Sons in 1824 requested them to 'be so good as to forward them addressed as under by Canal to Liverpool, directed to be afterwards forwarded to Wrexham by Coffields Chester Waggon'.<sup>43</sup> A letter from J. & N. Philips & Co. indicates how instructions were often provided to direct the actions of several parties:

[p]lease to give Orders...to pack [a shipment of yarn] up 27 Bundles in a pack and to send it off immediately by the Maxfield carrier with directions to be left at Mr. Joseph Stokes's at the Post Office in Maxfield to be forwarded from thence by the very next Leek Carrier.<sup>44</sup>

Buyers occasionally specified a reason for choosing a specific mode or carrier; a buyer of wallpaper from George Trollope wrote in 1804, 'I duly recd the papers this morn & begs to inform you that in future we shall be glad you will send by the Stafford coach instead of the one the papers came by for they charge 14d carriage wh would be only 10d by our coach'.<sup>45</sup> Another common reason is mentioned in an 1808 letter to George Trollope:

I have been waiting for these five days past for Paper.... There being but one Carrier & so many things to bring to Totness is the cause of the delay & it appears also that he is careless of her Ladyship's Parcels & would much rather oblige the shopkeepers in Totness hope for the future you will send by the Devonshire Coach from the Black Bear Piccadilly it being cheaper than the Coach from the white horse Cellar<sup>46</sup>

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<sup>41</sup> Letter to George Trollope, 2 August 1797, B/TRL/9, London Metropolitan Archives, London.

<sup>42</sup> Letter from Thomas Bradbury & Sons to Messrs Horner and Stackhouse, 25 March 1814, A302, Sheffield City Council Archives, Sheffield.

<sup>43</sup> Letter from S. H. Grueber to George Hattersley & Sons, 24 June 1824, 32D83/32/1, West Yorkshire Archives, Bradford.

<sup>44</sup> Wadsworth, *The Cotton Trade and Industrial Lancashire, 1600-1780*, 294.

<sup>45</sup> Letter to George Trollope & Sons, 12 September 1804, B/TRL/9, London Metropolitan Archives, London.

<sup>46</sup> Letter from T. S. Vickers to George Trollope & Sons, 23 March 1808, B/TRL/9, London Metropolitan Archives, London.

It was not uncommon for buyers to request that their goods be sent by, for example, 'any Carrier but not Robt Lawton'.<sup>47</sup> In 1778 wine merchant Jonathan Michie replied to a buyer assuring him that his request had been complied with: 'I had the honour of yours last week desiring to send your Hock by the first Opportunity Except the Endeavour. I have sent it by the Lamb; Thos Miles Master, who was to sail this day'.<sup>48</sup> A 1788 letter following up a shipment of silver plate demonstrates that sellers followed buyers' directions carefully:

the article was positively forward...by Coach...with...directions...to go by the...most speedy conveyance...to Chester the Coach from hence goes to the White Bear Inn...we have wrote to [the] bookkeeper there to make immediate enquiry after said box'.<sup>49</sup>

Sellers followed buyers' instructions even when they were not advisable. Gillows wrote to a disappointed customer in Falmouth in 1800:

We were advised...that your...Furniture...were shipt...for Falmouth the first Opp[ortunit]y...[w]e are sorry for the unavoidable delay occasioned by the want of communication between Liverpool & Falmouth but as the Goods were sent by that route by your own Recommendation, we don't conceive any blame can attach to us.<sup>50</sup>

Not following the buyer's instructions could have consequences, as buyers had the right, and were willing to use it, to return goods sent incorrectly or to refuse payment for their carriage. In 1806, for example, leather tanners Edward & James Richardson seem to have refused a shipment from a supplier who had not followed instructions:

The balonica [acorn husks]...thou sent us is arrived here...I am astonished at thy want of discretion in sending it by wagon...I desired thee to send me 10 cwt which is charged 24s...at which price it is totally unfit for my purpose. I am therefore under the necessity to refuse taking it in - it Lays...with Wm Anderson the carriers agent, to wait thy directions.<sup>51</sup>

### **Negotiating costs and payments for carriage**

Because the seller was not a party to the contract for carriage, sellers did not typically record carriage costs, or charge customers separately for carriage, and the correspondence of sellers does not typically mention the cost of carriage. Although carriage costs were rarely included in the correspondence I analysed, or in attached

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<sup>47</sup> Letter to H. Singers & Co., 21 April 1831, 578/244, Tyne and Wear Archives, Newcastle.

<sup>48</sup> Letter from Jonathan Michie, 6 August 1778, 36/52, Westminster City Archives, London.

<sup>49</sup> Letter from Thomas Bradbury & Sons to Robert Preston, 18 August 1788, BR240, Sheffield City Council Archives, Sheffield.

<sup>50</sup> Letter from Gillows to Vyvyan Trethowarre, 7 October 1800, 344/174, Westminster City Archives, London.

<sup>51</sup> Letter from Edward & James Richardson to Jos Prior, 25 November 1806, 161/52, Tyne and Wear Archives, Newcastle.

bills or invoices, the figures which occasionally appeared substantiate Dorian Gerhold's assessment that the cost of carriage generally comprised about three per cent of the value of the goods carried.<sup>52</sup> As I mentioned in my introduction, this percentage is somewhat less than, and clearly less significant to both buyers and sellers than, the frequently debated 5 to 10 per cent discounts that many firms offered for payment within six months.<sup>53</sup>

Some goods appear to have been sent carriage paid, possibly a standard practice with customers or agents with whom a firm had a running account.<sup>54</sup> Occasionally the cost of carriage was used as a bargaining point, as in correspondence between Fielden Brothers and a prospective buyer of finished cloth in 1813; 'bleaching and Carriage to be charged to and paid by me to the parties here'.<sup>55</sup> Other arrangements might include the seller paying a portion or fixed amount of the cost of carriage; for example, in 1814 silversmiths Dixon & Smith agreed with Armstrong, Hunt & Co. that '[c]arriage [would be] Paid by Waggon & if Orderd by Coach you Pay half the Carriage'.<sup>56</sup> Gillows sometimes paid for the carriage of their furniture by waggon to the nearest transfer point, but this is difficult to ascertain as this cost was rarely itemised on customers' bills.<sup>57</sup>

Sellers often agreed a rate with carriers and then reported the rate to buyers. In 1796 Gillows informed a buyer in Hoxholes, for example, that their furniture was 'pack'd in a large packing Case & a Crate weigh 70 Stone 2 lb for which Scot charges 6p per Stone to Manchester'.<sup>58</sup> For a buyer in Newcastle in 1800 Gillows paid carriage to Kendal 'from whence [the buyer's furniture was] convey'd to Newcastle by David

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<sup>52</sup> Gerhold, *Carriers & Coachmasters*, 38; David Alexander, *Retailing in England During the Industrial Revolution* (London: The Athlone Press, 1970), 205; Gerhold, *Road Transport Before the Railways*, 93, 100.

<sup>53</sup> Gerhold, *Carriers & Coachmasters*, 38; Letter from Harrisons, 18 January 1821, B/HRS/013, London Metropolitan Archives; Letter from Gillows to Rev. J. Bors, 25 February 1801, Westminster City Archives, London; letter from Boulton and Fothergill, 19 April 1773, MS3782/1/21/1, Birmingham Central Library, Birmingham.

<sup>54</sup> Letter from Thomas Bradbury & Sons, c. November 1815, BR240, Sheffield City Council Archives, Sheffield, 'per Canal Carr paid'.

<sup>55</sup> Letter from Fielden Brothers, 10 February 1813, FDN 1/1/5, University of Manchester Archives, Manchester.

<sup>56</sup> Letter from Dixon & Smith to Messrs Armstrong, Hunt & Co., 26 April 1814, A302, Sheffield City Council Archives, Sheffield.

<sup>57</sup> Letter from Gillows to Rev. Walter Trevelyan, 344/174, 9 May 1800, Westminster City Archives, London. Carriage to Kendal was itemised at £1-3-8; carriage from Kendal to Newcastle was agreed at £5-1-4.

<sup>58</sup> Letter from Gillows to John Entwistle, 10 December 1796, 344/173, Westminster City Archives, London.

Hewitson at which warehouse they will be found, his charge for carrying them from Kendal to Newcastle is 8 [pence] per Stone'.<sup>59</sup> If necessary, Gillows arranged for transport and reported costs for several legs of a journey, as in this letter of 1800:

The Chairs...are this Day forwarded by Tho. Salt the Warrington Carrier, from whence they will be taken to Chester by Shaw the Carrier from hence to Warrington 3-6 per Cwt and from Warrington to Chester Salt informs about 4 [pence] per stone or 2/ Per cwt, we have sent them by Land Carriage as there is no opportunity of sending them...[by water] to Chester in less than 10 Days<sup>60</sup>

Sometimes, however, Gillows did not have the necessary connections or information to report costs for an entire journey, as they explained in this letter of 1801:

[the buyer's billiard table] was forwarded yesterday...by Thomas Salt the Warrington Carrier who arrives there on Thursday Evening, and will forward it...by the Northwich Carrier, who...will deliver it at the Crewe Hall on Saturday next Salt is to take it to Warrington at 4s per Cwt it weighs about 6 Cwt, we cou'd not agree for the Carriage any further than Warrington.<sup>61</sup>

It was to the advantage of the buyer for the seller to negotiate carriage rates, as sellers had established business relationships with carriers and were familiar with routes and customary costs, as indicated by a 1796 letter from Gillows to a buyer in Chorley: '[t]he chairs...are this day forwarded by Scot...and we think 3 [shillings per] Cwt a fair charge...we mention this because carriers sometimes take advantage of Gentlemen unacquainted with the rates of Carriage'.<sup>62</sup> Sometimes a seller reported a carriage rate to a buyer, but could not subsequently obtain that rate from the carrier; depending on the nature of the agreement between buyer and seller, the seller was then sometimes responsible for making up the difference, as in an agreement an agent arranged in 1831 between wine and vinegar merchant H. Singers & Co. and a buyer: 'The carr'r of the 4 casks we are to pay in the first place but it is not to be more than 10/vir or 2/6 each, & if you cannot get them sent for that we will have to pay the difference'.<sup>63</sup>

Although after consultation with the carrier a seller could indicate to a buyer what the carrier's rate would be, as the seller was not party to the contract between buyer and

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<sup>59</sup> Letter from Gillows, 11 March 1800, 344/174, Westminster City Archives, London.

<sup>60</sup> Letter from Gillows to Mrs. Bowen, 25 April 1800, 344/174, Westminster City Archives, London.

<sup>61</sup> Letter from Gillows to Mr. Crewe, 15 September 1801, 344/175, Westminster City Archives, London.

<sup>62</sup> Letter from Gillows to James Barlow, 23 August 1796, 344/173, Westminster City Archives, London.

<sup>63</sup> Letter to H. Singers & Co., 24 September 1831, 578/222, Tyne and Wear Archives, Newcastle.

carrier he was unable to verify or enforce that rate. Occasionally the carrier charged the buyer a different rate from what Gillows had reported; in these cases Gillows sympathised but could do little. They wrote to one disappointed buyer in 1800, 'the pattern Chair being a Trifle we sent it by land Carriage as being more certain in point of time, but it is charged more than three times as much as it should have been', and to another in 1801, '[w]e think the charge of £2.12.6 rather high we pay no more than 4. per Cent to Manchester for our Goods'.<sup>64</sup> Although Gillows were not obliged to intervene with the carrier on behalf of the buyer, they occasionally attempted reconciliation, as in this letter of 1800:

[We] are truly sorry they have charg'd you more than we mention.... [W]e find that Tho Salt the Carrier...inform'd us that Shaw wou'd take the goods...for about 4p per stone...but presume he was not certain as he said about that Price. We are sorry that you have paid more than we mentioned...it will be out of our power to obtain any thing back from Shaw...but will try which we can do with Salt.<sup>65</sup>

While buyers directly paid carriers the cost of carriage, sellers typically charged buyers directly for packing and for packing materials, which could be a significant expense. Gillows, for example, informed buyers that their bill included the services of the firm's large and skilled packing department: 'the furniture was packed by experienced people who have been in the habit of packing furniture for 30 years and has been their sole occupation'.<sup>66</sup> Gillows' bills included charges for 'packing the above cartage tolls & Booking', 'box packing', and 'all Expences of Carriage and fixing up excepting the Conveyance from Manchester to Hart Hill'.<sup>67</sup>

Sellers appear to have put a great deal of thought into the most cost-efficient way to use packing crates; as Gillows explained in a letter of 1800, '[r]ather than put you to the Expence of making a new Packing Case for the Glass we have packed it in one which is considerably too large if it is sent back...we shall charge only 3.6 for the use of it & Packing the Glass'.<sup>68</sup> Sheffield silversmiths Fenton, Watson & Co. suggested in 1798 that an item needing repair not be sent from London until a box became

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<sup>64</sup> Letter from Gillows, 23 January 1800, 344/174, Westminster City Archives, London; Letter from Gillows to William Mitchell, 31 January 1801, 344/174, Westminster City Archives, London.

<sup>65</sup> Letter from Gillows to Admiral Bowers, 8 October 1800, 344/174, Westminster City Archives, London.

<sup>66</sup> Letter from Gillows, 27 November 1799, 344/174, Westminster City Archives, London.

<sup>67</sup> Letter from Gillows to Wm Sidgwick, 7 July 1796, 344/173, Westminster City Archives, London; Letter from Gillows, 9 November 1796, 344/173, Westminster City Archives, London; Letter from Gillows to John Simpson, Hart Hall, Manchester, 9 May 1801, 344/175, Westminster City Archives, London.

<sup>68</sup> Letter from Gillows to Mrs. Tatham, Kendal, 3 November 1800, 344/174, Westminster City Archives, London.

available: 'You had better send down the Liquor Bottle with the broken stopper to have one fitted when you have a box'.<sup>69</sup> Some correspondence indicates that shipping boxes were valuable enough to be worth returning empty; 'on the 9th of Nov we Paid 5/ for the Carriage of 3 Empty Boxes from London'.<sup>70</sup> Wine merchant Archibald Singers wrote to his father in 1831 suggesting the best way to get their containers returned: '[y]ou had better direct Thomas to mark the name of the vessel on the lid of the casks as they can more easily return the empty ones by the same ship, & there cannot be too much...caution used in this respect'.<sup>71</sup> The practice of shipping empty containers is also evident in their reuse for subsequent shipments of the same items to the same buyers. In 1845 machine parts manufacturer R. Hattersley & Sons wrote to a supplier, for example, '[a] few days ago I return'd you the Empty Cask and will thank you to refill it with the same Kind of Oil and return it soon as possible'.<sup>72</sup> Given the cost of these materials, sellers often accepted their return for credit. Gillows' policy, for example, at least through the early nineteenth century, was to rebate up to two thirds of the cost of packing crates if they were returned in satisfactory condition for reuse, 'as you are only charged for the use of them'.<sup>73</sup> The fact that sellers were willing to reimburse buyers for the cost of returning shipping containers suggests that the cost of their transport was less than the cost of the labour and materials to make them.

Analysis of correspondence relating to the cost of and payment for carrying, like the analysis of the logistics of and arrangements for goods transport, shows a collaborative and iterative process in which all parties participated and negotiated. While in some cases buyers made decisions based on reducing the cost of carriage, and in a few other cases buyers were surprised by unexpectedly high costs, the decisions buyers and sellers made about transporting goods, particularly empty boxes, suggest that transport costs were a relatively small part of the cost of purchasing goods and that for the most part customers paying for goods transport did not find the cost or conditions of transport unreasonable.

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<sup>69</sup> Letter from Fenton, Watson & Co., 19 September 1798, BR169, Sheffield City Council Archives, Sheffield.

<sup>70</sup> Letter, n.d., A302, Sheffield City Council Archives, Sheffield.

<sup>71</sup> Letter to H. Singers & Co., 7 September 1831, 578/222, Tyne and Wear Archives, Newcastle.

<sup>72</sup> Letter from R. Hattersley & Sons to Yatlock & Love, 9 June 1845, 32D83/32/2, West Yorkshire Archives, Bradford.

<sup>73</sup> Letter from Gillows, 22 August 1796, 344/173, Westminster City Archives, London; letter from Gillows to John Entwhistle, 10 December 1796, 344/173, Westminster City Archives, London.

## Dealing with problems

As I described in chapter 1, the law held carriers responsible for loss of or damage to the goods in their care. A rare letter from a carrier to woollen merchants Benjamin Gott & Sons, written in 1820, acknowledges this fact:

[w]e hereby engage to make good the damage done to Three Bales...on their way from this place to Liverpool by our Waggon...as the amount of the damage cannot be ascertained at present...we hold ourselves responsible until such time as you receive a statement of the injury sustained.<sup>74</sup>

As the contract for carriage was between the carrier and the buyer, if a shipment was lost or damaged it was the buyer's responsibility to negotiate mitigation or compensation with the carrier, though the seller could facilitate the resolution of the problem. Letters from Gillows to carriers and buyers indicate that carriers were expected to repair damage, or arrange for a damaged item to be repaired, rather than simply reimburse the buyer, although disputes were occasionally resolved by the latter means; a letter written to a customer in 1800 states, 'we are sorry the table sustain'd any damage as it is evidently the fault of the carrier he will pay for repairing it without any hesitation'.<sup>75</sup> Although Gillows had no formal obligation to do so, as they had business relationships with carriers they often took responsibility for arranging and negotiating refunds or repairs, as in this letter of 1800:

[w]e beg leave to repeat that the Carrier is liable to make good any damage your Goods might sustain...as we can prove...the damage must have happen'd from the Carelessness of the Carrier. [W]e will endeavor to settle the Matter with Scott having an Account with him here which we have to settle in a few days.<sup>76</sup>

Gillows could use relationships with its regular carriers to negotiate a satisfactory outcome for the buyer, as they did in this letter of 1800: '[t]he Goods went through the hands of two or three Carriers which makes it difficult to manage...we prevailed on Greenwood the Carrier...to abate £8 from the charge, which he considers will also clear them of any expence of repairing any little damage'.<sup>77</sup> In this case, although it appears that it was possible that the damage to the buyer's goods was caused by one

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<sup>74</sup> Letter from William [?] Welsh & Sons to Benjamin Gott & Sons, 19 May 1820, MS193 letter 137, Brotherton Library, Leeds.

<sup>75</sup> Letter from Gillows to Mr. Barton, 8 September 1800, 344/174, Westminster City Archives, London.

<sup>76</sup> Letter from Gillows to Samuel Jones, 23 October 1800, 344/174, Westminster City Archives, London.

<sup>77</sup> Letter from Gillows to Mrs. Leigh, 4 March 1800, 344/174, Westminster City Archives, London.



of the carriers that transported the goods after they left the custody of Greenwood, the first carrier, Greenwood was willing to make a concession, at Gillows' behest and after 'some difficulty', to preserve his relationship with Gillows.

On the other hand, if the seller could prove the goods were received undamaged by the carrier their responsibility was discharged, and typically other firms were less interested than Gillows in pursuing the matter any further. Harrisons Nursery wrote to a buyer in 1819, 'I can readily prove that your Seeds were forwarded for the Waggon & Book'd and sign'd by the Waggon Bookkeeper - it is with you therefore to rule it with them.'<sup>78</sup> They wrote a month later, possibly to the same person:

[W]e certainly undertake to supply your orders...we do not thereby however make ourselves Common Carriers or liable to their misconduct it must be well known to every Man in business that when the Goods...are delivered...to the purchasers Carrier they become the immediate property of the purchaser and should any...delay occur to such Goods...the purchaser should...object to receiving such Goods till the Carrier has made himself answerable for any injury.... To prove the delivery of your Goods into the Carriers Possession is all that can be acquired from Your most ob't Svt<sup>79</sup>

Gillows were unwilling to hold a carrier responsible for returned items damaged due to a buyer's improper packing; in 1800 they wrote to one buyer that the damage suffered by an improperly packed dining table 'puts it out of our policy to call upon the Carrier to pay the loss which we could have done (and would have done) had it been properly packed'.<sup>80</sup> It also appeared that Gillows were willing to spare the carrier when they believed the carrier was not at fault, in order to appease a dissatisfied customer, as in this letter of 1800:

[t]he People who packed [the damaged goods] are ready to certify that they were well & efficiently packed...however to show our willingness to accommodate this matter we will allow half the amount [£10] which we trust...Mr Liddle will be perfectly satisfied with.<sup>81</sup>

Carriers were paid by buyers, but competed for the business of sellers, which gave sellers some leverage to negotiate with carriers on behalf of buyers to obtain lower rates for them. For example, in 1787 a supplier wrote to Thomas Maltby in Newcastle,

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<sup>78</sup> Letter from Harrisons, 23 November 1819, B/HRS/013, London Metropolitan Archives, London.

<sup>79</sup> Letter from Harrisons, 27 December 1819, B/HRS/013, London Metropolitan Archives, London.

<sup>80</sup> Letter from Gillows to Mrs. George Hulliss, 14 January 1800, 344/174, Westminster City Archives, London.

<sup>81</sup> Letter from Gillows to Ralph Liddle, 7 July 1800, 344/174, Westminster City Archives, London.

[t]he Lead I bought for you of ayres would have been shipped before now but they are asking an advantage in the Freight which I was unwilling to give however as you are much in want of it I shall endeavour to ship it tomorrow & take my remedy against the Ship Owners in future.<sup>82</sup>

This communication from buyers to carriers via sellers was indirect, but could be effective in convincing carriers to reduce their rates if sellers chose to exercise their prerogative to recommend carriers, as this 1814 letter from silversmiths Dixon & Smith to Hunts Carriers suggests:

[A] number of our Customers Complain that they are chargd 1/- Porterage for small Boxes while Pickfords charge 6C. I complained in London but did not find it Sufficiently remedied - I now address you saying we are sending many of our Goods by Pickfords Waggon a Box sent from Birm and del by the same Porter & is only charged 6C, but if it has come from Sheffd it is charged 1/- I think you will find it your Int[erest] to have this Imposition removd but if I find it continues - we shall be Obliged to leave you altho you have had the Principal of our Carr[ia]ges Ever since we was in Business.<sup>83</sup>

These exchanges among buyers, sellers and carriers indicate that, although the roles and responsibilities of each party were clearly delineated by law and custom, and generally well understood by the parties involved, when something went wrong or someone was dissatisfied parties were generally willing to be flexible and collaborative, and occasionally to step out of their assigned roles, in order to preserve business relationships and maintain their own reputations.

### **Personal relationships among participants in trade**

Goods carriage arrangements, like business arrangements in general, typically prioritised developing and maintaining amicable business relationships among the parties involved, and protecting each party's reputation. Like many sellers in the correspondence I reviewed, Gillows' partners expressed caution about doing business with anyone with whom they did not already have a relationship. They often requested persons known to them to investigate or vouch for strangers, as in this example from 1801:

[a] Mrs Jackson whose Daughter married one of the Fieldings of Blackburn has ordered about £150 or 200 value of Goods...Wou'd you have the Goodness to enquire concerning...how far it wou'd be eligible to trust her...your kind Assistance in making the above enquiry without mentioning our names would oblige.<sup>84</sup>

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<sup>82</sup> Letter to Thomas Maltby, 24 January 1787, 11321, Tyne & Wear Archives, Newcastle.

<sup>83</sup> Letter from Dixon & Smith to Hunts Carriers, 26 March 1814, A302, Sheffield City Council Archives, Sheffield.

<sup>84</sup> Letter from Gillows to Mr. Pilkington, 14 January 1801, 344/174, Westminster City Archives, London.

A letter from Henry Escricke, who bought yarn and sold cloth, requested similar information from his correspondent, pointing out the risk involved in misjudging a buyer's character: '[p]lease to let me know his character if you know him. James...got an order to buy him 4 packs of grey cottons...if he be a good man I'll pay for them and send them and draw upon him for them. If you do not know him please to inquire into his character.'<sup>85</sup> In 1849 George Hattersley wrote to a prospective buyer of machine parts to request that he negotiate the purchase with someone known to both of them, explaining the roundabout process by saying, 'I trust you will excuse me when I say that as you are entire strangers to me, this being the first transaction'.<sup>86</sup> Thomas Bradbury & Sons accepted new customers for their silver goods based on character references, though this policy did not ensure prompt payment; an 1800 letter addressing a bill that had been outstanding for four years stated, '[o]ur Friend Mr Torby informed us when we opened an Account with you he had no doubt you would be very regular in your payments - we are very sorry to observe the contrary.'<sup>87</sup>

This same concern for and reliance on relationships can be seen in correspondence discussing payment and credit arrangements. For example, although Gillows seems typically to have been paid by direct credit note, the partners used their relationships with other parties to arrange alternative methods of payment that were more convenient for buyers, as in this example from 1796:

[t]he Rev Isaac Crackett of Ambleside is indebted to us £28 10 10 1/2 which he wou'd find more convenient to pay at Kendal than here we have therefore taken the Liberty to request him to pay it into your hands...we should be much oblig'd to you if you wou'd give him a satisfactory acknowledgement if he pays you the same.<sup>88</sup>

These payments were often arranged to be convenient for all parties involved, as shown in this letter to wool-stapler Joseph Jackson:

[a]s you have had some dealings with Mr Marriott...a Neighbour of mine who does business with him, wish'd me to take £6 note, a pound Each of him - please to pay him this sum, on Account of Mr Rd Mouldig...and take his acknowledgment for the same and will bring you when I come to mark't.<sup>89</sup>

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<sup>85</sup> Wadsworth, *The Cotton Trade and Industrial Lancashire, 1600-1780*, 268.

<sup>86</sup> Letter to George Hattersley & Sons, 4 July 1849, 32D83/32/1, West Yorkshire Archives, Bradford.

<sup>87</sup> Letter from Thomas Bradbury & Sons, 3 March 1800, Sheffield City Council Archives, Sheffield.

<sup>88</sup> Letter from Gillows to George Braithwaite, 344/173, 26 November 1796, Westminster City Archives, London.

<sup>89</sup> Letter to Joseph Jackson, n.d. [c1821], Joseph Jackson letters, John Goodchild collection, Wakefield.

Aside from the passing references to settling accounts with carriers that I have mentioned above, there is no direct evidence in the correspondence I reviewed that demonstrates that this 'web of credit' extended to carriers specifically. Such evidence might be drawn from the few carriers' cash books, account books and day books held in archives around the country. It is possible that one account book in the Bath Record Office, dated June 1819 to July 1822, documents the transactions between a carrier and an innkeeper; this book shows that accounts were settled every few months, and that the innkeeper collected his due from the carriers' customers, passing the remainder to the carrier. The book also indicates the informality of the arrangement; one transferred sum was 'left on a Great Coat'.<sup>90</sup>

Gillows' partners used intelligence gained from their social network to determine when a customer was in a position to pay an overdue bill, as in this 1801 example: 'Mr Cawthorne informs us that the latter has a speedy prospect of the means & intends to settle the whole of his concern'.<sup>91</sup> Silversmiths Thomas Bradbury & Sons used personal connections to apprise themselves of their customers' financial circumstances, writing to a debtor in 1798 that they have 'the satisfaction to find that affairs in general with you have taken a favourable turn'.<sup>92</sup> They were comfortable asking one customer to check up on another, as in this 1814 letter:

We take the Liberty of addressing these few Lines to you requesting you will have the goodness to call upon Mr Benjn Smith...to know the Reason why he has never Reply'd to our Requests; Mr Ware wrote him Several times but have never Recd any answer Nor can we Imagine the cause of his thus so treating us - If You could procure the needful for us Should feel ourselves highly obliged<sup>93</sup>

These requests and considerations demonstrate the tangible financial value of personal relationships with colleagues and customers.

Buyers and sellers maintained the personal relationships they relied on to protect their income by giving and accepting favours, including choosing with whom to do business. Both sellers and buyers preferred to work with carriers and captains with whom they had established relationships. For example, in the late-eighteenth century

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<sup>90</sup> Account book, June 1819 to July 1822, ACC863, Bath Record Office, Bath.

<sup>91</sup> Letter from Gillows, 2 March 1801, 344/174, Westminster City Archives, London.

<sup>92</sup> Letter from Thomas Bradbury & Sons, 6 August 1798, Sheffield City Council Archives, Sheffield.

<sup>93</sup> Letter from Thomas Bradbury & Sons to Jonathan Ramsay, c. June 1814, A302, Sheffield City Council Archives, Sheffield.

lead and painters' colours manufacturer Walkers, Fishwick & Co. seemed to rely on a particular coastal ship captain, and if their goods were sent with someone else it was specifically mentioned, as in this letter from 1787: 'we shall ship you some Red Lead per next Vessel without waiting for Petrie'.<sup>94</sup> Another letter the same year stated, '[i]f Petrie be not come away & you can furnish us conveniently with 10 or 15 Bar's more of the same Lead Ore send us them by him, if he is sailed send us for the present only 4 Barrels & the remaining part by him the next Voyage.'<sup>95</sup> Favours extended beyond preferential choice of carriage. Business owners often maintained connections through gifts, as when Walkers, Fishwick & Co. wrote to their agent in 1786 that 'Petrie has on board for you a Cask of excellent Newcastle Ale & for Mr Ward a Clock, a Cask of potatoes, 20 Chickens in 2 Coops with provision for the Voyage'.<sup>96</sup> Gillows' partners used their connections to find employment for relations, obtain such domestic goods as lime juice and potatoes, and monitor the progress of the sons of a colleague travelling home to Scotland for the school holidays.<sup>97</sup>

Businesses resolved conflicts with customers by doing what they felt necessary to 'make good', addressing business issues as if they were personal misunderstandings and considering the feelings and opinions of all parties concerned. An 1813 letter from a customer to wool-stapler Joseph Jackson stated that an order had not been correctly fulfilled, but expressed concern over the carrier's feelings and reputation and agreed to withhold a decision about how to address the situation until all parties had been consulted:

[O]n weighing [a shipment of wool]...find 3 out of the 7 deficient...the Boatman...positively declares they are in the same state as deliver'd to him, and thinks it will be hard if he must make good another man's neglect...on his return will call, consequently will think what we are to do.<sup>98</sup>

An 1814 entry in the Directors' Minutes of the Mersey & Irwell Canal Company demonstrated this personal style of conflict resolution:

A letter...was read, stating that Sir Richard Brooke felt hurt at the charge made upon him.... Ordered that a letter be written...to express the Company's regret

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<sup>94</sup> Letter from Walkers, Fishwick & Co. to Thomas Maltby, 6 January 1787, 11321, Tyne & Wear Archives, Newcastle.

<sup>95</sup> Letter from Walkers, Fishwick & Co. to Thomas Maltby, 2 March 1787, 11321, Tyne & Wear Archives, Newcastle.

<sup>96</sup> Letter from Walkers, Fishwick & Co. to Thomas Maltby, 19 December 1786, 11321, Tyne & Wear Archives, Newcastle.

<sup>97</sup> Letters from Gillows, 5 July 1800, 344/174; 23 June 1801, 344/175; 344/174; Westminster City Archives, London.

<sup>98</sup> Letter from Edmondson Co., Halifax, to Joseph Jackson, 10 June 1813, John Goodchild Collection, Wakefield.

at any cause of misunderstanding should arise...and their readiness to have the Charge reconsidered.<sup>99</sup>

When necessary, people involved in disputes could draw on the goodwill established by their relationships to resolve conflict informally and personally, without resorting to expensive or time-consuming legal processes. Machine parts manufacturer George Hattersley & Sons wrote to the Union Canal Company in 1835, '[w]e have received a quantity of Iron this day by one of your Boats & find we are...3 of 35 short, if you have it in your Possession, I will thank you to forward it Immediately & say what quantity you had for us'.<sup>100</sup> An 1807 letter relating a dispute between Richardsons, leather tanners, and a supplier suggested that the disputants 'refer the matter to two of our common friends in London'.<sup>101</sup> A similar request can be found in the minutes of the directors of the Mersey & Irwell Canal Company in 1798: 'Ordered that Mr Wright get two indifferent persons to value the Damage done, and the amount of such value together with such further sum as may be thought necessary be tendered to Messrs Naylor & Summers at the same time given to them'.<sup>102</sup> Wool-stapler Joseph Jackson wrote to a customer in 1821 that 'he agrees to let any respectable Person examine the wool' to determine compensation for it being 'falsely wound'.<sup>103</sup> Parties involved in these types of disputes were aware that the formal legal system could be engaged as a last resort, if such informal negotiations proved unworkable or unsatisfactory. By comparison, until statute law was changed in 1871, similar disputes involving railway companies were inevitably drawn into the formal legal system, as they could not be resolved through informal negotiation or third-party adjudication.

Goods transport also relied on and facilitated personal relationships through the common practice of including multiple buyers' purchases in one package, and requesting the party to whom the package was sent to arrange delivery to the others. An 1800 letter from Gillows to a customer informed him that the wardrobe they were sending him contained items for his neighbour 'as they pack safely and at less

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<sup>99</sup> Directors' Minutes, Mersey & Irwell Canal, vol. 3, 3 October 1814, Waterways Archive, Ellesmere Port.

<sup>100</sup> Letter from George Hattersley & Sons to Union Canal Co., 1 December 1835, 32D83/32/1, West Yorkshire Archives, Bradford; letter from R. Hattersley & Sons to Union Canal Co., 23 April 1828, 32D83/32/1, West Yorkshire Archives, Bradford requests that they search their boat for a missing iron bar.

<sup>101</sup> Letter from Edward & James Richardson, c. June 1807, 161/52, Tyne and Wear Archives, Newcastle.

<sup>102</sup> Directors' Minutes, Mersey & Irwell Canal, vol. 2, 3 October 1798, Waterways Archive, Ellesmere Port.

<sup>103</sup> Letter from Joseph Jackson, 13 January 1821, John Goodchild collection, Wakefield.

expenche to him'.<sup>104</sup> Silversmiths Thomas Bradbury & Sons wrote to a buyer in Doncaster in 1787 that they 'have made the freedom to include 4 qt. Muggs for Mr Donald which shall be oblig'd you will send to him and Charge him for his proportion of Carriage.'<sup>105</sup> An 1811 letter from the firm to Mrs J. Jacobs lists items for several people that had been included in a package addressed to her.<sup>106</sup> An 1814 letter from silversmiths Dixon & Smith arranged a similar shipment: '[w]ill thank you to send off by Land on the receipt of this the 10 Cwt of Candle...as agreed with you, as also at the same time send her Browne's...with them if he has got them'.<sup>107</sup> The Boulton and Fothergill factory in Soho wrote to one customer in 1773, 'Miss Jermy having lately been at our Manufactory and having been requesting us to send her a Silver filigree Box we send it you along with your Goods and shall be obliged to you for causing it to be delivered to her.'<sup>108</sup> Occasionally Gillows asked a supplier for a similar favour, as in this letter of 1800: '[t]hese or half, of them are wanted immediately therefore shou'd be glad you wou'd send them in any other person[s] Parcel if you have none coming to us, as soon as possible.'<sup>109</sup> This practice of sending goods for more than one person in a single package, as a way to maintain and draw on personal relationships between sellers and buyers as well as reduce the cost of carriage, is particularly notable because, as I will describe in chapter 5, railway companies' strong objection to it resulted in it becoming the subject of the most contentious legal disputes between carriers and railway companies.

### **Summary and conclusions**

In this chapter I used evidence from the correspondence of several businesses that employed carriers to describe how the carrying trade operated and to highlight the role of trust, credit, reciprocity and personal relationships in the communication among the parties involved. I have based my analysis of this 'sociable economy' primarily on the work of Craig Muldrew, who highlighted the importance of personal relationships in an economy where money was scarce, as well as on the work of other scholars who have investigated the nature and role of social connections in

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<sup>104</sup> Letter from Gillows, 3 May 1800, 344/174, Westminster City Archives, London.

<sup>105</sup> Letter from Thomas Bradbury & Sons, 14 September 1787, BR240, Sheffield City Council Archives, Sheffield.

<sup>106</sup> Letter from Thomas Bradbury & Sons, 2 September 1811, BR240, Sheffield City Council Archives, Sheffield.

<sup>107</sup> Letter from Dixon & Smith, 22 February 1814, A302, Sheffield City Council Archives, Sheffield.

<sup>108</sup> Letter from Boulton and Fothergill, 19 April 1773, MS3782/1/21/1, Birmingham Central Library, Birmingham.

<sup>109</sup> Letter from Gillows to Sam Timmins, Birmingham, 23 July 1800, 344/174, Westminster City Archives, London.

occupational and other subgroups. My research substantiates their conclusions, and shows how the relationships they identified as part of the business practice of the period were formed and used in managing the transport of goods.

The carrying trade facilitated connections between people separated by long distances. Carriers themselves established personal relationships with their customers, for whom they often performed non-contractual personal services. In addition to participating in these interactions themselves, carriers provided the means by which other economic actors established relationships, transporting personal gifts as well as purchased items, facilitating favours between parties, and passing on valuable commercial information about trends, fashions and prices.

I have suggested in chapter 1 and in this chapter that the carrying trade was a significant component of the 'sociable economy' of late eighteenth- and early nineteenth-century England, integrated into it both in the way carriers did business themselves and the way they facilitated the relationships of other participants in the economy. In the next chapter I will contrast this personal, trust- and credit-based business model with the business model adopted by the mainline railway companies Parliament began to authorise in 1825, that of the joint-stock company, in which such personal relationships had no place.



## **Chapter 3: The business culture of joint-stock companies**

### **Introduction**

My analysis in chapter 2 of the correspondence of 20 companies active between 1741 and 1866 suggests that the carrying trade, in common with the wider economy in which it operated, acted according to a business model that relied on the extension of credit based on personal relationships, a model recognised by E. P. Thompson, Gillian Cookson, and Deborah Valenze, and described in detail by Craig Muldrew. Carriers facilitated transactions between businesses connected by social relationships, and operated using similar business practices and social norms.

In this chapter I contrast this type of business model with the managerial, profit-driven and contractual business model of joint-stock companies, which became increasingly visible, and the cause of increasing concern and conflict, in the 1830s and 1840s. The evidence I present in this chapter suggests that joint-stock companies, legal entities created by Parliament to accumulate capital and resources to accomplish specific economic objectives, operated according to a business model primarily concerned with economic rationality and shareholder value, due at least in part to the fact that in these companies decisions were often made by salaried professional managers rather than producers of goods and services. These companies did not ensure success by establishing and maintaining personal connections, but instead sought to reduce risk and manage their economic environment using strategies of vertical integration - controlling suppliers, customers, competitors and regulators.

This chapter consists of three sections. In the first, I explore the definitions and characteristics of joint-stock companies, and argue that the conclusions drawn from the research of historians and economists on the nature and activities of joint-stock companies can be applied to the first mainline railway companies. Establishing that the first mainline railway companies can be considered examples of 'modern' management helps us understand both the motivations for their representatives' policies and the responses of customers, other companies, the government and the general public to these policies. In the second section, I suggest that these responses to the actions of railway companies during the 1840s were part of a growing hostility among business owners, government and the public toward joint-stock companies in general, expressed as concerns about monopoly and competition. Customers, other companies, the government and the general public responded in several ways to the growing power of joint-stock companies and the resulting general change in business

practices, with varying degrees of success in curtailing this power. In the final section I present as a case study these groups' responses to the actions of the joint-stock companies that provided water to London between 1818 and 1821. Evidence including newspaper articles, pamphlets and testimony before Select Committees illustrates a range of responses to the business practices of these joint-stock companies, and their effectiveness in compensating injured parties and restoring business practices based on personal relationships. Both water companies and railway companies took advantage of natural monopolies to provide needed services to customers with little choice but to employ them; both water companies and railway companies provided services customers considered too costly and of unacceptable quality, and both sets of companies appeared unwilling to adapt to meet the needs and expectations of their customers although, as I will show below, water companies proved more willing than railway companies to adapt to the expectations of their customers. In chapter 5 I will argue that the actions of railway companies in the 1840s and 1850s provoked similar responses for similar reasons, and that these responses proved ineffective in changing the policies and business practices of the railway companies.

### **The joint-stock company and its business practices**

As I described in chapter 2, although businesses competed for profit and advantage they observed common social norms when participating in economic interactions, engaging as 'friends', with whom they developed relationships more complex than simply that of buyer and seller, with other firms and with customers. These companies were sole proprietorships or partnerships at common law; between the early eighteenth century and the early nineteenth century almost all domestic businesses were of this type.<sup>1</sup>

Paddy Ireland defines a joint-stock company as 'an association with certain distinctive economic characteristics: most notably, a relatively large number of members, a separation of management and ownership and more or less freely transferable shares.' He contrasts this type of business with partnerships, 'highly personal association[s] based around a few specifically defined and closely related people, many of whom were likely to be involved in the running of the concern.'<sup>2</sup> The first joint-

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<sup>1</sup> Wilson, *British Business History*, 27-29.

<sup>2</sup> Paddy Ireland, 'Capitalism without the Capitalist: The Joint Stock Company share and the emergence of the modern doctrine of separate corporate personality', *Journal of Legal History* 17 (1996).

stock companies, also known as 'public companies' because they were authorised by Parliament, were the regional trading companies created during the sixteenth and seventeenth centuries to allow projectors to raise the substantial sums needed to pay for the infrastructure (ships, warehouses, trading posts, forts and administrative facilities in other countries) and staff required to achieve their economic objectives.<sup>3</sup> By the early eighteenth century joint-stock companies had become so effective in aggregating capital and managing resources that Parliament began to authorise them to trade and manufacture glass, paper, broadcloth, wool-cards, sail cloth, ropes, cordage, sugar, rum, and soap; by 1720 the capital invested in joint-stock companies represented 13 per cent of the nation's wealth.<sup>4</sup> Managing such large sums effectively and honestly proved to be challenging, however, and the lack of accountability of and to anonymous investors led to widespread fraud. In 1720, in response to the collapse of the South Sea Company (or in order to protect the South Sea Company's unique position), Parliament passed the Bubble Act requiring any new public company to obtain a royal charter. This law severely curtailed the formation of joint-stock companies, although between 1720 and its repeal in 1825 Parliament authorised 198 companies, more than half to construct and operate utilities and infrastructure.<sup>5</sup>

Although the shares issued by joint-stock companies before 1825 were typically legally transferrable, the general market in shares was minimal and rudimentary. Starting in that year, however, the first joint-stock railway companies, which required substantial amounts of initial capital, began to issue large volumes of shares. Railway companies soon became the dominant class of companies on the Stock Exchange, raising £230 million in capital by 1849.<sup>6</sup> Buying and selling railway shares increased

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<sup>3</sup> Ann M. Carlos and Stephen Nicholas, 'Theory and History: Seventeenth-Century Joint-Stock Chartered Trading Companies', *Journal of Economic History* 56 (December 1996): 916-924; S. R. H. Jones and Simon P. Ville, 'Efficient Transactors or Rent-Seeking Monopolists? The Rationale for Early Chartered Trading Companies', *Journal of Economic History* 56 (December 1996): 898-915; Ireland, 'Capitalism without the Capitalist', 43-44; A. J. Arnold and S. McCartney, 'Financial capitalism, incorporation and the emergence of financial reporting information', *Accounting, Auditing & Accountability Journal* 25 (2012): 1297-1299. There do not seem to be many book-length histories of the English joint-stock company; B. C. Hunt, *The Development of the Business Corporation in England, 1800-1867* (Cambridge [MA]: Harvard University Press, 1936) appears to be the best-known.

<sup>4</sup> C. E. Walker, 'The History of the Joint Stock Company', *Accounting Review* 6 (June 1931): 103.

<sup>5</sup> A.J. Arnold and S. McCartney, 'The transition to financial capitalism and its implications for financial reporting', *Accounting, Auditing & Accountability Journal* 21 (2008): 1191; Robin Pearson, Mark Freeman, and James Taylor, 'The promotion and foundation of joint stock companies in Britain and Ireland before 1844', paper for the European Business History Association conference, Athens, 24-26 August 2011; Wilson, *British Business History*, 44, 48-49.

<sup>6</sup> Ireland, 'Capitalism without the Capitalist', 64.

the activity of the London Stock Exchange and led to the opening of stock exchanges in Manchester, Liverpool, Leeds, Sheffield and Bristol.<sup>7</sup> This explosive growth in railway shares, and their perceived value to shareholders, prompted the development of an impersonal investment market in which purchasers knew nothing of a company or its activities beyond its expected share dividend.<sup>8</sup>

The joint-stock company was legally, and ethically, separate from its owners, the shareholders, and the company's business decisions were often made by people with no ownership of or personal connection to the company. In his pioneering work *The Genesis of Modern Management*, published in 1965, Sidney Pollard describes how the directors of the first joint-stock companies drew on available cultural and labour resources to create a new occupation, the salaried manager.<sup>9</sup> Pollard finds precursors to modern corporate management in the armed forces (managing large groups of men), the government (managing fixed assets), and the regional trading companies (managing information). In addition, other businesses and organisations such as landed estates and mines had by the early eighteenth century developed many tools later adopted by corporate managers.<sup>10</sup> Joint-stock company managers integrated these skills, tools and techniques into a system of management to meet the needs of the new corporate form.<sup>11</sup>

Pollard and other historians of modern management - J. F. Wilson and A. W. J. Thompson, Alfred Chandler and Takashi Hikino, and Leslie Hannah - generally suggest that this 'modern' style of management did not appear until the late nineteenth or early twentieth centuries, though Leslie Hannah does acknowledge that 'it is possible to discern many of the characteristics of modern corporations in the large railway enterprises of the [early nineteenth century]' and Chandler identifies the American railroad companies of the 1850s as 'pioneers of modern corporate management'.<sup>12</sup> Hannah suggests that early railway companies are not typically

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<sup>7</sup> Ireland, 'Capitalism without the Capitalist', 64.

<sup>8</sup> Ireland, 'Capitalism without the Capitalist', 66.

<sup>9</sup> Pollard, *The Genesis of Modern Management*. Alfred Chandler, *The Visible Hand* (Cambridge MA: Harvard University Press, 1977), 1, similarly defines 'modern management' as distinct operating units overseen by salaried executives.

<sup>10</sup> Pollard, *The Genesis of Modern Management*, 6, 25, 54-57.

<sup>11</sup> I describe the management structure of carrying firms in chapter 1.

<sup>12</sup> J. F. Wilson and A. W. J. Thompson, *The Making of Modern Management* (Oxford: Oxford University Press, 2006); Alfred D. Chandler and Takashi Hikino, *Scale and Scope: The Dynamics of Industrial Capitalism* (Cambridge, MA: Belknap Press, 1990), 18; Leslie Hannah, *Rise of the Corporate Economy* (Baltimore: Johns Hopkins University Press, 1976), 12; Alfred D. Chandler, Jr., 'The Railroads: Pioneers in Modern Corporate

considered examples of modern corporate management because their institutional knowledge was not transferred to other types of business. Maurice Kirby and Mary Rose add that the institutional knowledge developed within railway companies in the 1840s and 1850s was not transferred to the manufacturing sector because railway company staff did not leave the railways, as other sectors did not compensate managers as well as railway companies did.<sup>13</sup> Wilson also suggests that it was questionable whether early railway companies 'were able to surmount the obstacles presented by the prevailing business culture'.<sup>14</sup>

These objections seem tentative, however. It may be that railway companies are not generally considered examples of 'modern management' because, as essentially service industries, they do not fit the mass-production business model more typically studied by historians of management. In addition, it may also be the case that to these scholars railway companies appeared 'old-fashioned'. Wilson, for example, uses such language as 'stages', 'progress', 'advance' and 'evolve', and Rose refers to 'advancement' and 'backwardness' when describing companies; it may be difficult to place the first mainline railway companies into this type of narrative.<sup>15</sup> However, I argue that 'modern management' is at least a generation older than these scholars, with Hannah's and Chandler's tentative exceptions, suggest, as the first railway companies incorporated in England after 1825 generally exhibited the characteristics Pollard identifies as the hallmarks of modern managerial control. If this is the case, we can use the tools these and other scholars have developed to understand the behaviour of and reactions to joint-stock companies to understand railway companies' decisions and actions and the responses of customers, other businesses, the government and the public.

Pollard defines modern management as separation of business activities into functional and geographical divisions overseen by salaried managers rather than owners or partners. The earliest joint-stock railway companies exhibit this type of organisational structure. Although the first railway companies were initially managed

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Management', *Business History Review* 39, no. 1 (Spring 1965): 16-40; Wilson, *British Business History*, 39-40.

<sup>13</sup> Maurice W. Kirby and Mary B. Rose, 'Introduction,' in *Business Enterprise in Modern Britain*, eds. Maurice W. Kirby and Mary B. Rose (London: Routledge, 1994), 9.

<sup>14</sup> Wilson, *British Business History*, 37.

<sup>15</sup> Leslie Hannah, 'Business development and economic structure in Britain since 1880', in Leslie Hannah, ed., *Management Strategy and Business Development* (London: Macmillan, 1976), 3; Wilson, *British Business History*, 10, 12-15, 39, 57; Rose, *Firms, Networks and Business Values*, 61.

by groups of shareholders through boards, committees and subcommittees of directors, once a line came into operation departments began to be overseen by salaried managers with the required technical expertise.<sup>16</sup> Management of the Liverpool & Manchester Railway Company, for example, was divided among several departments, including locomotives, waggons and carriages, track, bridges and structures, each overseen by a separate manager; this model was emulated by later railway companies.<sup>17</sup> Railway companies also pioneered the separation between line functions (those directly concerned with the operation of the business) and staff functions (legal, real estate, finance, accounting, personnel, land management, and other work which supported the business's profit-making operations).<sup>18</sup> By definition the operational decisions of a railway company had to be made over a wide geographic area, and railway companies employed managers based at terminal stations and occasionally at intermediate stations to oversee geographical divisions along their lines.<sup>19</sup>

In addition to their segmented structure and reliance on salaried managers, the first joint-stock railway companies conform to Pollard's definition of modern management in that directors worked to quantify and systematise costs and revenue, and to develop new sources of revenue such as excursion trips.<sup>20</sup> Managers developed administrative processes to help ensure that shareholder money was being used effectively, that shareholders were receiving appropriate dividends, and that Parliamentary requirements to disclose financial information, in the companies' enabling acts and later as part of the Board of Trade's review of railway company operations, were satisfied. Company information was not always accurate, or even honest, however; paying dividends out of capital rather than revenue in order to increase the value of shares, for example, was a common practice.<sup>21</sup>

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<sup>16</sup> Gourvish, *Mark Huish and the London & North Western Railway*, 61-63.

<sup>17</sup> Railway company board meeting minutes include reports from representatives of identified departments; RAIL 371/1-5, RAIL 384/1-5, RAIL 220/7, The National Archives, London.

<sup>18</sup> Clement E. Stretton, *The History of the Midland Railway* (London, Methuen & Co., 1901), 72, 74; Gourvish, *Mark Huish and the London & North Western Railway*, 25-26; Wilson, *British Business History*, 38-39.

<sup>19</sup> Jack Simmons and Gordon Biddle, *The Oxford Companion to British Railway History* (Oxford: Oxford University Press, 1997), 306-307.

<sup>20</sup> Hannah, 'Business development and economic structure', 8.

<sup>21</sup> J. S. Toms, 'Calculating profit: A historical perspective on the development of capitalism', *Accounting, Organizations and Society* 35 (2010): 205-221; A. J. Arnold and S. McCartney, 'Financial capitalism, incorporation and the emergence of financial reporting information'; MT11/4, 30 January 1844, The National Archives, London.

Finally, the first railway companies are similar to companies that fit Pollard's definition of modern management in their behaviour toward other businesses. Like the later companies Pollard describes, railway companies grew by buying out competitors and smaller businesses, particularly during the wave of railway company amalgamations of the mid-1840s.<sup>22</sup> Consistent with the 'Chandlerian narrative' of increasing internalisation of resources within a corporation, but in contrast to the prevailing trend of management at the time in which 'management was avoided rather than embraced and activities were more usually organized on the basis of external networks rather than being internalized within firms', railway companies vertically integrated resources and processes in order to increase control over their economic environment and to reduce risk.<sup>23</sup> For example, railway companies developed the resources and labour to build their own locomotives rather than continuing to purchase them from other companies.<sup>24</sup> In the 1840s railway companies began to assimilate the carrying trade as part of this strategy of vertical integration, by developing their own carrying services, hiring carriers as their agents or entering into agreements with them, and excluding carriers from their lines.<sup>25</sup>

Siobhan McGovern and Ziene Mottiar describe two types of networks, vertically controlled and horizontally controlled. In the former, the most powerful participant dictates the rules to the other parties and deviation from these imposed rules has a cost. Horizontally controlled networks, by contrast, are made up of 'conceptually equivalent units' whose actions conform to a set of rules which all parties have agreed to; the consequence of not following these rules is not punishment per se but simply disconnection from the network, thus the cost is self-imposed, rather than imposed by

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<sup>22</sup> Robbins, *The Railway Age*, 86-87; Pollins, *Britain's Railways*, 39, 44-47. Almost every history of a rail line will include some information about it being bought by a larger company, or buying smaller companies, in the 1840s. Some examples include John Marshall, *The Lancashire & Yorkshire Railway* (Newton Abbot: David & Charles, 1977), 77, 121; William Tomlinson, *The North Eastern Railway: its Rise and Development* (Newcastle-upon-Tyne: Andrew Reid & Company, 1914), 453-427; Martin Bairstow, *The Leeds, Huddersfield & Manchester Railway: The Standedge Line* (Pudsey: Martin Bairstow, 1984), 14-15; Wilfred L. Steel, *The History of the London & North Western Railway* (London: 'The Railway and Travel Monthly', 1914), 109-110.

<sup>23</sup> Maurice W. Kirby and Mary B. Rose, 'Introduction,' in *Business Enterprise in Modern Britain*, eds. Maurice W. Kirby and Mary B. Rose (London: Routledge, 1994), 6; Andrew Popp, Steve Toms and John Wilson, 'Industrial districts as organizational environments: Resources, networks and structures', *Management and Organisational History* 1, no. 4 (2006): 350; Gourvish, *Mark Huish and the London & North Western Railway*, 139-140.

<sup>24</sup> Chandler, *The Visible Hand*, 67-70; Pollins, *Britain's Railways*, 61.

<sup>25</sup> I describe these processes in more detail in chapter 4.

an authority.<sup>26</sup> The carrying trade, as well as the larger economy of which it was a part, operated as a horizontal network, until it was subsumed into the railway companies' vertical network.

### **Public responses to the business practices of joint-stock companies**

Pollard and others have described the internal development of joint-stock companies - the skills and tools required to manage them, the antecedents and precursors of these skills and tools, and their evolution over time. Carleton Hunt, Ron Harris, G. R. Searle, and particularly James Taylor have viewed the development of the joint-stock company during the early nineteenth century in its political, legal and social context.<sup>27</sup> They suggest that, although Parliament authorised a joint-stock company when it could be argued that it was necessary to achieve one or more of a specific and narrow range of potentially beneficial economic and social objectives, the public in general remained suspicious of the joint-stock business model. In *The Wealth of Nations* Adam Smith argued that joint-stock companies, which were not managed directly by their owners, could not operate as efficiently as companies in which owners were directly involved in the business:

it cannot well be expected that [managers of joint-stock companies] should watch over [joint-stock companies] with the same anxious vigilance with which the partners in a private copartnery frequently watch over their own.... Negligence and profusion, therefore, must always prevail...in the management of the affairs of such a company.<sup>28</sup>

The business community in early nineteenth-century England held views on the joint-stock business model similar to Adam Smith's 1776 analysis, considering it generally wasteful, inefficient, and prone to facilitating unethical behaviour.<sup>29</sup> In 1826, for example, commenting on the possibility of Parliament authorising a public company to produce flour, the *Times* directly echoed Smith's argument: '[t]he trade is of a nature more likely to flourish in the hands of private houses than of corporate bodies, which last can never successfully resist the vigilance or skill of their more active rivals.'<sup>30</sup>

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<sup>26</sup> Siobhan McGovern and Ziene Mottiar, 'Co-Operative Competition: A Foucauldian Perspective', DCU Business School Research Papers, no. 20 (1997), 3

<sup>27</sup> Hunt, *The Development of the Business Corporation in England*; Ron Harris, *Industrializing English Law: Entrepreneurship and Business Organization, 1720-1844* (Cambridge: Cambridge University Press, 2010); G. R. Searle, *Morality and the Market in Victorian Britain* (Oxford: Clarendon Press, 1998); James Taylor, *Creating Capitalism*; Rose, *Firms, Networks and Business Values*, 62.

<sup>28</sup> Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations*, vol. 3 (London: A. Strahan, 1799), 124.

<sup>29</sup> Mary B. Rose, 'The Family Firm in British Business, 1780-1914', in *Business Enterprise in Modern Britain*, eds. Maurice W. Kirby and Mary B. Rose (London: Routledge, 1994), 65-66.

<sup>30</sup> *The Times*, 1 September 1826.



Contemporary observers generally held that joint-stock companies were poorly run and prone to 'waste, extravagance and inefficiency', and believed that they required government-granted monopoly privileges because they would otherwise not be able to compete successfully with 'private enterprise'.<sup>31</sup>

In addition, because owners did not control joint-stock companies, and were generally both anonymous and impermanent, in the early nineteenth century contemporaries believed that joint-stock companies 'undermined the importance of character in business'; as legal scholar John Horne Tooke stated, 'Public Companies have no bodies to be kicked, and no souls to be d----d'.<sup>32</sup> The absence of the social control exercised on individuals desiring to preserve their reputations in order to participate in economic life, combined with the vast resources joint-stock companies controlled and the unclear legal responsibility for their actions, could lead such companies to act unethically, and to make decisions in order to manipulate the stock market rather than for sound business reasons. John George, in his 1825 review of the law respecting joint-stock companies and recommendations for reform, suggested that part of the problem was that the owners of joint-stock companies were not individually responsible for their actions as they could not be sued separately in a court of law.<sup>33</sup> G. R. Searle points out that '[w]ith the advent of the limited liability company, investors had anyhow ceased to be entrepreneurs of the old kind, but more closely resembled a social group to which severe moral opprobrium still attached, *gamblers*', and George Robb points out that these characteristics of the joint-stock company made it particularly vulnerable to fraud.<sup>34</sup> Contemporary observers contrasted the actions of joint-stock companies with the behaviour of partners or sole proprietors, motivated to act ethically to uphold the good character necessary for their firms to remain economically viable.<sup>35</sup>

One example of unethical behaviour, the Attwood case, was observed closely by the contemporary business community; it demonstrated both the type of unethical

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<sup>31</sup> Taylor, *Creating Capitalism*, 22, 32-33; Pollard, *The Genesis of Modern Management*, 11-23.

<sup>32</sup> Taylor, *Creating Capitalism*, 22; J. T. Norris, *The Carriers' Case Considered in Reference to Railways* (London, J. T. Norris, 1841), 11.

<sup>33</sup> John George, *A View of the Existing Law, Affecting Unincorporated Joint Stock Companies* (London: S. Sweet, 1825), 29-31.

<sup>34</sup> Searle, *Morality and the Market in Victorian Britain*, 31; George Robb, *White-Collar Crime in Modern England: Financial Fraud and Business Morality, 1845-1929* (Cambridge: Cambridge University Press, 1992), 2-3.

<sup>35</sup> Searle, *Morality and the Market in Victorian Britain*, 65.

behaviour joint-stock companies were capable of, and the fact that, although Attwood was ultimately vindicated, the impeccable reputation of a wealthy businessman was no protection against such behaviour. In 1825 the British Iron Company purchased an ironworks from John Attwood. The following year iron prices dropped and, in an attempt to renege on the contract, three directors of the joint-stock company took Attwood to court, alleging that he had fraudulently misled them about the value of the property. The company lost their first case against Attwood in 1828 but won a judgment against him in 1832. Attwood petitioned the House of Lords to have his case reheard in the Court of Exchequer, and in 1838 he received a substantial settlement from the company as well as a 'complete justification of the character of a most honourable man, whom it suited the purpose of the plaintiffs in this case wrongfully to asperse'.<sup>36</sup> One of the numerous pamphlets published about the affair claimed that

[f]ew cases have excited greater interest, as well from the magnitude of the sum at stake...as from the length of time the suit has been pending, the extraordinary character of the proceedings, and the excessive and almost ruinous expenses the parties have been subjected to.<sup>37</sup>

Between 1826 and 1834 the parties spent more than £100,000 in legal fees, and generated more than 50,000 folios of documents; another pamphlet pointed out that more than £500,000 in capital was at stake in the judge's decision. The legal settlement in Attwood's favour was so substantial that the British Iron Company went bankrupt and was dissolved in 1844.<sup>38</sup>

This series of lawsuits, in which the company named its own agent as a co-defendant to prevent him from testifying in support of Attwood, demonstrated to observers how little personal reputation mattered when dealing with a joint-stock company, and how challenging it could be for an individual to defend himself against one.<sup>39</sup> 'On the one hand,' one report stated,

there was Mr. Attwood, who appeared in that court as an individual, (a wealthy one he admitted,) and on the other the British Iron Company, with a vast capital, amounting...to some millions, possessed of endless resources, having two sets of attorneys always to attend them, and the best counsel that could be obtained to plead their cause.<sup>40</sup>

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<sup>36</sup> Taylor, *Creating Capitalism*, 28; *The Spectator*, 31 March 1838, 6.

<sup>37</sup> H. James, *British Iron Company* (London: Effingham Wilson, 1834), 2.

<sup>38</sup> James, *British Iron Company*, 2; Richard Cort, *A Second Letter to the Shareholders of the British Iron Company* (London: Dean and Munday, 1829); W. R. Standish Motte, *A Letter to the Shareholders Relative to the Present State and Future Prospects of the British Iron Company* (London: J. Hatchard & Son, [1841]; 7 & 8 Vict c. xlvi. Royal Assent 24 August 1843.

<sup>39</sup> Taylor, *Creating Capitalism*, 28; *The Spectator*, 31 March 1838, 6-7; *The Times*, 2 November 1832, 2; 'COURT OF EXCHEQUER', *The Examiner*, 4 November 1832; *The Times*, 7 May 1838, 6; *The Times*, 19 February 1839, 6.

<sup>40</sup> 'Court of Exchequer, Gray's Inn, Dec. 21', *The Times*, 22 December 1831, 3.

Suspicion of joint-stock companies was evident in the media coverage of the case. Several newspaper reports and pamphlets mentioned that Attwood had been clear when the sale took place that he did not choose to do business with a joint-stock company, as doing so had 'led to the ruin of several individuals', and had only been willing to deal with its three representatives as individuals.<sup>41</sup> He believed that doing business with a joint-stock company would cause friction between himself and both other ironmasters and his own workers.<sup>42</sup> Sir Edward Sugden, representing Attwood in the 1832 hearing, stated while explaining how joint-stock companies functioned, that

the object of them was to destroy all competition, to interfere with the arrangements of individuals, and to monopolize the whole of a trade...[h]e did not mean to say that a great body united together...might not be of public advantage, but...a greater calamity could not visit a country than the desire of overthrowing the established forms of conducting business, and carrying every trade on by means of a large body of persons united together as a company.<sup>43</sup>

The issue of differing business norms and expectations between partnerships or sole proprietors and joint-stock companies was significant in the arguments in this case. Part of the British Iron Company's case against Attwood depended on communication; according to one report, the company pursued its case against Attwood because its representatives took Attwood's communications to them as contractual commitments rather than informal advice and helpful suggestions. It is clear that Attwood was dealing with the company using the personal style of business interaction that he was accustomed to; as evidence of this, he had been willing to accept a reduced offer for the property when the price of iron dropped after the agreement had been made, even though he had not been obligated to do so.<sup>44</sup>

Concerns over conflicts between customary business behaviour and the behaviour of joint-stock companies were typically expressed in terms of competition and monopoly. The participants in the debates over joint-stock companies seemed to agree that competition created public benefit and that 'monopoly' was something to be deplored,

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<sup>41</sup> 'Court of Exchequer, Dec. 21', *Aris's Birmingham Gazette*, 26 December 1831, 1; 'Court of Exchequer, Friday, Dec. 23', *The Times*, 24 December 1831, 4; James, *British Iron Company*, 11; 'Court of Exchequer, Gray's Inn, Dec. 21', *The Times*, 22 December 1831, 3.

<sup>42</sup> 'Court of Exchequer, Dec. 21', *Aris's Birmingham Gazette*, 26 December 1831, 1; 'Court of Exchequer, Gray's Inn, Dec. 21', *The Times*, 22 December 1831, 3.

<sup>43</sup> 'Court of Exchequer, Gray's Inn, Dec. 22', *The Times*, 23 December 1831.

<sup>44</sup> 'Court of Exchequer, Friday, Dec. 23', *The Times*, 24 December 1831, 4; James, *British Iron Company*, 11.

but the determination of what policies promoted or hindered competition, the definition of what constituted a monopoly, and which of the conflicting parties was the 'monopolist', was subject to debate.<sup>45</sup> Monopoly, first described in Aristotle's *Politics*, was commonly used to describe the practice of 'engrossing' a product so that a single seller, or a group of sellers colluding to fix price and supply, controlled the product's price and availability at the expense of buyers; farmers would be accused of monopoly if it appeared that they were artificially increasing the price or scarcity of grain, or charging more than a 'just price' for their goods.<sup>46</sup> In addition to it being considered unjust, disapproval of monopoly stemmed from belief in the value of competition both to benefit the general public and as a moral good. John Stuart Mill, writing in 1848, promoted the idea of competition even as he advocated for a more planned economy, as 'wherever competition is not, monopoly is; and that monopoly, in all its forms, is the taxation of the industrious for the support of indolence, if not of plunder'.<sup>47</sup> E. P. Thompson, in his essay 'The moral economy of the English crowd in the eighteenth century', refers to the 'moral economy' that provided ideological justification for such public actions as food riots and for government regulation of economic behaviour and the distribution of goods and services.<sup>48</sup> Thompson argues that in the late eighteenth and early nineteenth centuries most people considered it appropriate for the government to intervene when the public good was threatened by monopoly. Rather than restraining or controlling economic activity, government intervention was seen as preserving competition and allowing the market to act in a 'natural' way, which promoted the public good.<sup>49</sup>

Thompson's description of government intervention in the economy is at odds with the views of later politicians and historians. In his study of management, for example, Pollard states that corporations found themselves pursuing their economic objectives while facing a 'hostile State and an unsympathetic legal system', not acknowledging that the state had itself created both the corporations and the conditions for their success.<sup>50</sup> Although he and later historians describe regulation as 'government

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<sup>45</sup> This debate is described in more detail in chapter 5.

<sup>46</sup> E. P. Thompson, 'The moral economy of the English crowd in the eighteenth century', *Past & Present* 50 (1971): 92; Raymond de Roover, 'Monopoly Theory Prior to Adam Smith: A Revision', *Quarterly Journal of Economics* 65 (November 1951).

<sup>47</sup> John Stuart Mill, *Principles of Political Economy* (London: Longmans, Green, and Co., 1909), 792.

<sup>48</sup> Thompson, 'The moral economy of the English crowd', 89; Michael Moran, *The British Regulatory State: High Modernism and Hyper-Innovation* (Oxford: Oxford University Press, 2003), 38.

<sup>49</sup> Thompson, *Customs in Common*, 288, 304-305.

<sup>50</sup> Pollard, *The Genesis of Modern Management*, 7.

interference' in the actions of 'private' joint-stock companies, contemporary observers would not have shared this view; they considered 'private enterprise' to be partnerships and sole proprietorships, while joint-stock companies were creations of the government.<sup>51</sup> Taylor suggests that the fact that Parliament, using the public benefit criterion, authorised some but not all public corporations made it appear that the government was 'controlling' business, and legitimised the later 'fair trade' arguments in favour of reducing government regulation of joint-stock companies.<sup>52</sup>

For their own protection, companies, businesses and suppliers accustomed to the forms of business interaction characteristic of 'private enterprise' were forced to adopt new strategies to deal with joint-stock companies. Their first, sometimes successful, strategy was to continue to follow familiar norms of business interaction. When these norms were ignored, people interacting with joint-stock companies developed a variety of alternative responses. Businesses and individuals, like John Attwood, attempted to gain redress or concessions by taking companies to court. When legal judgments against joint-stock companies proved ineffective in altering the behaviour of these companies, those objecting to these companies' actions collectively petitioned Parliament, a strategy which directed government attention to their concerns and encouraged it to help negotiate resolutions or pass legislation to prevent future abuses.<sup>53</sup> In combination with these two strategies, people and businesses also appealed directly to the 'court of public opinion' by making their case in books and pamphlets. Finally, often less practical for those dealing with natural monopolies, some people and businesses exercised a fifth strategy, that of declining to do business with joint-stock companies or finding alternative ways to obtain similar benefits.

### **Responses to conflict with municipal water supply monopolies in London, 1818 to 1828**

A natural monopoly can be defined as a situation in which competition to provide a good or service is limited by high barriers to entry such that the original supplier has an overwhelming advantage over potential competitors, and a single supplier can

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<sup>51</sup> Taylor, *Creating Capitalism*, 22; James Taylor, 'The joint stock company in politics', in *Reform and Reformers in Nineteenth Century Britain*, ed. Michael J. Turner (Sunderland, University of Sunderland Press, 2004), 102. A. B. DuBois, *The English Business Company after the Bubble Act, 1720-1800* (Oxford: Oxford University Press, 1938) is an example of an early framing of government regulation interfering with corporate 'free enterprise'.

<sup>52</sup> Taylor, 'The joint stock company in politics', 108.

<sup>53</sup> I describe the petitioning process and its effectiveness in more detail later in this chapter.

provide the good or service at a lower cost than two or more suppliers.<sup>54</sup> In the 1840s the government, when regulating railway companies, and the public, when attempting to resolve conflicts, had no precedent for dealing with a national natural monopoly. However, a similar situation had arisen in London twenty years earlier, with the consolidation of and agreements among companies providing municipal water supplies.<sup>55</sup> In this section I analyse the testimonies of witnesses appearing before Parliamentary Select Committees investigating customer complaints about London's water supply, to understand the strategies customers of the joint-stock municipal water companies used to attempt to resolve conflicts with the companies, and the ways in which the companies responded to these strategies. In chapter 5 I will argue that those objecting to similar business practices of railway companies employed similar strategies; in contrast to the water companies, however, railway company representatives exhibited a much narrower range of responses to these strategies.

Before 1800, three companies had provided water to London - the New River, the London Bridge and the Chelsea. In the early nineteenth century Parliament authorised three new public water companies, the East London, the West Middlesex and the Grand Junction. In 1818 all of these companies except the London Bridge entered into informal non-competition agreements which in effect established local monopolies. These companies' customers employed several strategies to deal with the resulting increase in the cost of piped water and decrease in the quality of service and supply. Some negotiated with directors and company staff with whom they had personal connections, and successfully achieved mutually beneficial agreements. Some considered taking the companies to court although, as I will explain below, due to the provisions of the water companies' enabling acts this strategy posed a high risk to potential plaintiffs. Some successfully petitioned Parliament to investigate and resolve their conflicts with the companies. Some who were unsatisfied with the government's initial response in 1821 enlisted public opinion in their favour by writing pamphlets and letters to newspapers.<sup>56</sup> And, finally, some customers disconnected from piped water altogether, digging their own wells or finding an alternative supply.<sup>57</sup>

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<sup>54</sup> Manuela Mosca, 'On the origins of the concept of natural monopoly: Economies of scale and competition', *European Journal of the History of Economic Thought* 15, no. 2 (June 2008).

<sup>55</sup> Jenner, 'Monopoly, Markets and Public Health', 229; Derek Matthews, 'Rogues, Speculators and Competing Monopolies: The Early London Gas Companies, 1812–1860', *The London Journal* 11 (1985): 39-50.

<sup>56</sup> Lee Jackson, *Dirty Old London* (New Haven: Yale University Press, 2014), 52-53; Christopher Hamlin, *A Science of Impurity: Water Analysis in Nineteenth Century Britain* (Berkeley: University of California Press, 1990), 81-82.

<sup>57</sup> *Minutes of Evidence*, 93, 95, 104.

Water company representatives exhibited a range of responses to their customers' and the public's objections to their practices and policies. In many cases these representatives were willing to engage with customers, both individually and collectively, within the context of the 'sociable economy'; they offered concessions, changed policies, or demonstrated that they were willing to negotiate a 'fair' resolution to a dispute. Railway company officials exhibited a much narrower range of responses to similar strategies by those objecting to their practices and policies. They appeared less concerned with conforming to customary business norms or accommodating or communicating with their customers; rather than acknowledging and accommodating these objections, they behaved according to their own business model and focused exclusively on their own internal objectives and priorities.

In this section I investigate the strategies employed by water companies' customers, and the responses of company representatives, largely through the records of testimony before a House of Commons Select Committee appointed in 1821 to gather evidence and recommend legislative action. According to Peter Jupp, the composition, operation and influence of Select Committees has not yet been subject to detailed historical analysis;

[w]e...know little of how committees were selected, the number and type of members who sat on them, how they conducted their business...[a]bove all, there has been no assessment of the contribution...made to the relationship between Parliament and the wider public.<sup>58</sup>

Select Committees, as distinguished from open committees in which any MP could participate, could be formed in either house. They were typically formed to consider issues for which research could lead to more informed outcomes - law and order, Ireland and colonial issues, Poor Laws, and 'conditions of trade'; the Select Committees investigating both municipal water supply and the carrying question could be classed in the last category.<sup>59</sup> Members were typically appointed by the MP raising the issue, who typically served as chairman. Committees consisted of between 12 and 40 members, depending on the number of factions or interests that needed to be represented. In general, although membership was slightly weighted to favour the most powerful party, chairmen selected members to ensure that committees were diverse, balanced and representative.<sup>60</sup> Jupp suggests that Select Committees

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<sup>58</sup> Jupp, *British Politics on the Eve of Reform*, 196.

<sup>59</sup> Jupp, *British Politics on the Eve of Reform*, 211-212.

<sup>60</sup> Jupp, *British Politics on the Eve of Reform*, 214.

typically heard between 15 and 20 witnesses, which made both the committee hearing evidence about London's water supply and the committee hearing evidence about the behaviour and policies of railway companies atypical.<sup>61</sup> The first Select Committee on London's water supply heard 43 witnesses - water company representatives, customers and experts - and the second, convened in 1828, heard 76 witnesses. Historians are divided on the effectiveness of Select Committees in influencing legislation; although it appears that the most important legislation was considered by Cabinet, that the influence of Select Committees was low compared to that of powerful MPs, and that the actions of Select Committees were often manipulated to produce the results their convenors wanted, Select Committees could both provide useful information to Parliament and help to get issues into debates, onto legislative agendas, and into the media.<sup>62</sup>

In addition to providing information and recommendations to Parliament, Select Committee records and reports were also available for public consumption. Parliament itself published evidence and reports, and newspapers printed extracts from committee hearings and full committee reports starting in the 1820s.<sup>63</sup> Peter Jupp estimates that in the 1830s about 3 million people read English newspapers, about the same number as the adult male population of Britain; it is likely that this number increased substantially after newspaper stamp duties were reduced in 1836.<sup>64</sup> Witnesses also published their own accounts of Select Committee proceedings, and used their interpretations of their and others' testimonies to shape their own narratives defining a contentious issue. I will describe this process in more detail with respect to the carrying question in chapter 5.

Several witnesses in the Select Committee hearings on London's water supply made statements reflecting a personal style of business interaction, and explained their actions in terms of protecting reputations or maintaining relationships. One customer testified that he had accepted service from one of the new water companies because 'I should oblige certain persons with whom I was connected in trade, by taking water from them', and another was induced to change providers by a personal friend.<sup>65</sup> A customer declined to change to a less expensive provider because 'I neither thought

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<sup>61</sup> Jupp, *British Politics on the Eve of Reform*, 215.

<sup>62</sup> Jupp, *British Politics on the Eve of Reform*, 90, 149-150, 173-174; Jupp, *The Governing of Britain*, 216, 218.

<sup>63</sup> Jupp, *British Politics on the Eve of Reform*, 216; Jupp, *The Governing of Britain*, 207.

<sup>64</sup> Jupp, *British Politics on the Eve of Reform*, 377.

<sup>65</sup> *Minutes of Evidence*, 112, 115.



it honourable nor just that such old servants of the public should be turned away without just cause.<sup>66</sup> Another customer changed from the New River to the Grand Junction, but due to the latter's poor water quality returned to New River service; when he did so he specifically asked the New River company to compensate the Grand Junction for the cost of providing a pipe to his house as, despite their poor service, he considered it unfair that they had to cover this expense.<sup>67</sup> Some customers testified that they felt it was possible to negotiate directly with water company officials; one wrote to friends associated with the company to propose an agreement on future water rates, and a few others stated that they had successfully negotiated as individuals with their providers.<sup>68</sup> Some customer witnesses expressed confidence in the value of water company officials' reputations; one stated, for example, that he was sure an official 'would rather resign...and sacrifice his whole property in the concern, than countenance any underhand attempt to obtain a further increase', while another asserted his trust in the word of another official, stating 'I have known [him] many years, and I think [his] word [that the company would not increase water rates] will answer my purpose as well.'<sup>69</sup>

Most customers speaking to the Committee, however, stated that they had not succeeded in negotiating directly with their water providers, despite approaching bill collectors, representatives at company offices, and company directors with whom they were acquainted.<sup>70</sup> These customers seemed well aware that their disputes would probably end up in court, and that if this happened the water companies could easily outpay and outwait them.<sup>71</sup> They were also well aware of the power imbalance, and implied injustice, of individuals forced to 'contend against a public company, dealing with a corporate fund'.<sup>72</sup> In addition to these considerations, these witnesses also hesitated to employ legal means to seek redress because clauses in the companies' enabling acts stated that anyone challenging them in court must give notice before doing so (and the definition of 'notice' was both vague and specific enough that any discrepancy between the complaint and the lawsuit could be grounds

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<sup>66</sup> *Minutes of Evidence*, 94. After the noncompetition agreement the Grand Junction ended up taking on his water supply anyway, raising his rates 25 per cent.

<sup>67</sup> *Minutes of Evidence*, 127.

<sup>68</sup> *Minutes of Evidence*, 115, 127, 142.

<sup>69</sup> *Minutes of Evidence*, 113, 156.

<sup>70</sup> *Minutes of Evidence*, 87.

<sup>71</sup> *Minutes of Evidence*, 87.

<sup>72</sup> *Minutes of Evidence*, 89.

to dismiss the latter), and would be required to pay twice the court costs (triple for the Grand Junction) if they lost.<sup>73</sup>

Several witnesses suggested that the fact that the water companies were joint-stock companies contributed to their difficulties. One customer, James Weale, pointed out that private companies could not compete with these joint-stock firms as the latter had been given the legal right to break up pavements to install water pipes. He argued that 'the defects to which I have alluded are all involved in the fact, that the supply is vested in the hands of trading joint stock companies'.<sup>74</sup> J. T. Hope, a customer of the Grand Junction company, said that in a conversation with William Matthew Coe, secretary of the company, Coe honestly admitted that the company could afford to provide better service without raising the rates, but 'if the proprietors do not get something more, to enable them to share a satisfactory dividend, they would not be content', and that the company felt it necessary to disburse a high dividend to ensure that shareholders did not sell their shares.<sup>75</sup>

The Select Committee hearing records reveal several examples of water company representatives expressing concern for personal connections and reputation. Richard Till, superintendent of the London Bridge company, stated that the company had refused to participate in the non-competition agreement, agreeing with his questioner that the company were 'destroying [themselves] by that point of honour' but unwilling to alter their business practices.<sup>76</sup> Some officials acknowledged the complaints of their customers and, while defending their own actions, expressed understanding of others' positions.<sup>77</sup> On an individual level, the Grand Junction company agreed to defer payment and not terminate the service of a sick customer.<sup>78</sup> On a collective level, James Davis, the chairman of the directors of the East London company, stated that he had attended a meeting of dissatisfied customers, and offered to consider compromising on issues in dispute.<sup>79</sup> In his testimony M. K. Knight, secretary of the West Middlesex company, appeared to be open to negotiation, suggesting the appointment of an arbitration committee to determine a fair rate.<sup>80</sup> In addition, some

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<sup>73</sup> *Minutes of Evidence*, 90.

<sup>74</sup> *Minutes of Evidence*, 70-71.

<sup>75</sup> *Minutes of Evidence*, 132.

<sup>76</sup> *Minutes of Evidence*, 16.

<sup>77</sup> *Minutes of Evidence*, 101-112.

<sup>78</sup> *Minutes of Evidence*, 148.

<sup>79</sup> *Minutes of Evidence*, 146-147.

<sup>80</sup> *Minutes of Evidence*, 101. The committee's summary report suggested that 'six or seven per cent were the just rate of return for capital employed in such adventures'. *Report from the*

company officials seemed to imply that they considered their firms as simply unusually large partnerships; for example, Mr. Knight made a clear distinction between shareholders involved with the firm, whom he considered owners, and others who were merely stock speculators; he expressed concern that three people who had recently purchased stock were 'quite strangers' to him.<sup>81</sup>

Some dissatisfied customers, unable to negotiate acceptable terms and declaring legal remedies 'without effect' and 'costly and tedious', took the next step to ameliorate their situation - engaging government action on their behalf by forming associations and petitioning Parliament. Some dissatisfied customers formed an 'Anti-water monopoly association' in October 1819, and petitioned Parliament to form a tribunal to set fair rates for water provision.<sup>82</sup> Colin Leys suggests that this method of engaging government, via associations and petitions, has a long history, originating in medieval 'quasi-judicial' attempts by individuals to gain justice and 'redress grievances'.<sup>83</sup> Henry Miller states that petitioning was a popular method of addressing government partly because of its 'ancient constitutional pedigree'.<sup>84</sup> In the late eighteenth century, as people began to find it necessary to attempt to influence lawmaking at the national rather than local level, the number of petitions read in Parliament began to increase.<sup>85</sup> Between 1785 and 1789 800 petitions were read in Parliament, rising to 17,006 between 1822 and 1827.<sup>86</sup> In 1839 Parliament received 13,657 petitions containing 4.5 million signatures, and in 1843 it received a record number of nearly 34,000 petitions with more than 6 million signatures.<sup>87</sup> Leys suggests that these increases were related to the general unrest and political organisation of the time and to the activities of a newly-seated group of radical MPs who used petitions to raise issues in the House.<sup>88</sup> Petitions calling for reform of London's water supply providers, as well

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*Select Committee on the Supply of Water to the Metropolis*, House of Commons Parliamentary Papers Online, 18 May 1821, 7.

<sup>81</sup> *Minutes of Evidence*, 176.

<sup>82</sup> *Minutes of Evidence*, 113, 150-151.

<sup>83</sup> Colin Leys, 'Petitioning in the Nineteenth and Twentieth Centuries', *Political Studies* 3, no. 1 (1955): 45-46.

<sup>84</sup> Henry Miller, "'Petition! Petition!! Petition!!!": Petitioning and Political Organization in Britain, c. 1800-1850', in *Organizing Democracy: Reflections on the Rise of Political Organizations in the Nineteenth Century*, eds. Henk te Velde and Maartje Janse (Cham: Palgrave Macmillan, 2017), 48, 50.

<sup>85</sup> Miller, "'Petition! Petition!! Petition!!!'", 46.

<sup>86</sup> Peter Jupp, *British Politics on the Eve of Reform* (Basingstoke: Macmillan 1998), 197.

<sup>87</sup> Peter Jupp, *The Governing of Britain, 1688-1848* (London: Routledge 2006), 215-216, 252; Leys, 'Petitioning in the Nineteenth and Twentieth Centuries', 54, 57; Miller, "'Petition! Petition!! Petition!!!'", 46.

<sup>88</sup> Leys, 'Petitioning in the Nineteenth and Twentieth Centuries', 47-48; Jupp, *British Politics on the Eve of Reform*, 222-223, 230.

as those supporting the carrying trade, were typical of most petitions presented to Parliament, which addressed 'conditions of trade' and economic issues.<sup>89</sup>

In addition to personal negotiation, legal challenges and appeals to government, some water supply customers attempted to ameliorate their situation by appealing to the 'court of public opinion,' publishing information about the municipal water supply companies and their unsavoury practices. In 1827 the battle was again taken up with the publication of *The Dolphin; or, Grand Junction Nuisance: proving that seven thousand families in Westminster and its suburbs, are supplied with water, in a state, offensive to the sight, disgusting to the imagination, and destructive to health*. Throughout the pamphlet the anonymous author (identified as John Wright) employed the language of monopoly and competition to criticise the water companies and ask Parliament, which had intended them to compete with each other, to reengage with the issue in order to 'unfetter the commerce of the country'.<sup>90</sup> He described the problems with monopoly: '[t]he highest legal authorities have long ago denounced all such monopolies, as being not only contrary to the ancient and fundamental laws of the realm, but injurious to the public' by increasing the cost and decreasing the quality of the product they offer.<sup>91</sup> He pointed out the power imbalance between individuals and joint-stock companies, stating that corporations benefited from the 'natural reluctance of individuals to contend against a confederacy, having a lawyer ever ready at their elbow, and a banker at their back'.<sup>92</sup> He also pointed out that those making decisions on behalf of these companies were able to hide behind anonymity: '[w]ith all the attention I have bestowed on the subject, I do not now know the names of the Directors [of the Grand Junction company]'.<sup>93</sup>

If negotiation, legal action, appeals to government and adverse publicity did not serve to redress their grievances and change the behaviour and policies of joint-stock companies, dissatisfied customers could exercise one more response - boycotting their products, where possible. The Select Committee heard testimony from some former customers who had given up purchasing water from the water supply companies, determined to 'resort to other means' to obtain the water they required.<sup>94</sup>

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<sup>89</sup> Jupp, *British Politics on the Eve of Reform*, 221.

<sup>90</sup> *The Dolphin* (London: T. Butcher, 1827), 4.

<sup>91</sup> *The Dolphin*, 5.

<sup>92</sup> *The Dolphin*, 53.

<sup>93</sup> *The Dolphin*, 94.

<sup>94</sup> *Minutes of Evidence Taken before the Select Committee on the Supply of Water to the Metropolis*, House of Commons Parliamentary Papers Online, 20 June 1821, 95.

## **Summary and conclusions**

I began this chapter by arguing that, although not always viewed as such, the first mainline railway companies incorporated in the 1820s and 1830s are examples of modern corporate management, employing similar organisational structures, decision-making techniques, criteria and objectives (I will analyse this decision-making process with respect to railway companies in more detail in the following chapters). I have argued this point to suggest that as early as the 1830s railway companies had already adopted and were acting according to a business model unfamiliar to, and at odds with, the business model that I described in chapter 2, the model used and understood by railway companies' customers and competitors.

To help us understand the origin and nature of this business model, and the nature of others' responses to it, in the wider context of the development of the joint-stock company during this period, I reviewed the work of scholars who have researched contemporary attitudes toward joint-stock companies, and the reasons behind them. As joint-stock companies, railway companies were viewed with the suspicion of joint-stock companies in general that Taylor and others describe in their work.

Finally, in this chapter I presented as a case study the public's and government's responses to the business practices of the joint-stock companies providing London's water supply in the 1820s. This case study serves to illustrate two points about the carrying question that I will develop in chapter 5. First, it demonstrates how people accustomed to one business model responded when they found themselves in conflict with people behaving according to another business model. They first attempted to negotiate as individuals with the people representing these companies. If this was unsuccessful, they escalated to legal action, publicising their grievances through pamphlets and public meetings, and petitioning the government to look into and address their concerns. Finally, if these strategies were still ineffective in changing problematic behaviour, where possible they attempted to disengage from or boycott these companies.

Second, as I will demonstrate in chapter 5, while the strategies employed by those interacting with the joint-stock companies providing London's water supply and operating railway services were similar, the responses of people representing these two groups of companies were different. Representatives of municipal water supply

companies often engaged with their customers directly, agreeing to make concessions, modify their practices, or negotiate new terms of agreement. They also modified their behaviour and policies in response to legal or government action, and appeared to be affected by adverse public opinion. As I will demonstrate in chapter 5, by contrast, railway company officials seemed to be motivated only by internal interests, and resisted any modification of their behaviour or policies either by the direct request of their customers or through legal or government action.

## **Chapter 4: Reorganisation of the carrying trade 1840-1850**

### **Introduction**

The second report of the House of Commons Select Committee on Railways, published in 1839, identified a variety of ways in which railway companies managed their goods traffic.<sup>1</sup> Most operated some kind of goods carrying service, but most also opened their lines to carriers. Between about 1840 and about 1850, however, railway companies began to vertically integrate goods carriage, internalising the carrying business by employing carriers directly, making new agreements or cancelling existing agreements with the carriers that used their lines, and instituting policies that made using railways less economically viable for carriers. As carriers began to work, formally and informally, for railway companies, national and regional carrying largely disappeared, while local carriers, adapting their operations to the requirements of railway companies, continued to serve places too small or remote to be connected to the rail network, picking up goods from and delivering them to railway stations.

The development of the national railway network, combined with railway companies' general adoption of policies which made them the sole carriers of goods by rail, caused a significant change in the way goods were transported. In this chapter I describe this reorganisation of the carrying trade in the 1840s, providing and analysing evidence for the process as well as its causes and effects. In this chapter I set out an argument and review evidence not covered in other historical work since, as I mentioned in my introduction, historians generally consider railway company goods carriage unproblematic; no current historical literature critically considers the contemporary arguments for and against it, the processes by which it came about, or the resulting changes in goods transport.

This chapter has six sections. In the first section I review the precedents for railway company carrying in the 'self-carrying' practices of inland waterway companies. Although it was illegal until 1845 for most canal and navigation companies to operate their own carrying services, many did, but it appears that these services were generally only developed as a last resort and were operated to increase the revenue of the company's infrastructure asset rather than as businesses in themselves. In the second section I outline the development of a perceived need for railway company carrying beginning in the early 1840s. In the third section I analyse evidence of the

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<sup>1</sup> *Second Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 9 August 1839, viii-ix.

debate among railway company officials over developing their own goods carrying businesses in addition to constructing, operating and maintaining rail infrastructure and providing passenger transport. In the fourth section I outline the ways railway companies vertically integrated the carrying trade by employing some carriers directly and signing agency agreements with others. In the fifth section I use quantitative evidence from business directories and demographic information, from the 1841 and 1851 Census of Great Britain and the work of Leigh Shaw-Taylor, to observe the change in the carrying trade during this period. In the final section I look at the broader change in goods transport as railway companies expanded their collective reach and consolidated their influence through amalgamations and organisations like the Railway Clearing House.

The evidence I use in this chapter comes from several sources including newspaper articles, published pamphlets, internal records of railway and inland waterway companies, business directories, census data and other demographic information. I do not include evidence from business correspondence in this chapter, as the dates for the correspondence available for most of the companies whose correspondence has been preserved do not extend through the transition period of the 1840s. The records of only three of the companies whose correspondence I reviewed in the previous chapter - Hindley & Sons, William Lupton & Co., and R. Hattersley & Sons - contained correspondence from this period. Neither Hindley & Sons' nor William Lupton & Co's. correspondence includes many details of carrying arrangements, presumably because they were sending goods to a few regular correspondents, whose arrangements were familiar to both parties, rather than directly to individual customers with whom they had to negotiate delivery. The few letters from this period in the R. Hattersley & Sons correspondence do not mention railway companies and seem to suggest that the company continued to use carriers to send its goods, which is not surprising as rail service came relatively late to the region in which this company was located.

### **Precedents in inland waterway company 'self-carrying'**

Before the conflict between carriers and railway companies arose over access to rail lines, a similar situation existed on some canals and navigations, whose owners operated goods carrying services which competed with carriers using the waterway. Historians have not generally considered canal and navigation company carrying a subject worth investigating, on its own or as a precedent for railway company carrying,



partly because it is generally agreed that 'canal companies did not go in for carrying in a big way.'<sup>2</sup> Jackman states that canal companies did not appear on carrier lists, although he did identify one canal company that appeared to offer carrying service: '[w]e grant the possibility of this, although we have not found any other instance to establish it as a fact.'<sup>3</sup> Bagwell acknowledges that while canal companies were not legally permitted to carry they occasionally did, although reluctantly and as a last resort; 'since it was sometimes difficult to persuade those whose capital was geared to land carriage to switch to the new means of transport, groups of the canals' proprietors, or even the canal concern itself, sometimes undertook the carrying business', although this assessment of the situation disregards the fact that carrying firms used rivers for goods transport long before canals were constructed.<sup>4</sup>

Until the passage of the Common Carriers Act of 1845, enabling acts generally prohibited canal and navigation companies from operating services that competed directly with carriers.<sup>5</sup> However, some companies did operate carrying services, legally or illegally and directly or indirectly.<sup>6</sup> Concessions in some companies' enabling acts allowed them to operate a carrying service. As early as 1619 King James I granted a Letter Patent giving the Mayor and Aldermen of Bath the right, in exchange for financing improvements of the River Avon, 'for ever hereafter...to have and take the sole carying and conveying'; other carriers were prohibited from operating on the navigation 'upon paine of the heavy indignation and displeasure of us'.<sup>7</sup> The 1740 enabling act for the Medway Canal Company authorised its proprietors to operate a carrying service, though it prohibited them from exercising a monopoly on carrying.<sup>8</sup> Other inland waterway companies seem to have disregarded any legal constraint on offering carrying services. The Mersey & Irwell Navigation Company appears to have been carrying at least as early as 1753, when it published a table of carriage rates 'inclusive of tolls'.<sup>9</sup> Other companies developed carrying services more indirectly, most commonly through subsidiary companies or companies belonging to company officials. While some companies, like the Oxford Canal Company,

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<sup>2</sup> Davies, 'Josiah Wedgwood and canal management', 55.

<sup>3</sup> Jackman, *Development of Transportation in Modern England*, 434, 436. Canal companies did often appear on carriers' lists; see my analysis of city business directories later in this chapter.

<sup>4</sup> Bagwell, *The Transport Revolution*, 13.

<sup>5</sup> Aldcroft and Freeman, *Transport in the Industrial Revolution*, 124.

<sup>6</sup> Maw, *Transport and the Industrial City*, 113.

<sup>7</sup> Willan, *River Navigation in England*, 25.

<sup>8</sup> Willan, *River Navigation in England*, 115.

<sup>9</sup> Hadfield and Biddle, *The Canals of North West England*, 19; Porteous, *Canal Ports*, 62.

specifically forbade their staff or agents from owning boats, others, like the Birmingham Canal Company, permitted the practice.<sup>10</sup> The directors of the Kennet & Avon Canal Company determined in 1817 that 'it is inexpedient that any Servant employed by the Company be permitted to be a Trader on the Canal or River Kennet or Avon', but some subsequently set up their own carrying company, formally separate from the canal company.<sup>11</sup> In 1843 John Farquhar, manager of the Chard Canal Company, and George Cooke, a partner in the firm of solicitors employed by the company, formed the Bridgewater and Chard Coal Company to offer carrying services on the canal, and 'other and competing traders in coal were discouraged'.<sup>12</sup>

Other inland waterway companies went into the carrying business temporarily, to encourage trade on their routes, to prevent a single carrier from monopolising the route, to prevent carriers 'combining' to inflate carriage rates, or to allay concerns that carriers were cheating them by misrepresenting the weight and type of cargo they were transporting. These companies often ceased carrying when these specific issues were resolved.<sup>13</sup> The Aire & Calder Navigation's Wakefield committee began carrying coal in 1702, but stopped once a regular independent trade had been established.<sup>14</sup> In 1774 the Leeds & Liverpool Canal Company began carrying to reduce coal prices.<sup>15</sup> In an 1829 letter the director of the Wiltshire & Berkshire Canal Company wrote, 'I have found that it is better to hire freight than to have anything to do with Boats, and accordingly I have very few, just sufficient to keep me independent of the freighters in case of combination to raise prices.'<sup>16</sup>

The proprietors of the Rochdale Canal Company tailored their offerings to the availability of other carrying services. In 1799 they advertised for carriers to operate between Hull and Rochdale by water, and between Rochdale and Manchester by road, but only received one offer, from Edward Thompson. The company arranged for him to transport all goods on the route that were not specifically consigned to another carrier. In 1801 the proprietors changed their arrangements, attempting to hire boats and work directly with consigning agents, but gave up this system in 1804.

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<sup>10</sup> Hanson, *The Canal Boatmen*, 18.

<sup>11</sup> RAIL 842/10, letter from Kennett & Avon Canal Navigation Company Management Committee, 20 March 1817, The National Archives, London.

<sup>12</sup> Charles Hadfield, *The Canals of Southern England* (London: Phoenix, 1955), 59-61, 231.

<sup>13</sup> Maw, *Transport and the Industrial City*, 120-121.

<sup>14</sup> Hadfield, *The Canals of Yorkshire and North East England*, 20.

<sup>15</sup> Hadfield and Biddle, *The Canals of North West England*, 57

<sup>16</sup> Hadfield, *The Canals of South and South East England*, 286.

By 1807 the canal company was operating the Rochdale to Manchester route itself, but sold the operation to a carrier named Cogswell in 1811. They were again carrying, between Liverpool and Wakefield, in 1817, but gave up the route when a carrier took it on.<sup>17</sup> It seems clear from this series of decisions that the company preferred to act as carriers as a last resort. Inland waterway companies generally seem to have begun 'self-carrying' reluctantly, after first attempting to increase traffic by encouraging and subsidising carriers through offering rate reductions ('drawbacks'), free stabling and warehousing, agent services, and financial support for capital improvements. These companies do not appear to have undertaken carrying operations primarily for profit, but rather to optimise the value of their capital-intensive infrastructure asset.<sup>18</sup>

Some canal companies also seem to have developed their own carrying businesses for the same reason that some early railways did, to experiment with steam traction. The Ellesmere & Chester Canal Company formed a carrying department in 1836, apparently in order to acquire steam tugs to tow the company's boats between Liverpool and Ellesmere Port. The company authorised the purchase of a steam tug in February 1837, but appears to have decided to build its own by August of that year. They may still have not achieved their vision of steam-hauled vessels by July 1838, when a letter from the company's carrying committee mentions the use of steam in the future tense; 'it being evident that if these Vessels were unrigged and towed wholly by Steam a considerable proportion of this expenditure would be saved, and the business done in a much more expeditious and advantageous manner'.<sup>19</sup> Although canal companies had built and hired boats to carriers since their inception, this letter suggests a change in companies' thinking; like railway companies, this company seems to be starting to consider boats and motive power part of its infrastructure, along with the canal itself and associated buildings and equipment.

Although inland waterway companies operating their own carrying services were required to make their infrastructure available to anyone who paid the toll and followed the by-laws, as infrastructure owners and operators they were naturally in a better position than 'bye-carriers' and both inherently and deliberately disadvantaged other carriers in several ways.<sup>20</sup> Dobbin directly states, 'despite the fact that they were

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<sup>17</sup> Hadfield and Biddle, *The Canals of North West England*, 272-281.

<sup>18</sup> Hadfield and Biddle, *The Canals of North West England*, 278-281; Bagwell, *The Transport Revolution*, 13; Hadfield, *The Canals of the West Midlands*, 163, 182.

<sup>19</sup> RAIL 826/6, letter from Ellesmere and Chester Canal Company Carrying Committee, 12 July 1838, The National Archives, London.

<sup>20</sup> Hanson, *The Canal Boatmen*, 113.

required to allow public carriers to use the canals...they had driven independent competitors out of business by colluding to depress their own rates until independents disappeared', though this seems exaggerated as carriers continued to offer inland waterway services despite canal companies' efforts.<sup>21</sup> Carriers employed by the Aire & Calder Navigation, for example, did not pay a toll to use the navigation, and could thus charge less than their competitors.<sup>22</sup> The Trent & Mersey Canal Company operated its own carrying service, and according to a complaint of 1795 were willing 'so to molest and harass all their competitors as to secure to themselves all the profit of the Carrying trade and its attendant advantages.'<sup>23</sup> Canal companies often provided free loading and storage space, particularly during the first years of their operation, but space was always at a premium and companies typically exercised preferences toward their own, preferred or larger carriers at the expense of smaller independent carriers.<sup>24</sup> Canal companies often restricted or denied access to goods transfer or storage space on the land surrounding the canal.<sup>25</sup> The Mersey & Irwell Navigation Company owned all of the warehouse space on their route; while their tolls were regulated by their enabling act, their warehouse rents were not, and could thus be made prohibitively expensive for independent carriers.<sup>26</sup> The 1699 act to improve the Trent specified that no warehouses could be built without the consent of the navigation's commissioners; the navigation company subsequently built warehouses only for themselves, leaving independent carriers only wharf space.<sup>27</sup> In 1714 a petition was brought against George Heyne, manager of the Trent Navigation as well as operator of the Burton Boat Company which carried on the navigation. According to the petition Heyne 'insist[ed] [t]hat his is a private Wharf...at which no Goods can be landed, or received, without his, or Fosbrooke's Boats; by which illegal Practices they engross the whole Navigation to their boats; to the Destruction of Trade.' Records indicate that in 1748 Nottingham merchants attempting to unload goods on the banks of the navigation, in the absence of permitted wharf space, were blocked from doing so; Heyne continued to operate both businesses until 1757, fighting off 'interlopers' building unauthorised wharves and warehouses.<sup>28</sup> After 1739, however, another carrier, the Nottingham Boat Company, secured warehouse space, and by the 1750s

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<sup>21</sup> Dobbin, *Forging Industrial Policy*, 170.

<sup>22</sup> Hadfield, *The Canals of Yorkshire and North East England*, 21.

<sup>23</sup> Hanson, *The Canal Boatmen*, 109.

<sup>24</sup> Hanson, *The Canal Boatmen*, 22-23.

<sup>25</sup> Dobbin, *Forging Industrial Policy*, 170.

<sup>26</sup> Willan, *River Navigation in England*, 117.

<sup>27</sup> Willan, *River Navigation in England*, 116.

<sup>28</sup> Hadfield, *The Canals of the West Midlands*, 16.

Heyne controlled less than half the traffic on the navigation.<sup>29</sup> One carrier, Henry Wright, complained to the directors of the Oxford Canal in 1794 that he had been unable to unload coal at the wharf at Fenny Compton, owned by the company but used by Jas. Griffin and Co., even when he offered to pay for access. Wright was forced to unload on the nearby turnpike road, but was thwarted in that as well as the land between the road and the canal was rented by the same Mr. Griffin.<sup>30</sup>

It has been said that the Bridgewater Trustees were notorious for prioritising their own carrying service and disadvantaging others. Until 1777 their docks and warehouses at Castlefield were open only to the company's boats; they were later opened up to other carriers including Hugh Henshall and Co., Worthington & Gilbert and Pickfords. By 1804 twelve carriers had facilities there, and by 1821 22 firms operated at Castleford and the Bridgewater Trustees carried less than half of the traffic on the canal.<sup>31</sup> At Runcorn Gap, where the Bridgewater Canal connected the Grand Trunk Canal and the Mersey River, the trustees constructed a basin for boats entering the Mersey and gave priority to their own boats, which could pass through without having to pay an additional toll.<sup>32</sup> Once at the terminus, independent carriers were again put at a disadvantage:

these two lines...are at all times open to any parties who may choose to navigate them with their own vessels, but...that this is little better than a nominal right, for the Old Quay have not sufficient warehouse room at Manchester, and the Trustees of the Duke have monopolised so much of the land and the warehouses there, that...a Bye Carrier is subject to delays, costs, and impediments which completely put an end to all fair and open competition.<sup>33</sup>

However, both Hadfield and Biddle and Maw suggest that these impediments were exaggerated in the early nineteenth century by supporters of the Liverpool & Manchester Railway, and that canal companies in general, and the Bridgewater Trustees in particular, in fact supported the carriers that generated most of their revenue.<sup>34</sup> The records of the Bridgewater Canal company suggest that it did not

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<sup>29</sup> C. C. Owen, *The Development of Industry in Burton upon Trent* (Chichester: Phillimore, 1978), 15-16.

<sup>30</sup> Hanson, *The Canal Boatmen*, 23.

<sup>31</sup> G. Wheat, *On the Duke's Cut* (Glossop: Transport Publishing Co., 1977), 28; Hadfield and Biddle, *The Canals of North West England*, 90.

<sup>32</sup> Frank Mullineux, *The Duke of Bridgewater's Canal* (Eccles: Eccles and District History Society, 1959), 20.

<sup>33</sup> Joseph Sandars, *Letter on the Subject of the Projected Rail Road between Liverpool and Manchester* (Liverpool, W. Wales & Co., 1824), 36.

<sup>34</sup> Hadfield and Biddle, *The Canals of North West England*, 110; Maw, *Transport and the Industrial City*, 116-117.

make a profit from its carrying operations; the accounts of 1844 to 1848, which separate carrying revenue from toll revenue, show that the company's carrying business ran at a loss three years out of the five.<sup>35</sup>

The evidence on canal and navigation company 'self-carrying' appears to be mixed. Although it was illegal until 1845 for most inland waterway companies to offer carrying services, it appears that many did, but these services were often intermittent, and inland waterways were always open to other carriers. The first mainline railways were expected to operate in the same way, and their enabling acts reflected this expectation - they authorised railway companies to carry, but most of the legislation around goods transport was designed to manage the relationship between the company constructing the line and the line's users. In the 1840s, however, railway companies became increasingly focused on developing their own exclusive goods carrying services and disadvantaging, and ultimately removing, competitors.

### **The origin of railway company carrying**

As I described in chapter 1, the carrying trade used whatever infrastructure was available to transport goods. Carriers operated on roads, rivers and coastal waters, and provided services on navigations, canals, and turnpikes as they became available, realising that the profit from transporting more goods at less cost outweighed the cost of paying tolls for access to this infrastructure. The first railways were financed, constructed and operated using the same business model as that of earlier transport infrastructure - a private or public company raised funds to construct and maintain a transport asset for use by others, recovering the cost of its investment, the cost of maintaining and operating the asset, and profit for investors through collecting tolls from these users.<sup>36</sup> The Lancaster Canal Company, for example, which operated several railways, kept a register of railway waggons as it did of canal boats, and waggons were identified with the carrier's name on an iron plate. The company was responsible for maintaining the waggon wheels; the carrier was responsible for the rest. Users were typically charged by the ton for use of a railway, rather than by the ton-mile for use of a canal, and were required to comply with company by-laws imposing limits on such parameters as load weight and number of waggons in a

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<sup>35</sup> F. C. Mather, *After the Canal Duke* (London: Clarendon Press, 1970), 104.

<sup>36</sup> Gordon Biddle, 'The Lancaster Canal Tramroad', *Journal of the Railway & Canal Historical Society* 9, no. 5 & 6 (1963): 88-97.

train.<sup>37</sup> Other railway companies, like the Mansfield & Pinxton, rented waggons to carriers, in the same way some canal companies rented boats.<sup>38</sup>

Enabling acts for the first joint-stock railway companies regulated the tolls these companies could charge for access to their lines. The 1826 enabling act for the Liverpool & Manchester Railway Company, for example, authorised it to collect between one and three pence per ton-mile for goods transported on the line, and also specified maximum tolls for transporting people and animals.<sup>39</sup> Enabling acts also typically permitted companies to carry passengers and goods. As railway companies were originally expected to compete with coach services for passenger traffic, initially passenger fares were unregulated; as railway companies came to monopolise passenger carriage, however, later laws regulated passenger fares. As railway companies were also expected to compete with carriers, goods carriage rates were also not regulated in company enabling acts, and companies were permitted to charge any 'reasonable' rate for goods carriage.<sup>40</sup>

By 1829 the Liverpool & Manchester Railway company, owners of the first mainline railway, had decided that they would be 'carriers of *general merchandise*, as well as of coals and passengers' but would not exclude other carriers from the line.<sup>41</sup> R. H. G. Thomas records that the company set up its goods carrying service in the same way a new canal company would. The directors accepted offers from two carriers, Harrisons and Pickfords, each suggesting a different business arrangement. Harrisons agreed to collect and deliver goods, load and unload their own rolling stock on the railway, and accept the risks attendant on the business, in return for a payment of 2s or 3s per ton (the remainder of the charge to the customer to go to the railway company). Pickfords agreed to operate one 'contract waggon' per day on the line, paying the company £2 for each journey.<sup>42</sup> Wheat suggests that in addition '[n]egotiations had been in progress for the Mersey & Irwell [canal company] to operate all the traffic on the railway, but these were unfruitful.'<sup>43</sup>

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<sup>37</sup> Biddle, 'The Lancaster Canal Tramroad', 88-97.

<sup>38</sup> John Vanags, *The Mansfield & Pinxton Railway* (Mansfield: Old Mansfield Society, 2001), 20.

<sup>39</sup> 7 Georgii IV cap. xlix, 1447-1449.

<sup>40</sup> 4-5 Guliemli IV cap lxxxviii, 604; 4-5 Guliemli IV cap lxxxviii, 2595; 5-6 Guliemli IV cap cvii, 3267.

<sup>41</sup> Turnbull, *Traffic and Transport*, 108.

<sup>42</sup> Thomas, *The Liverpool & Manchester Railway*, 201.

<sup>43</sup> Wheat, *On the Duke's Cut*, 28.

The minutes of the company's board of directors record that while the company reserved the exclusive right to carry passengers and coal, they intended to look to carriers to oversee goods carriage. In 1829 several carriers including Pickfords, the New Quay Company, and Carver and Co., already serving the Liverpool to Manchester route, requested to open negotiations on their use of the line; the New Quay Company proposed rates and requested to rent storage space in the company's yards in Liverpool and Manchester.<sup>44</sup> They expected the railway company to supply the vehicles as well as infrastructure, in the same way that some canal companies provided boats.<sup>45</sup> In November 1830, two months after the line's official opening, the company accepted Pickfords' proposal to pay the company 40s per trip 'to have a moveable body to be transferred to Cart Wheels at each end of the line'.<sup>46</sup> By January 1831 the company had not provided facilities for goods carriage, and carriers were expressing concern about access. At that time '[a] discussion took place respecting the Company becoming Exclusive Carriers of Merchandise on the Rail-Way, and it was agreed, that the Company should adhere to their former recorded resolution to be Carriers, but not exclusive carriers on their own Line.'<sup>47</sup> The following month the company advertised that they would be ready to 'receive independent Carriers on the Road'; Thomas writes, '[a]n advertisement of 3 February announced that the railway would be open to carriers...from 1 May 1831, and that patterns of approved carriages and waggons could be seen at the Company's yards.'<sup>48</sup>

Although Thomas, Carlson and Maw recognise that the line had initially been open to carriers, others, such as Robbins, Bagwell and Dyos and Aldcroft state that the company had exercised a monopoly over all traffic, both passenger and goods, on its line from the start.<sup>49</sup> Evidence indicates, however, that although the Liverpool & Manchester company acted as carriers they used the business model common to other privately-owned transport infrastructure assets, in which anyone paying the toll and conforming to the by-laws could operate their own goods carrying service on the infrastructure.

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<sup>44</sup> RAIL 371/1, 7 December 1829, The National Archives, London.

<sup>45</sup> RAIL 371/1, 282, The National Archives, London.

<sup>46</sup> RAIL 667/418, 22 November 1830, The National Archives, London.

<sup>47</sup> RAIL 667/418, 17 January 1831, The National Archives, London.

<sup>48</sup> RAIL 667/418, 24 January 1831, The National Archives, London; Thomas, *The Liverpool & Manchester Railway*, 201.

<sup>49</sup> Carlson, *The Liverpool & Manchester Railway Project*, 179, 204, Thomas, *The Liverpool & Manchester Railway*, 95-98, 184, 191, 201, 206; Robbins, *The Railway Age*, 13; Dyos and Aldcroft, *British Transport*, 124, Bagwell, *The Transport Revolution*, 80.



Although railways are commonly associated with coal transport, due to the origins of locomotive technology in the coal mines of northeastern England, the first mainline companies were typically uninterested in bulk goods in general and coal in particular as the profit margins of this market sector were low.<sup>50</sup> Freeman and Aldcroft point out that the first significant shipment of coal to London by rail did not occur until 1844, and that by the late nineteenth century most coal was still coming to London via coastal shipping.<sup>51</sup> He states that 'coal did not become a universal item of railway traffic until after 1850.'<sup>52</sup>

The prospectuses for the first mainline railway companies suggested that promoters expected most of the companies' revenue to be derived from the tolls collected from carriers of general merchandise. The 1824 prospectus of the Liverpool and Manchester Railroad Company, for example, begins by identifying the potential revenue from transporting general goods. It then mentions coal, agricultural products and lime and manure for agricultural purposes, before stating, 'as a cheap and expeditious means of conveyance for travellers, the railway holds out the fair prospect of a public accommodation, the magnitude and importance of which cannot be immediately determined.'<sup>53</sup> Once the first mainline railways came into service, however, it quickly became apparent to their directors that higher profits could be made from the coaching trade, transporting passengers and small packages, the maximum rates for neither of which were regulated by their enabling acts, and through the 1830s companies focused on providing these services. Looking back at this period, Dionysius Lardner, a contemporary academic, science populariser and economist, wrote in 1850 that:

[t]he transport of merchandise is the branch of railway business on the due improvement and cultivation of which the ultimate and durable success of these vast enterprises, and the extent of their public utility, will mainly depend; yet it...has been hitherto comparatively neglected. The brilliant and unexpected results of the business in passenger traffic have...dazzled the public, and engrossed the attention of proprietors, directors, and managers.<sup>54</sup>

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<sup>50</sup> *Fifth Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 10 July 1840, 531; Gourvish, *Railways and the British Economy*, 27-28.

<sup>51</sup> Freeman and Aldcroft, *Transport in Victorian Britain*, 185, 188.

<sup>52</sup> Freeman and Aldcroft, *Transport in Victorian Britain*, 19.

<sup>53</sup> Prospectus of the Liverpool and Manchester Railroad Company, 1824, in *English Historical Documents, XI, 1783-1832*, eds. A. Aspinall and E. Anthony Smith (New York: Oxford University Press, 1959), 546-48.

<sup>54</sup> B. R. Mitchell, 'The Coming of the Railway and United Kingdom Economic Growth', 318.

In the 1830s railway companies developed different business models for transporting goods. In 1839 the House of Commons Select Committee on Railways identified four models companies were using at the time: railway companies contracted with one or more carriers; provided locomotives, and sometimes waggons, to carriers but permitted them to manage their own services; opened their line to carriers but also operated their own carrying service, or maintained a monopoly on carrying, excluding carriers from their line.<sup>55</sup> The committee noted that, per the first model, John Hargreaves managed goods carrying for the Bolton & Leigh company. The London & Birmingham, and later the Manchester & Leeds and Midland Counties companies, had an open carriage policy. Similar to the model employed by many canals, the North Union Railway was technically open to carriers, though at the time of the hearings only John Hargreaves carried on it. The directors of the newly formed North Midland Railway Company had determined to 'throw the line open to every carrier who should be willing to pay the appropriate rates' while reserving the option to become carriers themselves 'should [there be] any combination among the carriers to raise their charges to an improper amount'.<sup>56</sup> The Grand Junction retained a monopoly on goods carriage between London and Birmingham, but allowed carriers to operate on the rest of the line. The Stockton & Darlington owned and operated all locomotives on its line, but carriers ran their own services using horse traction. The committee reported that the Liverpool & Manchester, Leeds & Selby, and Newcastle & Carlisle companies exercised a monopoly over carrying services, although there is evidence for carriers operating on the Liverpool & Manchester line at least through the 1840s.<sup>57</sup>

Thus, of the 11 companies the Select Committee reviewed in 1839, five had an open carriage policy, one contracted with a carrier to manage goods traffic, two exercised partial monopolies, and three claimed to be monopolies, although this was not the case for at least one of these. Of these 11 lines, three (the London & Birmingham, the Grand Junction and the Liverpool & Manchester) could be considered 'major' lines in terms of length and revenues; of these three, one (the Liverpool & Manchester) claimed to be a monopoly, one (the London & Birmingham) had an open carriage policy, allowing any party who paid the appropriate toll access to the line, and did not operate its own carrying service, and one (the Grand Junction) operated its own

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<sup>55</sup> *Second Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 9 August 1839, viii-ix. I will describe the origins, objectives, composition and work of this committee in more detail in chapter 5.

<sup>56</sup> *The Sheffield Independent, and Yorkshire and Derbyshire Advertiser*, 16 February 1839.

<sup>57</sup> *Manchester Times and Gazette*, 26 August 1843; *First Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 26 April 1839, 23.

carrying service but shared part of its line with carriers. The superiority of railway company carrying was not self-evident at that time.

As early as 1841 railway company stock dividends began to fall, as the economic benefit of extending existing lines or constructing new ones became increasingly marginal and operation and maintenance costs proved to be greater than anticipated. As a way to increase revenue and improve share performance, railway company officials began to develop goods carrying services on their lines in competition with the carrying trade. As I mentioned in my introduction, several historians writing about the development of the railway network have recognised this gap between the opening of the first mainline railways and the growth in rail goods transport. Pollins notes that in the early 1840s goods revenue made up only 35 per cent of total railway company revenue; between 1843 and 1852, however, passenger revenue increased by 140 per cent while goods revenue increased by 470 per cent.<sup>58</sup> Robbins notes that 1852 was the first year railway goods traffic revenue exceeded passenger traffic revenue.<sup>59</sup> Freeman and Aldcroft note that in 1845 the percentage income split between railway company passenger and goods transport revenue was 74/26; the increase in goods revenue had changed this proportion to 49/51 by 1850, as income from goods transport increased sevenfold between 1842 and 1850.<sup>60</sup> The change in railway companies' focus during this period from passengers to goods can be seen in the following table showing the growth of goods carriage both in absolute terms and as a percentage of total company revenue.

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<sup>58</sup> Pollins, *Britain's Railways*, 60.

<sup>59</sup> Robbins, *The Railway Age*, 9.

<sup>60</sup> Freeman and Aldcroft, *Transport in Victorian Britain*, 73.

Table 2: Comparison of railway company goods and passenger revenue, 1842-1865

| Year | Passenger revenue (£million) | Goods revenue (£million) | Percentage of total company revenue from goods | Goods transported (million tons) |
|------|------------------------------|--------------------------|--|----------------------------------|
| 1842 | 3.1                          | 1.6                      | 34   | 5.4<br>(1.4 non-coal)            |
| 1846 | 4.7                          | 2.8                      | 37   | 17 (7 non-coal)                  |
| 1850 | 6.8                          | 6.4                      | 48   | 38                               |
| 1865 | 16.6                         | 19.3                     | 54   | 114.6                            |

Source: Gourvish, *Railways and the British Economy*, 26; Mitchell, *The Coming of the Railway*, 16; Freeman and Aldcroft, *Transport in Victorian Britain*, 74; Hawke, *Railways and Economic Growth*, 55.

Notes: The authors compiled these figures from the yearly Railway Returns which companies were required by their enabling acts to provide to Parliament.

The table shows a steady rise, starting in the early 1840s, in the proportion of railway company revenue earned through goods carriage; although most revenue was generated by passenger fares until 1850, by then most of the larger railway companies were earning at least 50 per cent of their revenue from goods transport.<sup>61</sup>

Through the 1840s two models of railway goods carrying developed, exemplified by the London & Birmingham Railway Company and the Grand Junction Railway Company. The London & Birmingham company managed what had formerly been the coaching trade, operating passenger services and carrying small parcels on passenger trains, but did not operate a goods carrying service. Carriers paid the company tonnage rates for warehouse space, loading and unloading facilities, waggons and scheduled locomotive service; they provided all other services associated with carrying including collection and delivery, loading and unloading, documentation and administration, and accepted liability for loss or damage of the goods they transported except by fire, collision, or the criminal behaviour of railway staff, for which the railway company was responsible. The Grand Junction company, on the other hand, operated their own goods carrying service; carriers transporting goods on the line paid the same rates as any other user but were rebated between 10 and 20 per cent as reimbursement for the services they provided.

### **The debate over railway company monopoly carrying**

Although some observers suggested that the increased revenue generated from goods carriage in the 1840s helped to increase railway company share prices, it was

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<sup>61</sup> Gourvish, *Mark Huish and the London & North Western Railway*, 129.

unclear to investors whether this revenue was actually translating into profit. The earliest evidence of the internal debate over railway company carrying, in testimony before the House of Commons Select Committee on Railway Communication in 1840, suggests that by this time both railway company officials and their customers were aware that the companies' highly profitable passenger services were subsidising their goods carriage operations. Some witnesses argued that railway companies by definition could carry goods more cheaply than carriers, because there would be no need for 'two profits', to the railway company and to the carrier. The committee, however, explained to one witness, Samuel Aspinwall Goddard, a Birmingham merchant, that when a railway company carried goods on its line the company itself earned 'two profits', as carrier and as infrastructure operator and maintainer.<sup>62</sup> Goddard eventually ceded the point by acknowledging that railway company carriers subsidised their carrying operations: 'I consider that the railroad companies get their principal profit out of passengers, and that they can afford to carry goods at a much lower rate than if they were confined to merchandize'.<sup>63</sup> J. R. Chorley, treasurer of the Grand Junction Railway Company, explicitly stated that the company did not profit from its collection and delivery services, and provided the committee with a circular explanation of why the company should perform them if this were the case:

Then for what reason do you undertake a business from which you derive no profit? - Because the business is profitable on the Grand Junction line, and we consider that the very reduction of rates we shall effect by this means, will increase the quantity of goods received on the line, and consequently the profits of the Grand Junction Company will be greater on their own line.<sup>64</sup>

As railway company meeting minutes generally record decisions and actions, but not debates, the discussions among railway company officials over the decision to carry goods is largely outside the view of historians.<sup>65</sup> It is, however, partly visible in a series of pamphlets published between 1841 and 1849 in which railway company officials and interested parties marshalled such statistics as were available to argue their positions. Many of the authors of these pamphlets were associated with railway companies, and all were concerned with these companies' financial health, but which

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<sup>62</sup> *Fifth Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 10 July 1840, 157-158.

<sup>63</sup> *Fifth Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 10 July 1840, 160.

<sup>64</sup> *Fifth Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 10 July 1840, 295.

<sup>65</sup> The railway company minutes I have reviewed for this study include those of the Grand Junction Railway Company (RAIL 220), the Liverpool & Manchester Railway Company (RAIL 371), the London & Birmingham Railway Company (RAIL 384), and the Stockton & Darlington Railway Company (RAIL 667), all in the National Archives, London.

side of the question they supported related to their own backgrounds, experience, areas of expertise, and roles in the companies.

The pamphlet authors in favour of the 'open' system of rail goods carriage, in which both carriers and railway companies carried goods, included J. T. Norris, a London politician and publisher; James Shipton, a Wolverhampton carrier; an anonymous 'Sufferer'; and most significantly John Whitehead, a banker and promoter of railway stock, and former secretary of the South Eastern Railway Company. These authors generally argued that competition among carriers provided the best service and lowest prices to customers, and that carriers were better placed to solicit and manage goods traffic than railway company staff. They argued that the evidence indicated that railway companies carried goods at a loss, subsidising their goods carriage service with passenger revenue, and that they would be more profitable, and pay higher dividends to shareholders, if they focused on their more profitable passenger services and left goods carriage to carriers.

Those supporting the 'closed' system, in which railway companies alone carried goods on their lines, included Henry Booth, secretary and treasurer of the Liverpool & Manchester Railway Company; Braithwaite Poole, goods manager of the Grand Junction Railway Company; Peter Eckersley, controller of the Lancashire & Yorkshire Railway Company; and most significantly Mark Huish, general manager of the London & North Western Railway Company. These authors argued that allowing railway companies exclusive control was the most efficient means of undertaking goods carriage, and that carriers at best added no value to rail goods carriage and at worst extorted unwarranted and unearned profits from both their customers and the railway companies.

'A Sufferer' began his pamphlet by stating that '[f]ew controversies have occurred...which have excited such a deep interest' as the carrying question.<sup>66</sup> Although all of these pamphlets were published, it is unclear how widely they circulated; as their subject was railway company profitability, however, and a large number of people had a financial interest in railways, the subject itself was likely of general interest. Analysis of the apparent significance of each of these pamphlets,

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<sup>66</sup> 'A Sufferer', *Railway Policy. A Letter Addressed to George Carr Glyn, Esq., M. P., ... on the Correspondence Addressed to him by Captain Huish and Mr. John Whitehead* (London: Smith, Elder & Co., 1848), 3.

measured by the number and type of citations of each pamphlet's publisher in the *Nineteenth-Century Short Title Catalogue*, suggests that the influence of the works of authors arguing for 'open' and 'closed' company policies was fairly evenly distributed. Pamphlets written by 'A Sufferer' and Whitehead, supporting the 'open' position, and by Eckersley and Huish, supporting the 'closed' position, were published by high-profile publishers in London, and appeared to have had a wide circulation. The work of the anonymous author, Booth, Norris, Poole and Shipton appears to have been published by publishers of lesser significance, and (except for Norris) outside London.<sup>67</sup>

It does not appear that either side of the debate attracted much attention in general-interest newspapers, although in 1848 the *Times* mentioned Whitehead's pamphlet in a letter from someone identified as 'F' who called on the shareholders of the London & North Western and other railway companies to 'compel their directors to "amend their ways", and not remit them to indulge in the luxury of carrying goods or doing any other business at a loss, until...they are in a condition to pay...the maximum dividend allowed by law.'<sup>68</sup> Two weeks later the newspaper mentioned Mark Huish's reply to this statement, adding, however, that '[t]he calculations and statements of Mr. Huish are clearly given, but his pamphlet is not wholly undisfigured by that taunting tone which characterizes railway discussions, and which renders allusion to them at all times disagreeable.'<sup>69</sup> The *Liverpool Mercury* printed a 'Literary Notice' in 1844 announcing the publication of Braithwaite Poole's first pamphlet, stating that 'if the public be properly guaranteed against the usual practices of monopolists, they will be much inclined to encourage the realization of the able suggestions here made.'<sup>70</sup> The word 'monopolists' in this sentence appears to refer to the carrying trade, an indication that 'opposition to monopoly' (of the railway companies or, allegedly, the carrying trade) was a talking point on both sides of the carrying question.

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<sup>67</sup> The publishers of authors favouring the 'open' policy ('A Sufferer', Norris, Shipton and Whitehead) were Smith, Elder & Co. and J. T. Norris (based in London) and J. Bridgen (based in Wolverhampton). Of these, Smith, Elder & Co. has more than 1,500 titles listed in the *Nineteenth-Century Short Title Catalogue* while the others have few or none. The publishers of authors favouring the 'closed' policy (Booth, Eckersley, Huish and Poole) were Bradshaw and Blacklock (whose significance I will discuss below); Thomas Baines; Simpkin, Marshall, and Co.; W. H. Smith & Son; and Wareing Webb. All but Thomas Baines and Wareing Webb were based in London; Thomas Baines and Wareing Webb were based in Liverpool. Of these, Simpkin, Marshall, and Co. were prominent, with thousands of titles listed; W. H. Smith & Son published several titles, and the others have few or no titles listed.

<sup>68</sup> "Money-Market and City Intelligence." *The Times*, 17 November 1848, 6.

<sup>69</sup> "Money-Market and City Intelligence." *The Times*, 30 November 1848, 6.

<sup>70</sup> *Liverpool Mercury etc.*, 26 July 1844.

The terms of the debate over the benefit of exclusive goods carrying by railway companies were couched in the language of statistics, accounting and finance. Several historians who have investigated the decision-making processes of corporations during this period generally agree that while the directors of corporations at the time may have valued quantitative information and objectivity, the information to support such decisions was generally lacking. Pollard, for example, states that quantitative methods to gather information for decisions were not used to any significant extent.<sup>71</sup> J. R. Edwards argues that during this period quantitative information became valuable as joint-stock companies, particularly railway companies, found it necessary to gain the support of external investors who had no involvement with the operation of the company.<sup>72</sup> Other historians point out, however, that, contrary to this 'agency hypothesis', methods of quantitative information gathering and the use of such information in business decisions actually appear to have been pioneered by partnerships rather than joint-stock companies.<sup>73</sup> In addition, Arnold and McCartney's analysis of the financial records of joint-stock canal companies suggests that as late as the 1850s these companies were still not providing complete financial information to investors or potential investors; what information they did report related more to deflecting social censure of excess profit than accountability to shareholders.<sup>74</sup>

Businesses' interest in the collection and use of quantitative information can be seen against a background of the growing interest in the early nineteenth century in obtaining and analysing statistical information in the public sphere, to guide legislation and policy decisions. In Britain, interest in informing government decision-making with quantitative evidence dates back to the 'political arithmetic' of the late-seventeenth century, when individuals and government began to gather and interpret various types of demographic and financial information. Julian Hoppit argues that this interest in quantitative information carried on through the eighteenth century and into the nineteenth.<sup>75</sup> Although, as now, the use of statistics to support arguments was

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<sup>71</sup> Pollard, *The Genesis of Modern Management*, 248-249.

<sup>72</sup> J. R. Edwards, *A History of Financial Accounting* (London: Routledge, 1989), 12-15; Arnold and McCartney, 'Financial capitalism', 3-4.

<sup>73</sup> Neil McKendrick, 'Josiah Wedgwood and Cost Accounting in the Industrial Revolution', *Economic History Review* 23, no. 1 (April 1970): 45-67; Arnold and McCartney, 'The transition to financial capitalism and its implications for financial reporting', 1185-1209.

<sup>74</sup> Arnold and McCartney, 'Financial capitalism', 1295, 1300.

<sup>75</sup> Julian Hoppit, 'Political Arithmetic in Eighteenth-Century England', *Economic History Review* 49, no. 3 (August 1996), 516-519.



sometimes perceived as manipulative, dehumanising, confusing, or tedious, by the 1830s government and public institutions were regularly using demographic and financial statistics to inform arguments and support legislation and policy decisions relating to military and colonial matters, trade, crime and population movement.<sup>76</sup> In the next section I will explore how railway company officials and interested parties presented arguments for and against exclusive railway company carrying, and how some of them attempted to justify their arguments using financial statistics (quantifying and comparing rates, revenue and profits). I will assess the effectiveness of these arguments before considering the outcome of the debate and the possible explanations for this outcome, then conclude the chapter with a quantitative demonstration of the effects of railway company policy on goods carriage in England in the 1840s and 1850s.

Railway companies were typically required by their enabling acts to collect and publish various kinds of financial information. As we shall see in the debate I describe below, however, this information was difficult to use for decision-making because, although companies were generally required to report income, they were not required to report expenses to the Board of Trade until 1854; as Dionysius Lardner noted in 1850, 'the receipts alone are ascertainable with precision; the expenses and profits are left to conjecture.'<sup>77</sup> In addition, railway company directors and managers had a disincentive to be transparent about financial matters, and an incentive to manipulate information to increase the price and value of shares.<sup>78</sup> Hawke, Pollins, Reed, and Arnold and McCartney have used the evidence available in government and company records to assess the profitability of railway companies before the 1850s, each drawing different conclusions from incomplete information.<sup>79</sup> As the calculation of profitability is not straightforward for modern historians, it would have been even more challenging for contemporaries; Arnold and McCartney state directly that 'shareholders would not have been able to calculate the company's rate of return on capital from the information available'.<sup>80</sup> Thus although several of those debating the profitability of

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<sup>76</sup> Mary Poovey, 'Figures of Arithmetic, Figures of Speech: The Discourse of Statistics in the 1830s', *Critical Inquiry* 19, no. 2 (Winter 1993): 260, 270, 272.

<sup>77</sup> A. J. Arnold and S. McCartney, 'The profitability of Britain's early railways', accessed 14 September 2018, [https://www.researchgate.net/publication/267372032\\_The\\_profitability\\_of\\_Britain's\\_early\\_railways](https://www.researchgate.net/publication/267372032_The_profitability_of_Britain's_early_railways), 4; Dionysius Lardner, *Railway Economy: A Treatise on the New Art of Transport, etc* (Newton Abbot: David & Charles, 1968), 242.

<sup>78</sup> Arnold and McCartney, 'The profitability of Britain's early railways', 5.

<sup>79</sup> Hawke, *Railways and Economic Growth*; Pollins, *Britain's Railways*; M. C. Reed, *Investment in Railways in Britain, 1820-1844* (London: Oxford University Press, 1975); A. J. Arnold and S. McCartney, 'The profitability of Britain's early railways', 11-12.

<sup>80</sup> Arnold and McCartney, 'The transition to financial capitalism', 1202.

railway company carrying presented their arguments in quantitative terms, these scholars suggest that contemporary accounting and reporting practices were not yet robust enough for them to be definitive. The quantitative arguments deployed on both sides were probably ultimately less persuasive than those appealing to such common values as 'public service' and 'competition'.

In 1841, in response to the testimony critical of railway company carrying that I cited above, Henry Booth, secretary and treasurer of the Liverpool & Manchester Railway Company, published a pamphlet arguing that railway companies should operate their own carrying services. In it he introduced several talking points and 'frames' repeated in later arguments for railway company carrying. He introduced the argument from efficiency - why should multiple collectors, transporters and distributors of goods, each with its own staff and infrastructure, use a rail line, when a single company would be more efficient?<sup>81</sup> This argument is the opposite of the 'argument from competition', that multiple providers lead to competition and thus improvement of service. He referred to the largest regional carriers as if they were equivalent in size, power and function to railway companies, framing the question of whether railway companies should carry goods as a conflict between two equally matched interests. Booth referred to these regional carriers as 'Water Carriers', thus framing the conflict between railway companies and carriers as between rail and canal transport modes, and suggested that carriers were trying to ruin the railways by 'diverting' goods traffic to canals.<sup>82</sup> He argued that by developing their own goods carrying services railway companies were breaking the monopoly of canal carriers. Finally, he described the work of carriers as 'intervention' into the carriage of goods by railway; in modern terms, Booth suggested with this argument that carriers on railways provided no 'added value' and could thus be easily and profitably dispensed with.

The same year J. T. Norris, a London politician and publisher, wrote and published a pamphlet strongly arguing the case for carriers on railways. Norris pointed out that railway companies did not seem to be profiting from goods carriage, noting that the Grand Junction Railway Company appeared to be subsidising goods carrying with passenger revenue and raising passenger fares while lowering goods rates. He

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<sup>81</sup> Henry Booth, *The Carrying Question Stated, In Reference to Railways and Canals: also, Considerations on the Mode of Levying the Passenger Tax on Railways* (Liverpool: Thomas Baines, 1841), 10-11; *Second Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 9 August 1839, 225.

<sup>82</sup> Booth, *The Carrying Question Stated*, 6.

argued that while it may have been true, as several railway company officials claimed, that goods rates were dropping, such a reduction in rates was not sustainable if it were being subsidised by increasing passenger revenue.<sup>83</sup>

Three years later Braithwaite Poole, goods manager of the Grand Junction Railway Company, raised arguments similar to Booth's in a pamphlet outlining 'twenty short reasons' why railway companies should not only be allowed but 'compelled' to be exclusive goods carriers on their lines.<sup>84</sup> Many of Poole's arguments were similar to those Booth had introduced. Like Booth, Poole pointed out the inefficiency of multiple carriers on a railway maintaining their own infrastructure, claimed that because railway companies owned and operated locomotives carriers provided no added value, and referred to carriers as 'intervening parties' in the carriage of goods by rail. Poole also suggested (without any evidence that I have identified) that carriers had a financial interest in canals, and that they sometimes transported goods by canal rather than by railway and that this was somehow unethical. Poole claimed that carriers colluded in clandestine meetings to increase carriage rates. Although there seems to be no other evidence of such meetings, Poole had been a canal carrier before working for the Grand Junction company so would have had direct knowledge of carriers' business practices. It is unclear how many of the examples of good and affordable railway company carrying service that Poole mentioned in his pamphlet referred to the parcels (coaching) rather than goods (carrying) trade; if he drew his examples from the parcels trade, Poole's information was likely to be correct, as it is likely railway companies carried parcels at lower rates than coaches did. He also proposed some unique arguments against the carrying trade, such as that canal carriers worked on Sundays and that some carriers had two offices.<sup>85</sup>

In this pamphlet Poole reversed some of the arguments others used to support the carrying trade - that carriers were private enterprises rather than public companies, that carriers adapted their business practices to those of their customers, and that carriers understood the goods carriage market better than railway company officials and employees. Poole instead argued that railway companies were better suited than carriers to transport goods because as public bodies they were responsible to the

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<sup>83</sup> J. T. Norris, *The Carriers' Case Considered in Reference to Railways*, 30-31.

<sup>84</sup> Braithwaite Poole, *Twenty Short Reasons for Railway Companies Being Themselves the Carriers of Goods* (Liverpool: Wareing Webb, 1844).

<sup>85</sup> Poole, *Twenty Short Reasons*, 7-8.

government.<sup>86</sup> He claimed that railway companies' business practices were superior to those of carriers; 'a tradesman, knowing he can obtain long credit from a private carrier...thus frequently defrauds the merchant from whom he buys goods'.<sup>87</sup> Finally, Poole seemed to suggest, though his wording is unclear, that in some unspecified way railway companies were somehow closer to their customers than carriers: 'Railway Carrying Companies also immediately feel their interests closely identified with those of the public, instead of with the carriers'.<sup>88</sup> A table appended to Poole's pamphlet purported to demonstrate that railway companies acting as carriers charged less per ton for goods carriage than those that did not, by dividing the sum of the average rate per ton for the total mileage of the railway lines in each column by the total mileage of the lines. Not only does this calculation leave out several significant variables, such as the services included in these rates, the results seem clearly distorted by the fact that an asterisk against some of the railway company rates noted 'Add 5s per Ton Carriage on these Lines'.<sup>89</sup>

Later that year Poole published another pamphlet with an additional 'dozen reasons' to remove carriers, which he referred to as 'so called Carriers' and 'Middle-men', from railway lines.<sup>90</sup> This pamphlet reiterated previous grievances, but also criticised several business practices of carriers, including reducing goods carriage rates by selecting the cheapest mode and route and blaming railway companies for damage or loss of goods.<sup>91</sup> Again, as Poole had been a canal carrier himself, it is difficult completely to discount his descriptions of some illegal and unethical practices carriers used to increase their profits. He stated, contrary to the evidence I present in chapter 5, that when railway companies acted as carriers 'any irregularities that might, but very seldom do, occur with themselves' were immediately rectified.<sup>92</sup>

In this pamphlet, as in his previous one, Poole's comparison of the cost of goods carriage by railway company and by carrier unintentionally supported the carriers' case. When describing a situation in which the cost a carrier charged to a customer was far in excess of what the railway company charged the carrier he mentioned that

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<sup>86</sup> Poole, *Twenty Short Reasons*, 9.

<sup>87</sup> Poole, *Twenty Short Reasons*, 5.

<sup>88</sup> Poole, *Twenty Short Reasons*, 5.

<sup>89</sup> Poole, *Twenty Short Reasons*, 12.

<sup>90</sup> Braithwaite Poole, *A Dozen More Short Reasons Why Railway Directors Should Now Dismiss Those Middle-Men Who Have Intruded Themselves upon Some Lines of Railway* (Liverpool: Wareing Webb, 1844), 4, 6.

<sup>91</sup> Poole, *A Dozen More Short Reasons*, 4-6.

<sup>92</sup> Poole, *A Dozen More Short Reasons*, 4.

the railway company's charge to the carrier was 'Locomotive Power exclusive'; the fact that he left this charge to the carrier out of the comparison is significant because it was not limited by a railway company's enabling act, and was thus as high as the railway company chose to make it; it was therefore likely to have been a significant but unrecorded cost to the carrier.<sup>93</sup> In addition, as James Shipton pointed out in his rebuttal to Poole's pamphlet, Poole also left out the railway company's charges for collection and delivery, which were likely to have been similar to a carrier's charges for the same services.<sup>94</sup>

James Shipton, a Wolverhampton carrier, published a pamphlet later that year rebutting Poole's arguments. He pointed out that if Poole (and Booth before him) were arguing that carriers were reaping unearned profits on work done solely by railway companies, what advantage would a carrier have to 'divert' goods traffic to canals?<sup>95</sup> Shipton did not categorically deny the abuses Poole described in his second pamphlet, but pointed out that anyone, including employees of railway companies, might break the law, and that if they did so they would be punished.<sup>96</sup> Furthermore, Shipton pointed out, unethical behaviour in the carrying trade was strongly discouraged by the nature of the economy within which carriers operated and the relationships between carriers and their customers.<sup>97</sup>

Shipton argued that railway company officials had enough to do managing the line itself without getting involved in the routine operations of goods carriage, with which most had little or no experience. He suggested that they were not as well positioned to understand customers' requirements as 'we who devote our energies and labour to that portion which comes within the sphere of each district, noting the changes and circumstances continually varying in the wishes and wants of those with whom we deal'.<sup>98</sup> Shipton used company returns reported in the *Midland Herald* to compare the 1844 revenues for the London & Birmingham company, which did not carry, and the Grand Junction company, which did. He pointed out that based on this information not only had the London & Birmingham company earned more than 50 per cent more

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<sup>93</sup> Poole, *A Dozen More Short Reasons*, 7.

<sup>94</sup> James Shipton, *A Letter Addressed to Railway and Canal Directors on the Subject of Carrying Goods, Being Induced by the Perusal of A Dozen More Reasons ... by Mr. B. Poole, etc* (Wolverhampton: J. Bridgen, 1844), 14.

<sup>95</sup> Shipton, *A Letter Addressed to Railway and Canal Directors*, 7.

<sup>96</sup> Shipton, *A Letter Addressed to Railway and Canal Directors*, 8.

<sup>97</sup> Shipton, *A Letter Addressed to Railway and Canal Directors*, 11.

<sup>98</sup> Shipton, *A Letter Addressed to Railway and Canal Directors*, 17.

than the Grand Junction company on tolls and locomotive power fees for goods carriage, the actual net revenue for the Grand Junction company was even less than reported as the figure did not subtract the costs of operating and maintaining the company's carrying department.<sup>99</sup>

During the time these pamphlets were being published, carriers were still using, and fighting for their right to use, rail lines. The next round of published debate on the carrying question, however, began in November 1848, nearly 18 months after the amalgamation of the Grand Junction and London & Birmingham companies into the London & North Western Railway Company had eliminated the last major rail line open to carriers. John Whitehead, a banker and promoter of railway stock, and former secretary of the South Eastern Railway Company, published an open letter to George Carr Glyn, chairman of the London & North Western company, in which he asked a question pertinent to any shareholder - 'is all the...traffic carried at a profit?'<sup>100</sup> He suggested, based on comparing the company's published returns to evidence from Select Committee hearings, that in the case of goods carriage the answer was no, and that '[a] considerable portion of the profits derived from passengers cannot fail to be absorbed by the losses which are incurred in the conveyance of goods.'<sup>101</sup> Whitehead pointed out that it was clear that passenger traffic was far more profitable than goods traffic; his calculations suggested that even third class passengers brought in five times more revenue per carriage than the highest class of goods.<sup>102</sup> Calculating cost and revenue per passenger, 'one First Class Passenger of true Aldermanic proportions, pays for the conveyance of his twelve stone weight more than is paid for the carriage of one ton and a third of goods'.<sup>103</sup> He concluded that either passenger fares were far too high or goods rates were far too low; if the latter were the case, however, increasing goods rates would reduce the amount of traffic and thus the revenue obtainable from goods carriage.

Whitehead also pointed out two additional advantages of passenger carriage compared to goods carriage - passengers paid before they rode, while collecting payment for goods transport was an additional cost to the company, and the company expended additional effort and took on additional responsibility to transport goods

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<sup>99</sup> Shipton, *A Letter Addressed to Railway and Canal Directors*, 16.

<sup>100</sup> John Whitehead, *Railway Management. A Letter to George Carr Glyn* (London: Smith, Elder, and Co., 1848), 4.

<sup>101</sup> Whitehead, *Railway Management*, 7.

<sup>102</sup> Whitehead, *Railway Management*, 8.

<sup>103</sup> Whitehead, *Railway Management*, 9.

(preparing waybills, ensuring goods were offloaded at the correct locations, understanding and implementing procedures for storing and handling various types of goods) while passengers required no more documentation than a ticket, and loaded and unloaded themselves. Furthermore, he pointed out, goods trains on the line slowed down passenger trains and precluded the company from operating more of these more profitable services.

Whitehead provided financial analysis to support his position, though he acknowledged that it was difficult to prove either side of the carrying question conclusively because, although company revenues were published yearly, company costs were either uncollected or unavailable. Using the information he had, he concluded that the 'mutuality' of the London & Birmingham company's system of allowing carriers on the line was more profitable than the monopoly goods carriage system of the Grand Junction and London & North Western companies.<sup>104</sup> Whitehead called for more accountability from company directors, suggesting that it would lead to more trust from shareholders, more investment, and ultimately more profit, as opposed to simply more revenue.<sup>105</sup>

Whitehead's pamphlet provoked responses from those who supported railway company carrying. Mark Huish published his own letter to Glyn two weeks later, which began by suggesting that there was now no point in debating the carrying question further, as 'that matter is settled by the almost universal fiat of Railway Boards'.<sup>106</sup> At this time Huish was the general manager of the London & North Western company; presumably he could have spoken directly with Glyn rather than addressing him in an open letter. Huish used the financial records of the London & North Western company between July 1847 and July 1848 to argue that since passenger revenue was higher than the total cost of operating the line the revenue obtained from goods carriage should be considered purely as additional profit.<sup>107</sup> This argument is unconvincing for two reasons. First, as Huish did not have, or did not provide, information on the comparative cost of passenger and goods carriage he was unable to demonstrate that goods carriage cost the same as or less than passenger carriage (which, as Whitehead had argued, is unlikely); second, Huish's argument did not address

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<sup>104</sup> Whitehead, *Railway Management*, 6.

<sup>105</sup> Whitehead, *Railway Management*, 22.

<sup>106</sup> Mark Huish, *Letter to George Carr Glyn...on Some Points of Railway Management, in Reply to a Late Pamphlet* (London, W. H. Smith & Son, 1848), 5.

<sup>107</sup> Huish, *Letter to George Carr Glyn*, 8.

Whitehead's point that diverting resources used for goods carrying to passenger carrying could generate even more revenue, and thus more profit. Huish attempted to undermine Whitehead's arguments by questioning his comparisons; Huish pointed out that passenger carriages were rarely completely full, that passenger trains generally had fewer carriages than goods trains, and that faster passenger trains were more expensive to operate than goods trains.<sup>108</sup> However, as Whitehead pointed out, goods waggons were also rarely completely full, and Whitehead had already taken into account Huish's other two objections by calculating cost and revenue by carriage rather than by train and by comparing goods carriage to third class passenger services, which used the same locomotives and travelled at the same speeds. Even taking into account Huish's altered parameters, and even ignoring, as Huish did, the additional work involved in managing goods carriage as well as the additional infrastructure maintenance required to operate heavy goods trains, his own figures suggested that the net income per mile (which is difficult to determine from Huish's text, as he deducted 'terminal expenses' rather than total costs from his revenue figures) was still higher for passengers.<sup>109</sup> Huish's own figures indicated that in the first year the company began operating its own goods carrying service, 1847-1848, it made twice as much revenue from passengers and parcels as it did from goods and coal.<sup>110</sup>

Whitehead responded two months later in a 'second letter to George Carr Glyn', in which he analysed Huish's figures, identifying several ways in which he considered them misleading. Whitehead suggested, for example, that the profit Huish assigned to goods carriage included the lucrative parcels trade, which railway companies had always carried, which was carried on both passenger and goods trains, and which had formerly been part of the coaching rather than carrying trade.<sup>111</sup> He pointed out that Huish's figures assumed that goods travelled in full waggons while passengers only travelled in half-full carriages, and noted that the proportion of passenger classes Huish had used to calculate company costs was unrealistic. Whitehead's recalculation of Huish's figures reduced the cost of passenger service to between 20 per cent (all third class) and 50 per cent (first and second class) of Huish's estimate, which again suggested that passenger traffic provided a higher net income than goods traffic.<sup>112</sup>

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<sup>108</sup> Huish, *Letter to George Carr Glyn*, 10.

<sup>109</sup> Huish, *Letter to George Carr Glyn*, 11-12.

<sup>110</sup> Huish, *Letter to George Carr Glyn*, 8.

<sup>111</sup> John Whitehead, *Railway Management. A Second Letter to George Carr Glyn* (London: Smith, Elder, and Co., 1848), 7.

<sup>112</sup> Whitehead, *Railway Management. A Second Letter to George Carr Glyn*, 2, 11.



Soon after Whitehead published his second letter, Peter Eckersley, controller of the Lancashire & Yorkshire Railway Company, weighed in with a pamphlet supporting Huish's conclusions. Eckersley backed up his arguments with financial information from his own company, arguing that as in early 1847 the Lancashire & Yorkshire 'became more completely their own carriers than they had previously been' financial returns for the company before and after that date provided a valid comparison of carrying policies.<sup>113</sup> Although presumably Eckersley had access to detailed financial information for the company he worked for, he determined the profit from each type of traffic by dividing total revenue by total cost, which did not indicate how cost and revenue were allocated (for example, whether parcel traffic was included in the revenues for goods traffic).<sup>114</sup> Like Huish, he stated that 'quantity is one of the great elements of success in railway traffic', and although he did not discuss carriers in any detail he claimed that railway company profitability was damaged by the 'ruinous competition' of carriers, a claim that, if it had ever been the case, by this time was certainly exaggerated.<sup>115</sup>

The same year yet another open letter to Glyn was published by 'A Sufferer'. This person, having read both Huish's and Whitehead's letters, provided additional arguments to support Whitehead's position. He pointed out that Huish's argument that if passenger profits were greater than company expenses then goods carrying must be operating at a profit neglected the significant and continuing capital outlay for both rolling stock and infrastructure to support goods carrying.<sup>116</sup> He argued that the role of carriers in goods transport on railway lines was 'from the multiplicity of its details, and its dependence on minutiae, particularly suitable for the display of individual exertion and individual economy', and 'quite unsuitable to the energies of a leviathan concern' like a railway company.<sup>117</sup> He suggested that railway companies would make more profit from supporting carriers, in the same way that a wholesale importer benefits from the activities of retail grocers without taking on their role.<sup>118</sup>

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<sup>113</sup> Peter Eckersley, *Railway Management: Observations on Two Letters to George Carr Glyn ... by John Whitehead ... and Mark Huish, etc* (London: Simpkin, Marshall, and Co., 1848), 10.

<sup>114</sup> Eckersley, *Railway Management*, 11.

<sup>115</sup> Eckersley, *Railway Management*, 18, 21.

<sup>116</sup> 'A Sufferer', *Railway Policy*, 6.

<sup>117</sup> 'A Sufferer', *Railway Policy*, 8.

<sup>118</sup> 'A Sufferer', *Railway Policy*, 9.

In this series of pamphlets John Whitehead had the last word, publishing a third open letter in February 1849, two months after those of Huish and 'A Sufferer'. He pointed out that it had been within Huish's power, as general manager of the London & North Western company, to disprove Whitehead's arguments with actual statistics, but he had not done so. Whitehead again used the information available to him to build a case against the profitability of railway company carrying, including the testimony of witnesses at an 1846 Select Committee hearing, the published accounts of the London & North Western company and the three companies it had been formed from, Huish's February 1848 report to the London & North Western company's directors, and the report of the line's Resident Engineer to a committee of shareholders.<sup>119</sup> He noted that the London & North Western company had reduced goods carriage rates after the amalgamation, despite taking on the substantial additional work and expense of running a larger goods carrying department.<sup>120</sup> He determined the company's total costs and revenues of passenger and goods transport for the year 1848; a simple calculation indicated that although the company's gross revenue had increased substantially, the revenue for the same traffic per mile was lower, and costs higher, after the company became the sole carrier on its line.<sup>121</sup> He claimed that dividends to the shareholders of the London & North Western company, which carried on its line, were substantially lower than they had been for shareholders of the London & Birmingham company, which had not.<sup>122</sup>

My assessment of the arguments in each of these pamphlets suggests that Whitehead had the strongest command of the facts, and the clearest evidence that railway companies were constraining their financial performance by taking on the work of the carrying trade. Whitehead seemed principally concerned with the value of investments in railway companies; neither he nor the others participating in this debate seemed interested in the long-term profitability of the rail network or railway companies, or the effect of companies' carrying policies on the wider economy. As a banker and investor, Whitehead seemed more clearly focused than the other participants, most of whom were involved in operating railway companies, on the idea that companies should be as profitable as possible for investors. He had no personal

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<sup>119</sup> John Whitehead, *Railway Management, the Proof: A Third Letter to George Carr Glyn* (London: Smith, Elder, and Co., 1849), 5, 9, 18, 39.

<sup>120</sup> Whitehead, *Railway Management, the Proof*, 9, 16-17, 20.

<sup>121</sup> Whitehead, *Railway Management, the Proof*, 13, 18-19.

<sup>122</sup> Whitehead, *Railway Management, the Proof*, 5, 32.

investment in the management of a railway company, and thus no reputation to lose from having been mistaken about decisions affecting its profitability.

It does not appear that the intended recipient of Whitehead's advice was swayed by it. At the London & North Western Railway Company's half-yearly meeting in February 1849 George Carr Glyn claimed that the company had

repeatedly warned the carrying interest, that unless they saw fit to give the public the benefit of our low tolls, and not add to these low tolls by their heavy 'delivery' charges, we should be obliged to follow the system which, I believe, all other companies in the kingdom had followed, of becoming carriers for ourselves.<sup>123</sup>

He went on to read a statement that, contrary to what Whitehead had argued, 'the Company having become carriers on their own account had been beneficial both to their own interests and to the public.'<sup>124</sup> It was Booth's, Poole's and Huish's position, that railway companies, and railway companies alone, should carry goods on the railways, that ultimately prevailed. In the next section I will discuss how the 'closed' policy of the Grand Junction Railway Company became universally adopted over the entire railway network; I will conclude this chapter with an analysis of how this change in railway company policy affected goods carriage in England.

### **The change in railway company carrying policy, 1840-1850**

During the 1840s the policies of the Grand Junction Railway Company, and the arguments of Captain Huish, began to be accepted by both railway company managers and by investors. For example, in 1844 Liverpool businessmen investing in the new Dover Railway Company insisted on the company being an exclusive carrier on its line, though there is some indication in the newspaper account of a 'stormy meeting' and requests for 'peace and conciliation' that this decision was not unopposed:

The determined stand made by the Liverpool proprietors on the question of the goods traffic cannot...be compromised...it is quite certain that the point of the railway becoming its own carrier is a sine qua non with the northern gentlemen. The shareholders, and the public in general, may be assured, that this point is unalterably settled.<sup>125</sup>

The same year it was reported that several railways 'have resolved henceforth to become carriers, or...“to labour for themselves”...These lines...have...resolved on

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<sup>123</sup> *The Morning Post*, 17 February 1849, 6.

<sup>124</sup> 'RAILWAY INTELLIGENCE', *Berrow's Worcester Journal*, 22 February 1849.

<sup>125</sup> *The Standard*, 28 September 1844.

making no allowance whatever for carriers, but to be carriers themselves, and to give the public every possible facility.<sup>126</sup>

Some railway company officials took a stand against monopoly railway company carrying. Constantine Richard Moorsom resigned as chairman of the board of directors of the Birmingham & Gloucester Railway Company over the carrying question. He had acted as secretary of the London & Birmingham Railway Company, which supported the carrying trade, and became a director of the company in 1839; he became chairman of the board of directors of the Birmingham & Gloucester Railway Company in 1841.<sup>127</sup> In December 1843 he resigned his position as ‘a majority of the directors [had] declared in favour of the company becoming extensive carriers themselves instead of depending so largely as at present upon the revenue paid them by private carriers.’<sup>128</sup> Moorsom reportedly considered the board’s decision a ‘breach of faith committed against the carriers’, though the report stating Moorsom’s opinion argued that the company’s agreements with its carriers terminated on 1 January 1844, before the company began its own carrying services on 1 February.<sup>129</sup> Moorsom seemed to have reconsidered his position on carrying, however, as he became a director of the London & North Western Railway Company, which supported railway company monopoly carrying, on its formation in 1846.<sup>130</sup> When the carrying question was raised at a general meeting of the Midland Railway Company in 1847, ‘when all the railway companies were becoming their own carriers, it would be for the interest of the Midland Company to be so too’, George Hudson, the chairman of the company, disagreed, stating that ‘[h]e would be no party to excluding the carriers from the line.’ He went on to say, however, that ‘carrying was gradually coming into the hands of the company, in an ordinary way, which he conceived was much better than for them to attempt to crush everybody around them.’<sup>131</sup> Hudson continued to object to railway company monopoly carrying, as I will mention later in my discussion of the effects of the Railway Clearing House in standardising railway company policy on carrying.

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<sup>126</sup> ‘RAILWAY NEWS,’ *The Leicester Chronicle: or, Commercial and Agricultural Advertiser*, 5 October 1844.

<sup>127</sup> Elaine Drake, ‘Moorsom, Constantine Richard (1792–1861), naval officer,’ *Oxford Dictionary of National Biography*, accessed 15 September 2018, <https://doi-org.libproxy.york.ac.uk/10.1093/ref:odnb/19155>.

<sup>128</sup> *Gloucestershire Chronicle*, 23 December 1843.

<sup>129</sup> *Gloucestershire Chronicle*, 6 January 1844.

<sup>130</sup> Drake, ‘Moorsom, Constantine Richard (1792–1861), naval officer’.

<sup>131</sup> *The Leicester Chronicle: or, Commercial and Agricultural Advertiser*, 6 February 1847.

The carrying question can be considered to have been effectively settled in 1846, when the Grand Junction, London & Birmingham, and Manchester & Birmingham Railway Companies were amalgamated into the London & North Western Railway Company, creating a 350-mile long network under the management of Mark Huish. The London & Birmingham company's policy of supporting carriers was subsumed into the Grand Junction company's monopoly goods carriage policy. By 1849 this business model prevailed among railway companies; at a meeting of the London & South Western Railway Company a speaker stated that '[i]t was generally admitted that it was the policy of railway companies to become their own carriers of goods (hear, hear), and he thought the interests of the South-Western Company were much injured by the adoption of the "mixed system" on that line.'<sup>132</sup>

Railway companies excluded carriers from their lines in several ways. First, they attempted to reduce the economic viability of carriers using their lines. The techniques canal and navigation companies used to disadvantage competing carriers, which I described in chapter 1 - charging them tolls while not charging their own company, restricting access to docks, wharfs and warehouses, and giving their own boats priority access to locks - were similar to some of the techniques later used by railway companies. In addition, as I will describe in more detail in chapter 5, in my review of the many lawsuits carriers brought against railway companies, railway companies also undermined carriers' business by imposing higher or additional charges and delaying or misdirecting consignments.

Second, railway companies both directly and indirectly co-opted carriers into their own business. Many railway companies directly hired carriers to manage their goods traffic. Braithwaite Poole, the Grand Junction Railway Company's goods agent in Liverpool and later the general goods manager of the London & North Western Railway Company, had previously worked for the carrier Crowley and Co.<sup>133</sup> The London & Birmingham company hired Andrew Comber, Pickfords' Liverpool agent, paying him twice his former salary and providing him with free housing.<sup>134</sup> City business directories and newspaper advertisements often identify men formerly listed

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<sup>132</sup> 'LONDON AND SOUTH-WESTERN RAILWAY,' *Hampshire Advertiser & Salisbury Guardian*, 17 February 1849.

<sup>133</sup> Gourvish, *Mark Huish and the London & North Western Railway*, 28; 'Family History Research for Braithwaite Poole', accessed 9 September 2016, <https://liverpoolhistorysocietyquestions.wordpress.com/2011/07/21/family-history-research-for-braithwaite-poole/>.

<sup>134</sup> Turnbull, *Traffic and Transport*, 109.

as carriers as agents of railway companies. For example, in Bath's 1854 business directory John Tanner was identified as the Great Western Railway's agent. He had been listed as a road carrier in Bath as early as 1826.<sup>135</sup> In Manchester's 1853 business directory three of the seven railway agents listed had previously been listed as road carriers.<sup>136</sup>

As early as the mid-1840s local carriers had begun to describe themselves as 'railway carriers'. Hunts carriers, for example, based at the Castle and Falcon pub in Sheffield, carried goods for the London & Birmingham Railway Company in 1844; 'he sent carts and vans about town with goods coming from the country to the station'.<sup>137</sup> A few regional carriers also signed contracts with railway companies to act as their agents. In July 1847 the London & North Western Railway Company signed agency agreements with Pickfords and with Chaplin & Horne, in which the company paid the carriers a percentage commission, service charges, salaries and bonuses, and gave them exclusive access to goods yards and other facilities, in return for picking up and delivering goods to and from London & North Western Railway stations.<sup>138</sup> Pickfords' internal correspondence suggests that its directors agreed to the company's terms partly out of concern that if they declined to become its agents the company might have enough influence to limit Pickfords' long distance operations, reducing them to 'mere London Carters'.<sup>139</sup> Records of negotiations over Pickfords' contract suggest that it also served as a non-competition agreement; the contract obliged Pickfords to 'use every occasion to transfer their present Canal and Road business to the London and North Western Railway all goods destined for places on or beyond the line', to 'use their best endeavours to prevent Goods being switched to other routes', and to inform the company if they became aware that another railway or carrier was attempting to undercut them.<sup>140</sup> It had apparently not been clear at the time whether this agreement was meant to be exclusive; Pickfords seems to have initially considered it simply a formal agreement with a new customer, while they maintained their existing customers on canals and other railways, while the London & North

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<sup>135</sup> *A Directory for the City and Borough of Bath* (Bath: Samuel Vivian, 1854), 274; *The Bath Directory* (Bath: John and James Keene, 1826), 18.

<sup>136</sup> W. Whellan & Co., *A New Alphabetical and Classified Directory of Manchester and Salford* (Manchester: Booth and Milthorp, 1853), 637-641.

<sup>137</sup> *The Morning Post*, 24 January 1844, 7.

<sup>138</sup> Turnbull, *Traffic and Transport*, 127. Chaplin & Horne maintained their carrying business until bought out by the London & North Western company in the 1870s.

<sup>139</sup> RAIL 1133/38, The National Archives, London.

<sup>140</sup> RAIL 1133/38, The National Archives, London; RAIL 1133/28, The National Archives, London.

Western company considered it essentially an employment contract which gave the company the right to control Pickfords' business activities. By 1850 the latter was understood by both parties, although both Pickfords and Chaplin & Horne later signed a similar agreement with the Midland Railway Company and several others.<sup>141</sup>

Finally, railway companies simply refused carriers access to their lines. Starting in the mid 1840s, several railway companies that had operated their own carrying services alongside carriers began to announce that they would no longer transport other carriers' goods, and proceeded to take action against carriers using their lines.<sup>142</sup> John Sutcliffe Pixton, Manchester agent for Kenworthy & Co., testified to the Select Committee on Railway and Canal Bills in 1852 that his firm and others had been driven off the railways by companies' 'systematic plan of bad treatment', including increasing existing charges and imposing new ones, failing to maintain the infrastructure, and hiring away key staff members.<sup>143</sup> Although Pixton believed some of the company's tactics were illegal, '[t]he North Western Railway company being such a powerful company, we thought there was only one course for us to adopt, and that was to abandon the trade.'<sup>144</sup>

As a result of both competition from railway company carriers and railway company policies and actions to drive them out of business, most regional carriers stopped service during the 1840s, greatly reducing the size, scope and significance of this sector of the carrying trade. The effect of railway company carrying on local carriers was less obvious. Railways could not connect every population centre, so there continued to be a role for local carriers transporting goods between stations and surrounding areas, and to and from places not served by railways. The number of local carriers did not appreciably decline after a population centre was connected to the railway network; in fact, based on a quantitative analysis of business directories, Alan Everitt suggests that the number of local carriers grew during the second half of the nineteenth century.<sup>145</sup>

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<sup>141</sup> Gourvish, *Mark Huish and the London & North Western Railway*, 130-131; Turnbull, *Traffic and Transport*, 127, 133; RAIL 1133/43, The National Archives, London.

<sup>142</sup> *The Leicester Chronicle: or, Commercial and Agricultural Advertiser*, 12 June 1847; William White, *Directory and Topography of the Borough of Leeds...* (Sheffield: Robert Leader, 1847), 230; Turnbull, *Traffic and Transport*, 129.

<sup>143</sup> *Second Report of the Select Committee on Railway and Canal Bills*, House of Commons Parliamentary Papers Online, 28 February 1853, 35-39.

<sup>144</sup> *Second Report of the Select Committee on Railway and Canal Bills*, House of Commons Parliamentary Papers Online, 28 February 1853, 40.

<sup>145</sup> Everitt, 'Country carriers in the nineteenth century'.

### **The effect of railway company policy on goods carriage**

In this section I identify the effects of the change in railway company goods carriage policy, and the subsequent reorganisation of the carrying trade, in city business directory listings and in occupational information from the census and other demographic records. My analysis of business directories published in four cities between 1816 and 1853 shows a decrease in the number of London and provincial carriers as well as a change from competing independent carriers on regional routes to one or two carriers acting as agents for railway companies. My analysis of demographic information from the 1841 and 1851 census and from sources providing occupational information for earlier periods suggests that the number of people employed in the carrying trade dropped between the 1820s and the 1840s, with a slight increase between 1841 and 1851.

As well as providing useful information for tourists and newcomers, city business directories helped local businesses and individuals obtain the goods and services they required by listing the names and locations of providers of these goods and services. Scholars have used business directories to construct various types of local history, and as evidence for changes in urban geography, types and sizes of businesses, employment patterns, and for the histories of specific trades and businesses. Scholars have also used these directories to study the carrying trade; Neil Raven, Jon Stobart, and Alan Everitt have used listings in business directories to determine the number of carriers serving various destinations.<sup>146</sup> In this section I use business directories in a similar way, to explore how the introduction of rail service affected the number and types of carriers doing business in four urban areas.

I reviewed business directories from Bath, Leeds, Leicester, and Manchester to assess the effect of the development of the national railway network on the carrying trade in these cities. I chose these cities because largely-complete runs of business directories for them are available between about 1830 and about 1855. They represent four different regions of the country (southwest, north, Midlands, and northwest) with different timings, levels and types of rail and other transport service; while this does not guarantee that the patterns I describe in these four cities were repeated elsewhere, their diversity suggests that any patterns common to most or all

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<sup>146</sup> Raven and Stobart, 'Networks and hinterlands'; Everitt, 'Country carriers in the nineteenth century'.



of them are likely to be replicated elsewhere, and any variable that appears to affect change over time (like quality and directness of railway service) would affect other cities in a similar way. While it is not certain that directories identify all relevant businesses, or identify them correctly, it is unlikely that some are appreciably different than others in this respect so using them to understand change over time should not pose significant problems of interpretation or comparison. As I will describe below, directories format information about carriers in different ways, and these formats change over time, so it is not usually possible to compare listings directly. However, directories can be used to get a general sense of how the carrying trade changed, particularly as the distinction between London and regional carriers and local carriers, however they are referred to, seems to be consistent among directories in different places and times.

*Keenes' Bath Directory* for 1829 listed 13 regional carriers by name; these and others not named served 27 routes, including four daily waggons (and two fly boats) to London. The directory also listed seventy local carriers connecting Bath with the surrounding area.<sup>147</sup> The 1833 and 1837 business directories listed carriers by destination rather than by business owner, but the number of local and regional listings in the directories for these years appears not to have changed appreciably since 1829.<sup>148</sup> Listings for carriers in Bath began to change with the introduction of rail service. The Great Western Railway began service between Bath and Bristol in August 1840, and service to London after the completion of the Box Tunnel between Bath and Chippenham in June 1841. Immediately after the line opened between Bath and London, the number of London carriers began to decrease and the nature of London carrying changed. The 1841 Bath business directory listed only nine regional carriers, three carrying to London; one, C. & J. Tanner, advertised that they carried goods to London in one day 'in conjunction with the Great Western Railway'.<sup>149</sup> By 1846 the Great Western Railway Company was listed as a carrier, and the directory mentioned that four other carriers, Bennett, Parker, Pickford and Tanner, 'convey goods by the railway'.<sup>150</sup> By 1850 the city directory listed five regional and London

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<sup>147</sup> *Keenes' Bath Directory* (Bath: John and James Keene, 1829), 19. In this directory carriers were categorised by region, and listed as 'fly waggons', 'waggons', 'caravans', and occasionally 'light carts'. I based my numbers of regional and local carriers on their destinations.

<sup>148</sup> H. Silverthorne, *The Bath Directory* (Bath: A. E. Binns, 1833), 134-135; H. Silverthorne, *The Bath Directory* (Bath: H. Silverthorne, 1837), 238-239.

<sup>149</sup> H. Silverthorne, *The Bath Directory* (Bath: H. Silverthorne, 1841), 244.

<sup>150</sup> H. Silverthorne, *The Bath Directory* (Bath: H. Silverthorne, 1846), 262.

carriers, but included the warning, 'Parcels, Goods, etc. are subjected to delay and overcharges unless booked at the Company's Stations, or by their appointed Agents.'<sup>151</sup> In 1852 the directory listed four of the same five carriers but referred to them as 'carriers by rail', with no warning about bookings. By this time the pattern of carrying by rail through carriers acting as agents for the Great Western Railway Company was established; the company's Bath agent was identified as John Tanner, who had previously appeared in the directory as a road carrier.<sup>152</sup> One major carrier who disappeared from the public record during this period was Edward Mitchell, listed in the Bath business directories of 1829, 1833 and 1837 as offering daily service between London, Bath and Bristol.<sup>153</sup> The Great Western Railway Company opened its line between Bath and London in 1841; in June 1842 Mitchell's property at Saw Close, large enough to stable 60 horses, was up for auction, and Mitchell disappears from subsequent directories.<sup>154</sup> Local carriers seem to have declined in importance once the railway arrived. While 60 were still listed in the 1841 directory, by 1852 they were no longer listed as separate businesses; instead they appeared as a subsidiary service to the railway companies, which had taken on the entire task of organising goods carriage.<sup>155</sup> In summary, with the opening of a rail connection between Bath and London the number of regional carriers in the directory dropped from 13 to five (all carrying on the railway) in 11 years. While the number of local carriers may not have changed during this period, their services came under the management of the Great Western Railway Company.

The business directory listings in Leeds show a similar pattern. The 1826 directory listed 41 regional road carriers based at 12 locations around the city, and 126 local carriers.<sup>156</sup> In the 1834 directory the inland waterway carrier listings covered two pages; the list of regional road carriers remained largely unchanged, and 130 local carriers were listed.<sup>157</sup> Rail service to Leeds began in 1834 with the opening of the Leeds & Selby Railway; by 1840 the North Midland Railway offered services between Leeds and Derby. The section on carrying in the next available Leeds business

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<sup>151</sup> Francis Norton Erith, *Bath Annual Directory* (Bath: Charles Clark, 1850), 180.

<sup>152</sup> *A Directory for the City and Borough of Bath*, 256.

<sup>153</sup> *Keenes' Bath Directory*, 19; Silverthorne, *The Bath Directory* (1833), 134; Silverthorne, *The Bath Directory* (1837), 238.

<sup>154</sup> PP/2169/15, 19-20, Bath Record Office, Bath.

<sup>155</sup> *A Directory for the City and Borough of Bath*, 256.

<sup>156</sup> *General and Commercial Directory of the Borough of Leeds* (Leeds: Edward Baines, 1826), 211-215.

<sup>157</sup> *General and Commercial Directory of the Borough of Leeds* (Leeds: Baines and Newsome, 1834), 343-349.

directory, published in 1842, began with two paragraphs about 'Railway Conveyance', describing services available from the Leeds & Selby and North Midland stations. Thirteen independent carriers, as well as the Leeds & Selby Railway Company, were listed as regional carriers; six of these still offered regional waggon service and three offered fly boat or steamship service. Local carriers, referred to in this directory as 'carriers from the Inns', based in 46 inns in the town, were listed separately. 'Conveyance by water' was still offered by the Aire & Calder Navigation Company and 13 independent carriers.<sup>158</sup> In the 1847 directory the section listing carriers began with the following notice: 'As the Railway Companies intend monopolising the Carrying Business on their respective lines, after Midsummer, 1847, the following brief notice of the Carriers who now serve the Leeds public will suffice.' All but two of the 14 carriers listed below the notice (12 carrying firms and two railway companies) were described as having 'Bays at the Midland Station'. Of the remaining two carriers, one, E. Cockerham & Co., operated waggons, and the other, Joseph Fletcher, sent goods by 'Rails and Schooners'. Inland waterway carriers still operated on the Aire & Calder Navigation and the Leeds & Liverpool Canal, though their listings only took up half a page.<sup>159</sup> In summary, eight years after the introduction of railway service to Leeds the number of regional carriers serving Leeds had dropped from 41 to 13; within 13 years that number had reduced to two, and the number of canal carriers had dropped to one quarter of its previous number.

In contrast to Bath and Leeds, Leicester's business directories suggest that regional carriers continued to operate in the city even after the introduction of rail services. In Leicester's 1815 business directory Pickfords offered daily waggons to London and Manchester as well as daily boats to London and less frequent boat service to other regional destinations. Deacon, Harrison & Co. offered a boat to London three days a week, and three other carriers offered boats to other destinations. The directory also listed about 145 carriers serving 113 local destinations.<sup>160</sup> Although Leicester is said to be the site of the third oldest railway station in the country, opened in 1832 to deliver coal to the city via the Leicester & Swannington Railway, mainline rail service began with the initiation of Midland Counties Railway service to Rugby, Derby and Nottingham in 1840. The next available directory for Leicester, published in 1843, listed ten regional carriers carrying by railway, inland waterway and waggon. The

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<sup>158</sup> William White, *Directory and Topography of the Borough of Leeds...* (Sheffield: Robert Leader, 1842), 190.

<sup>159</sup> White, *Directory and Topography of the Borough of Leeds*, 230.

<sup>160</sup> J. Fowler, *The Leicester Directory* (Leicester: J. Fowler, 1815), 75-80.

number of local carriers listed had increased to about 270, carrying to 175 destinations.<sup>161</sup> By 1853, however, Leicester's listings resembled those of Bath and Leeds - more than four pages of local carriers, inland waterway services from two canal companies and one carrying firm, and two regional carriers offering services by railway - Chaplin & Horne, acting as agents for the Midland Railway Company, and Pickfords offering their own service.<sup>162</sup> In summary, although the decline in carrying service did not occur as quickly after the introduction of rail service in Leicester as it did in Leeds and Bath, within ten years the number of regional carriers had dropped from ten to two, and the number of inland waterway carriers from five to three. Only one of the regional and one of the inland waterway carriers were not connected to a canal or railway company. The delayed response may be due to the type of railway service introduced in Leicester - Bath and Leeds were both directly connected to London, while Leicester was on a branch line connecting it to other provincial cities.

Manchester's 1821 business directory included 106 local and provincial carriers; although only two road carriers serving London appeared in the directory, 31 carriers served London via Manchester's extensive canal network.<sup>163</sup> Manchester was one of the first cities in England to obtain rail service, to Liverpool in 1830, but it was not connected to London, via Birmingham, until 1842. Manchester's 1841 directory listed an additional road carrier to London, carrying 'by railway and canal', and 48 carriers serving London via inland waterways. The 1841 directory no longer listed carrying services by carrier, but rather in four pages of destinations, some of which, by this time, were listed as served 'by railway'. As with the removal of local carriers' names from the Bath directory, this change in listing format suggests that senders of goods could assume that any arrangements required to send something to a given destination would be made by the carrier or railway company rather than negotiated between senders and receivers as I described in chapter 2.<sup>164</sup> The 1853 Manchester directory started with a list of seven railway companies, three of which had local agents, all of whom had been listed in earlier directories as road carriers. A subsequent section listed the railway line or lines carrying to various destinations. In

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<sup>161</sup> T. Cook, *A Guide to Leicester* (Leicester: T. Cook, 1843), no page numbers.

<sup>162</sup> *Melville & Co.'s Directory and Gazetteer of Leicestershire* (Worcester: J. Stanley, 1853), 89-94.

<sup>163</sup> *Pigot & Deans' New Directory of Manchester, Salford &c* (Manchester, R. & W. Dean, 1822), 196-203.

<sup>164</sup> *Pigot & Slater's General and Classified Directory of Manchester and Salford* (Manchester, Pigot and Slater, 1841), 151-156.

this edition the number of inland waterway carriers had also dropped, from 48 to 26.<sup>165</sup> It is likely that, like Leicester, the change in Manchester's carrying services was less immediate than that in Bath and Leeds, not, as for Leicester, because of the city's indirect rail connections but rather because of the lengthier process of establishing rail links. In the 12 years after Manchester and London were connected by rail the number of carriers actually increased by four road carriers and four railway carriers, though the number of inland waterway carriers dropped by nearly half.

Analysis of the change over time in the number of goods transport services in business directories for these four cities suggests that the opening of rail lines affected the carrying trade in two ways. First, the number of regional and London carriers dropped, and in some cases regional and London carriers began to send goods on rail lines as well as canals and roads, or act as railway company agents. This effect seems to have been mitigated by the type of rail service provided to each city; indirect service, as in Leicester, had a less immediate effect, and in Manchester the number of railway carriers actually increased while the number of inland waterway carriers decreased. Second, although it does not appear that the number of local carriers generally decreased significantly, local carrying became subsumed into overall goods carrying; local carriers were no longer listed as independent businesses, but rather as components of a goods carrying network managed by railway companies.

It is also possible to obtain some idea of the change over time in the organisation of the carrying trade by analysing the change in occupational numbers that can be determined from available demographic information. Parliament authorised the first census of Great Britain in 1800; it was taken the following year, and every decade since then. Until the 1841 census, however, the only occupational information collected was to determine whether respondents worked in agriculture, 'Trade, Manufactures or Handicraft', or other, which is not enough to determine the number of people working in the carrying trade.<sup>166</sup> It is possible, however, to get some idea of occupational numbers before 1841 by extrapolating from other available information. After 1812 the law required the father's occupation to be recorded in Anglican baptism registers; Leigh Shaw-Taylor has used this and other more fragmentary evidence to assess the occupational structure of Britain between the medieval period and the

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<sup>165</sup> W. Whellan & Co., *A New Alphabetical and Classified Directory of Manchester and Salford* (Manchester: Booth and Milthorp, 1853), 637-641.

<sup>166</sup> 'Selected Subjects: Occupation and Industry', *A Vision of Britain Through Time*, accessed 14 September 2018, [http://www.visionofbritain.org.uk/census/Cen\\_Guide/4](http://www.visionofbritain.org.uk/census/Cen_Guide/4).

twentieth century. Shaw-Taylor uses this evidence to reconsider the periodisation of the Industrial Revolution by comparing the proportions of men working in the primary (agricultural) and secondary (manufacturing) sectors in the eighteenth and nineteenth centuries. He suggests that transport, the largest component of the tertiary (service) sector, accounted for half of all growth in this sector between 1750 and 1850.<sup>167</sup> In another paper, he notes that 6.2 per cent of men over 20 working in 1817 in England and Wales were working in the transport and communications sector, although a more detailed analysis later in the same paper suggests that the total number involved in the carrying trade, considering that a fraction of those listed as working in 'sea transport' were involved in the domestic carrying trade, may have been closer to 3.5%.<sup>168</sup>

However, it is difficult to relate what Shaw-Taylor includes in the tertiary sector, or the transport component of it, to the number of people working in the carrying trade, as the numbers Shaw-Taylor uses also include men working in international and passenger transport. Of the 155,526 men listed as working in transport in 1817, 58,771, or nearly 40 per cent, were listed as working in sea transport or communication; in addition, of the remaining number some percentage would have been working in the passenger rather than goods transport sector, so perhaps half the remaining number, or about 50,000, could be counted as working in the carrying trade. In addition, the number of men working in the carrying trade may be obscured by the increasingly large number of men working for railway companies, or in work related to railways, during the latter part of the period Shaw-Taylor analyses. In 1848 188,000 men were employed in railway construction alone; by 1851 railway companies were employing 100,000 people in various roles from building and maintaining the infrastructure and rolling stock to serving customers to managing railway operations and performing such ancillary work as legal, financial, advertising, and personnel management.<sup>169</sup>

As I mentioned in chapter 1, many women worked in the carrying trade, with husbands and children as part of a family business or on their own as widows or single women.

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<sup>167</sup> L. Shaw-Taylor and E. A. Wrigley, 'The Occupational Structure of England c.1750-1871, A Preliminary Report', *XIV International Economic History Congress*, Helsinki 2006, Session 32, 28, 38.

<sup>168</sup> P. M. Kitson, L. Shaw-Taylor, E. A. Wrigley, R. S. Davies, G. Newton, and M. Satchell, 'The creation of a "census" of adult male employment for England and Wales for 1817', *CWPESH* 4 (March 2012, December 2013): 35, 40.

<sup>169</sup> Robbins, *The Railway Age*, 68, 70.

Because Shaw-Taylor's information only includes occupational information about men, these women are not included in Shaw-Taylor's figures. Because women also worked in the primary and secondary sectors of the economy, it is difficult to determine how much Shaw-Taylor's percentages would change if women were counted; however, as almost no women worked in the railway sector before 1851, and very few worked in it after that year (I will discuss this issue and its implications in my conclusion), the percentage of people working in the tertiary sector would likely be much lower compared to the primary and secondary sectors if women were included in the occupational figures.

Although the evidence informing Shaw-Taylor's analysis of the occupational structure of Britain cannot tell us about the carrying trade directly, some of the sources he used can provide us with a better understanding of the number of people in the carrying trade. Using Shaw-Taylor's tabulated occupational information from the Anglican baptism registers for five counties, selected to match five of the regions used in the census, my calculations suggest that between 1813 and 1820 about two per cent of the male population worked in the carrying trade.<sup>170</sup> In my count I included men listed as bargeman and boatman but not mariner, sailor, or seaman, as I assumed that the majority of these would have served in the Navy or on seagoing vessels, though some of these should be included in the carrying trade if they worked in coastal or inland waterway shipping. I also did not include 'lighterman' or 'waterman', partly because these occupational titles are ambiguous and partly because the vast majority of these men would have worked on passenger boats. As I mentioned, Shaw-Taylor's counts from Anglican baptism registers do not include women; they also do not include non-Anglican men, or men without children born in the parish. Although these assumptions and exclusions make it impossible to determine the actual number of people employed in the carrying trade, it is unlikely that knowing this information more precisely would significantly affect the percentage of people in the carrying trade compared to other occupations.

I compared Shaw-Taylor's figures with the numbers of men listed in the 1841 and 1851 Census of Great Britain occupational tables to attempt to determine if or how the number of men working in the carrying trade changed between 1813-1820 and

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<sup>170</sup> Leigh Shaw-Taylor, E. A. Wrigley, and P. Kitson, *Male Occupational Data from English Parish Registers (processed summary data), c. 1700-1820* [computer file]. Colchester, Essex: UK Data Archive [distributor], August 2006. SN: 5398, <http://dx.doi.org/10.5255/UKDA-SN-5398-1>.

1851. In order to compare like with like, I have used only the male figures in the census tables. As the number of men working in transportation rose at a higher rate during the period of the census than the number of women, due to a surge of male-only employment on railways, I have attempted to separate out railway workers from those in the carrying trade so this change in gender balance should not substantially affect the numbers I use for the carrying trade.

Extracting evidence from the census tables about the carrying trade in particular requires the same caveats and assumptions as those I used to determine numbers from the baptism registers. The 1841 census lists 'porter, messenger and errand boy' as a single occupation, which I have included in the count of men working in the carrying trade. To offset the additional workers this may have led me to include, I did not include any of the seafaring occupations I mentioned above. In addition, many respondents may have given census takers their primary occupation without mentioning carrying as a secondary occupation. Thus the census figures, like those from the baptism registers, likely underestimate the number of men in the carrying trade.

The censuses divided England and Wales into 11 regions, breaking down occupation figures regionally and, within the regions, into major urban areas. The baptismal records data do not include counties in each of these regions, but I have paired up counties in regions where I have information in both data sets, to compare the percentage of men working in the carrying trade. The table below compares the percentage of men (those listed as fathers in the baptism registers, and those listed as 20 years old or older in the census) engaged in occupations related to the carrying trade from 1813-1821 to 1851.

Table 3: Percentage of men in the carrying trade, 1813-1851



| County         | Percentage from baptism records, 1813-1820 | Percentage from 1841 census | Percentage from 1851 census |
|----------------|--|-----------------------------|-----------------------------|
| Cornwall       | 1.5  | 0.9                         | 1.1                         |
| Durham         | 2.6  | 2.1                         | 1.8                         |
| Lancashire     | 2.3  | 1.6                         | 2.8                         |
| Leicestershire | 1.7  | 1.3                         | 1.5                         |
| Oxfordshire    | 1.7  | 0.6                         | 1.0                         |

Source: '1841 Census of Great Britain, Occupations', *A Vision of Britain Through Time*, accessed 14 September 2018, [http://www.visionofbritain.org.uk/census/table/GB1841OCC\\_M\[1\]](http://www.visionofbritain.org.uk/census/table/GB1841OCC_M[1]); Great Britain, Census Office, *Census of Great Britain, 1851* (London: William Clowes and Sons, 1852), ccxli-ccxlvii. For baptism records see above.

These figures show a slight reduction in the percentage of men working in the carrying trade between 1813-1820 and 1851 (except in Lancashire), resulting from a more significant decline between 1813-1820 and 1841 followed by an increase (except in Durham). The increase in the percentage of men working in goods transport coincides with the phasing out of the carrying trade; however, it is possible that a large increase in the number of men working in the rail sector offset a decrease in the number of carriers. As I described in chapter 1, the carrying trade included a significantly higher proportion of women than the railway sector, and there is no reason to think more women remained in the carrying trade than men; therefore the overall percentage of the population in the carrying trade, as opposed to the percentage of men only, would have decreased far more, and not increased as a result of increased numbers of those employed in the rail sector.

It is also possible to compare the male and female occupational data from the 1841 and 1851 censuses. The 1841 census lists a total of 6,908,157 male and female workers; 59,538 of these, or about 0.9 per cent, had occupations directly involved in the carrying trade, and 2,491 worked on railways (including both passenger and goods transport, construction, and other railway company work).<sup>171</sup> The 1851 census lists a total of 8,602,989 male and female workers; 79,469 of these, or 0.9 per cent, are listed as working in road or inland waterway carrying, and 54,216 as working on railways. This gross comparison suggests no significant change in the percentage of people working in the carrying trade between 1841 and 1851, though the actual number of people increased. The percentage of people involved in goods transport,

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<sup>171</sup> '1841 Census of Great Britain, Occupations', *A Vision of Britain Through Time*, accessed 14 September 2018, [http://www.visionofbritain.org.uk/census/table/GB1841OCC\\_M\[1\]](http://www.visionofbritain.org.uk/census/table/GB1841OCC_M[1]).

about 2%, is about the same as the figure I derived from Shaw-Taylor's data (assuming a similar number of men and women working in the non-railway goods carriage sector who were not recorded in the earlier data), although nearly half of these people were working on railways by 1851. This suggests a reduction in those working in the carrying trade of about half between the 1820s and the 1850s. Although the reorganisation of the sector makes it difficult to tell from business directory listings, the number of carriers listed during this period did decrease, and the larger carrying firms, which employed multiple people, all but disappeared.

As I have mentioned, it is difficult to determine, either from Shaw-Taylor's data or the 1841 and 1851 census, how many women worked in the carrying trade, and what percentage of those working in the carrying trade were women. In the census tables nearly two thirds of women not categorised in nonworking roles (such as student or prisoner) are listed as 'wife' or 'wife of'; it is likely that most of the women so listed were involved in the occupations of their husbands. In addition to the women carriers I mentioned in chapter 1, women were also identified in contemporary records in other parts of the carrying trade, as wharfingers, ship administrators, ship owners, and innkeepers.<sup>172</sup>

My attempt to determine whether the number of people working in the carrying trade changed between 1813 and 1851, using census and other demographic data, is inconclusive, as the information is fragmentary and numbers are not sufficiently disaggregated to allow comparisons without making assumptions. As I could only compare the figures for men from the earlier period, and the number of men in the transport sector increased substantially with the growth of the railway network after about 1825, when the first mainline railways began construction, it is likely despite my assumptions and exclusions that the figures I have provided hide some reduction in the number of people working in the carrying trade between 1813 and 1841. Using the census to compare the number of both male and female workers in the carrying trade I found no decline in the percentage between 1841 and 1851.

In this section I analysed two sources of quantitative evidence - business directory listings and occupational data - to identify changes in the organisational structure and occupational footprint of the carrying trade before and after the development of the national railway network. I used representative samples from different geographic and

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<sup>172</sup> Laurence, *Women in England*, 129, 132.

economic regions for each source to get a sense of both similarities and differences in regional experience. The directories provide clear evidence of organisational change in the carrying trade as urban areas were connected to the railway network; the number of regional carriers appears to have decreased to a greater or lesser degree depending on the quality of the railway connection provided. With respect to occupational data, the majority of regions showed a decrease in the number of men working in the carrying trade between the 1810s and 1841, and a slight increase between 1841 and 1851, though it is possible that the increase might be due to an increase in the number of men working in the railway sector. This interpretation, however, is heavily based on assumptions and is less conclusive.

### **Collective action by railway companies**

As the businesses, large and small, that comprised the carrying trade were incorporated into or taken under the control of railway companies, railway companies themselves began to combine into collective organisations, both directly through amalgamations and indirectly through participation in coordinating bodies such as the Railway Clearing House. These collective structures enabled railway companies to act as a single industry to control the goods transport market, and increased the influence of railway companies in government and in the economy.<sup>173</sup> Amalgamation and collective action reinforced the monopoly goods carrying model, as the companies using this model absorbed companies that used other models and exercised their influence over the entire industry through collective organisations.

The first mainline railway companies were formed to construct and operate lines between city pairs; most of these were relatively short, though some companies, like the London & Birmingham and the Great Western, constructed lines more than 100 miles long. Starting in the mid-1840s, however, railway companies began to amalgamate into larger groupings. In 1844 the North Midland, Midland Counties and Birmingham & Derby Railway Companies joined to become the Midland Railway Company. In 1846 20 companies amalgamated into larger businesses, including the London & York Company and Direct Northern Railway Companies which merged into the Great Northern Railway Company.<sup>174</sup> The Manchester, Sheffield & Lincolnshire

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<sup>173</sup> Philip S. Bagwell, *The Railway Clearing House in the British Economy* (London: George Allen & Unwin, 1968); John Francis, *A History of the English Railway; Its Social Relations and Revelations*, vol. 2 (London: Longman, Brown, Green & Longmans, 1851), 49-59. As I mentioned in footnote 22 in chapter 4, amalgamations are typically covered in railway company histories.

<sup>174</sup> Dyos and Aldcroft, *British Transport*, 139.

Railway Company was formed from several smaller companies in 1847. Railway company amalgamations led to a reduction in the variety of goods carrying business models. For example, the amalgamation of the Grand Junction Railway Company, which operated a monopoly carrying service, and the London & Birmingham Railway Company, which did not carry, led to the latter business model being abandoned when the two lines became part of the London & North Western Railway Company in 1847.

Philip S. Bagwell's 1968 study is the only book about the Railway Clearing House, founded in 1842 to coordinate proportionate payment for journeys that involved more than one company, to facilitate the transfer of passengers and goods, and to 'protect the interests of the respective Companies'.<sup>175</sup> Bagwell is interested in the relationships among the companies and in the Clearing House's role in standardising railway operations and consolidating dozens of private companies into a unified railway network. In addition to these activities, however, my analysis of the minutes of the Railway Clearing House during its formative years, between October 1842 and September 1853, suggests that it also played a role in railway companies' unanimous adoption of the monopoly goods carrying business model during the 1840s.

In 1842 the Railway Clearing House consisted of the London & Birmingham Railway Company, which had set up the organisation, and eight smaller adjacent companies. By 1845 nine more companies, including the Grand Junction, had joined, and companies controlling more than half of Britain's railway mileage were participating in the system, formalised through the Railway Clearing Act of 1850.<sup>176</sup> Companies participating in the Railway Clearing House were required to systematise and synchronise their accounting practices and pricing schedules to allow for easy and equitable transfers of funds. Clearing House staff, whose salaries were paid out of membership dues, managed accounting and funds transfer and performed such tasks as inspecting rolling stock to ensure that it met the standards the participating companies had agreed to.<sup>177</sup> Many of the tasks undertaken by the Clearing House and its participant companies, such as full financial audits, served to forestall government intervention in company affairs, and to keep inter-company disputes out of the legal system.<sup>178</sup> The Railway Clearing House also looked after the companies' collective interests by reviewing new railway bills, to attempt to reduce any potential competition

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<sup>175</sup> RAIL 1080/13, 26 October 1842, The National Archives, London.

<sup>176</sup> Barker and Savage, *An Economic History of Transport in Britain*, 67.

<sup>177</sup> RAIL 1081/99, 22 September 1847, The National Archives, London.

<sup>178</sup> RAIL 1081/99, 14 September 1849, The National Archives, London.

between existing companies and proposed lines.<sup>179</sup> The Railway Clearing House also took steps to discourage competition between companies through undercutting prices or offering additional services; the proposal of an unnamed company to offer road service outside its jurisdiction, for example, was rejected as it might 'stimulate competition' with other lines.<sup>180</sup>

Bagwell writes that at the Railway Clearing House's first goods managers' conference some delegates 'persuaded the members of the conference to agree to the policy of the railway companies becoming exclusive carriers of goods on their own networks, a decision which in most cases substantially reduced the cost of carriage'.<sup>181</sup> The minutes of this and subsequent meetings, however, suggest a more complex story. At the first conference, held in January 1847, the delegates of eight companies agreed to recommend to their boards of directors that 'the said Railway Companies should Carry on their own Account, & in connexion with each other.'<sup>182</sup> In April the group appeared to suggest that any company that did not request 'all their Subordinate Carriers' to give up all property associated with railway carrying would not be allowed to enter into cooperative agreements for arranging through transfer of goods.<sup>183</sup> At a meeting in June of that year, George Hudson, representing the Midland Railway Company, objected to this agreement as he believed his company would make less profit operating its own exclusive carrying service than it would by working with carriers.<sup>184</sup> No further decision or action with respect to Hudson is recorded in the minutes, although the topic of railway company carrying was discussed 'at great length' again on 20 July and the Midland Railway Company did agree to become monopoly carriers.<sup>185</sup> Thus it appears that collective 'peer pressure' of the Railway Clearing House compelled companies to establish their own carrying businesses and to exclude carriers from their lines, even if individual company managers objected that this course of action would reduce profits.

When considering the actions of the Railway Clearing House, Bagwell focuses on the economic interest of the companies involved as perceived by their representatives. He, like the other transport and economic historians whose work I have analysed in

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<sup>179</sup> RAIL 1081/99, 6 January 1852, The National Archives, London.

<sup>180</sup> RAIL 1081/99, 8 June 1853, The National Archives, London.

<sup>181</sup> Bagwell, *The Transport Revolution*, 100.

<sup>182</sup> RAIL 1080/162, 19 January 1847, The National Archives, London.

<sup>183</sup> RAIL 1080/162, 1 April 1847, The National Archives, London.

<sup>184</sup> RAIL 1080/162, June 1847, The National Archives, London.

<sup>185</sup> RAIL 1080/162, 20 July 1847, The National Archives, London.

this study, generally explains the actions of railway companies in terms of rational economic self-interest; my brief analysis here, however, suggests that, although as joint-stock companies their highest priority was short-term revenue, profit, and shareholder dividends, the motivations for their actions were not necessarily the straightforward pursuit of maximising these figures. In this situation, as with some of the arguments in the pamphlets I described in chapter 3, it appears that maximising profits was not the highest priority when some railway companies determined to monopolise carrying on their lines and mandated that all railway companies follow suit. Instead, under some circumstances, such as resolving the carrying question, vertical integration and control of the economic environment were more important than increased profit.

### **Summary and conclusions**

In this chapter I showed how the business of goods transport changed as railway companies began to operate their own exclusive goods carrying services, which led to a significant change in the carrying trade. In the first section I identified the precedents for railway company carrying in 'self-carrying' inland waterway companies, suggesting that their motivations and policies were different enough from the motivations and policies of railway companies that an equivalent of the carrying question did not arise with inland waterway company carrying. In the second section I described the various models for railway goods carrying being used in 1840, and railway companies' perceived need to increase revenue by developing their own goods carrying businesses. In the third section I laid out the terms of the debate among railway company officials and other 'insiders' about how companies should manage the carriage of goods. While it seems as if the preponderance of evidence in this debate suggested that railway companies would be more profitable if they did not get involved in the carrying trade, those supporting exclusive railway company carrying prevailed from the 1840s on. In the fourth section I described how railway companies began to take over the carrying trade by hiring carriers directly, making agreements with carriers, and excluding carriers from their lines. In the fifth section I explored the effects of this change in goods transport using city business directories and occupational data. Business directories showed that national and regional carriers were consolidated and subsumed into railway companies and local carriers were reorganised into a network supplementing national and regional railway goods carriage. The evidence of occupational data, from the 1841 and 1851 censuses and Leigh Shaw-Taylor's work determining earlier occupational figures, was inconclusive,

though it suggests a slight reduction in the number of men involved in the carrying trade. In the final section I suggested that the general change in railway company policy was facilitated by the consolidation of railway management through corporate amalgamations and the Railway Clearing House.

## Chapter 5: Responses to railway company carrying

### Introduction

As I mentioned in chapter 3, in *The Wealth of Nations* Adam Smith suggested that the joint-stock business model could be beneficially employed for undertakings that met two conditions - if they were 'of greater and more general utility than the greater part of common trades' and if they required 'a greater capital than can easily be collected into a private copartnery'. He argued that joint-stock companies providing banking, insurance, canals and navigations, and municipal water supplies could benefit the public.<sup>1</sup> Between 1720 and the early nineteenth century Parliament and the courts generally agreed that joint-stock companies should not participate in the domestic economy; Parliament typically declined to authorise companies that might 'carry on any ordinary trade or calling carried on in this country' or compete with existing traders, and the courts generally upheld lawsuits against joint-stock companies that competed with private enterprise.<sup>2</sup> The joint-stock companies Parliament authorised in the early nineteenth century, including those to construct and maintain rail lines, typically conformed to Smith's determination of their usefulness. If the joint-stock companies Parliament had authorised to construct and maintain transport infrastructure had not moved beyond this role, the carrying question would never have arisen; it was railway companies' incursion into the 'private' sphere of the carrying trade that created a conflict beyond that of competing private businesses on a level playing field.

It does not appear that this framing of the carrying question, that it resulted from companies authorised to perform one set of activities moving into another, more problematic, set of activities, was recognised at the time, nor has it been identified since then by transport historians or historians of industrialisation. As I stated in my introduction, historians generally consider the change from the carrying trade to railway company carrying inevitable and unproblematic. I argue in this chapter, however, that in fact the response to railway company carrying was largely negative, and that, unlike the transition in passenger travel from coaching to railways, the change from the carrying trade to railway company carrying was accomplished only after a conflict that lasted nearly two decades.

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<sup>1</sup> Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations*, vol. 3, 148.

<sup>2</sup> George, *A View of the Existing Law*, 72; Taylor, *Creating Capitalism*, 45-46; *HC Deb* 18 July 1834, 25, 192-4; Hunt, *The Development of the Business Corporation in England*, 58.



In this chapter I describe and analyse the responses of carriers, the business community, the general public and the government to the changes in railway company policy that I identified in chapter 4. None of these groups accepted railway companies' decisions to operate their own goods carrying services and exclude carriers from their lines, and each attempted, ultimately unsuccessfully, to change railway company policies. The carriers, of course, objected to railway companies constraining their ability to do business. Carriers' customers, largely small businesses manufacturing and selling goods, generally preferred to work with the carrying trade, another set of small businesses; while railway company carrying was sometimes less expensive and often faster, railway companies were less responsive to their customers' needs, less willing to adapt their business practices (including extending credit), and reluctant to correct mistakes, resolve conflicts or reimburse customers for late, lost or damaged goods. As I described in chapter 3, the general public expressed reservations about the power of joint-stock companies in general, and preferred competition to monopoly; they thus viewed railway company monopoly carrying with suspicion. The justice system, when appealed to, ruled in favour of the carrying trade, and against railway company policy and practice, and Parliament responded to the concerns of the business community and the general public by appointing Select Committees to consider their grievances and recommend remedial legislation.

This chapter has five sections. First, I use examples from business correspondence to highlight the conflict between the business models of the carrying trade and of the railway companies. I analyse the language and negotiation strategies of each party to show that carriers' attempts to engage railway companies using a relational business model did not influence the actions of railway companies. Second, using contemporary legal records, as well as the work of R. W. Kostal, I review carriers' attempts to take railway companies to court to secure their right to use rail lines and to operate according to the traditional practice of the carrying trade. Third, I identify evidence of the resistance of businesses and the general public to railway company goods carriage policies, in pamphlets and other media, petitions and memorials, and evidence of boycotts and alternative carrying arrangements. Fourth, I describe and analyse Parliament's response to the carrying question using Select Committee reports and records of testimony. Finally, I consider why all of these responses proved ineffective in changing railway company carrying policy.

### **Communicating with joint-stock companies**

As I described in chapters 2 and 3, in the early nineteenth century conflict began to develop between two business models - the relational or sociable model of partnerships and sole proprietors, based on credit and personal connections, which both carriers and railway companies' customers typically used, and the transactional and contractual model of joint-stock companies, based on achieving short-term and narrowly defined business interests, which railway companies typically used. The difference in communication style and business practice between these models can be seen in two examples of correspondence between Joseph Baxendale, general manager of Pickfords, and officials representing railway companies. The first, a letter from Baxendale to George Hudson, chairman of the York & North Midland Railway Company, written in 1845, concerns a member of Pickfords' staff, and the second, a series of letters written in 1842 and 1843, concerns the terms of Pickfords' access to the Grand Junction Railway after a lawsuit between the firms was settled in favour of Pickfords.

Aside from some agreements between railway companies and carriers acting as their agents, dating from the 1850s, I have found no other examples of direct communication between railway companies and carriers. The letter from Baxendale to Hudson was preserved in the National Archives in a folder of miscellaneous correspondence relating to Pickfords, and the correspondence between Baxendale and Grand Junction Railway Company officials was preserved as evidence for the injunction Baxendale attempted to raise against the Grand Junction after the correspondence failed to result in an agreement. Thus direct evidence for how railway companies interacted with carriers is limited, though the indirect evidence in the records of Parliamentary hearings held between 1839 and 1852, and the writings of carriers Richard Parker and John Crouch, which I will discuss below, suggest that the transactional and adversarial style of interaction the Grand Junction company officials used with Baxendale was not unusual (no reply has been preserved to Baxendale's letter to Hudson, so only Baxendale's style of communicating is visible in this example).

Joseph Baxendale, born in Lancaster in 1785, began his career in the London cotton trade, but retired from the business in 1816 and purchased a one-sixth share in Pickfords the following year, along with Zachary Langton and Charles Inman.<sup>3</sup>

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<sup>3</sup>Turnbull, *Traffic and Transport*, 40.

Turnbull suggests that Baxendale married into a personal connection with the Pickfords partners, although the *Oxford Dictionary of National Biography* states only that Baxendale borrowed the money to purchase his share from his wife's family.<sup>4</sup> Turnbull points out that the three new partners were related to each other, and that their personal connections to the manufacturing, trade and financial community of Lancashire facilitated bringing capital into the ailing business; '[k]inship...provided entry and acceptability...the opportunity of seeking financial backing and the guarantee that it would not be abused.'<sup>5</sup> After joining the firm, Baxendale started his career as a carrier working with Thomas Pickford at the company's headquarters in Manchester.<sup>6</sup> By the early 1820s, due to their continuing supply of capital, the three new partners had obtained sole control of the business, and Baxendale had moved to London to act as general manager of the entire firm.<sup>7</sup> Baxendale's tenure saw a growth in the business, from 80 offices in 1830 to 144 in 1838, serving not only their original route between London and Manchester but also destinations as remote from their original route as Bristol.<sup>8</sup>

Baxendale also served on the boards of two railway companies. In 1837 he became a director of the South Eastern Railway Company, acting as chairman from 1841 to 1845.<sup>9</sup> He also became an 'advisor on goods traffic' to the London & Birmingham company in 1839, serving, according to Turnbull, 'a few months also as superintendent of the outdoor department'.<sup>10</sup> It would have been during this period, while Pickfords was carrying on the line, that the company wrote to other carriers that had requested access to the line that the company could not accommodate them; these letters 'rather tactlessly carried Baxendale's signature as the railway official responsible'. I will describe the ramifications of Baxendale's dual role as carrier and railway manager during this period later in this chapter.<sup>11</sup>

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<sup>4</sup> Turnbull, *Traffic and Transport*, 42, 48-50; T. D. Baxendale, 'Baxendale, Joseph (1785–1872), transport entrepreneur', *Oxford Dictionary of National Biography*, accessed 4 October 2018, <http://www.oxforddnb.com.libproxy.york.ac.uk/view/10.1093/ref:odnb/9780198614128.001.0001/odnb-9780198614128-e-37164>.

<sup>5</sup> Turnbull, *Traffic and Transport*, 40.

<sup>6</sup> Turnbull, *Traffic and Transport*, 43.

<sup>7</sup> Turnbull, *Traffic and Transport*, 44-45.

<sup>8</sup> Turnbull, *Traffic and Transport*, 48.

<sup>9</sup> Turnbull, *Traffic and Transport*, 52; Baxendale, 'Baxendale, Joseph (1785–1872), transport entrepreneur'.

<sup>10</sup> Turnbull, *Traffic and Transport*, 52.

<sup>11</sup> Turnbull, *Traffic and Transport*, 113; *Minutes of Evidence Taken before the Committee on the London and Birmingham Railway Bill*, House of Commons Parliamentary Papers Online, 2 May 1839, 70.

In 1845 Baxendale wrote to George Hudson, then chairman of the York & North Midland Railway Company, to complain that the company's Manchester agent had hired a Pickfords employee. Without accusing Hudson or his agent of wrongdoing, or requesting that Hudson let the 'poached' employee go or cease the practice of hiring his staff, Baxendale addressed Hudson indirectly in the common language of business morality: '[y]ou would scorn the idea of taking Servants by means of bribery from others...[you] will not desire to do an injustice that you may lighten your labours. You know that individuals...were unable to give Incomes such as a Railway Company having an object to attain will do.'<sup>12</sup> Baxendale structured this sentence in such a way as to imply that he believed that Hudson was unaware that he had transgressed business norms and would be disturbed to find out that he had done so. Baxendale then described his own business practices, possibly as a positive example for Hudson:

For Thirty years I have laboured incessantly to build up a Concern which possesses more old Servants than anyone in England...better feeling cannot exist between Master & Men than in that Concern - Temptations may be held out to some against which they are not proof - others...cannot be bribed.<sup>13</sup>

It is difficult to determine exactly what Baxendale intended to accomplish with this letter, particularly in the absence of any preserved reply from Hudson, if there ever was one, but it is clear that Baxendale was drawing on what he perceived to be norms of business behaviour to encourage Hudson to reflect on what Baxendale considered his unethical action, and possibly shame him into conformity with established business practice. Pickfords had lost several senior staff members to various railway companies over the previous decade and would continue to do so. In one case in 1849 Baxendale contacted the Brighton Railway Company to inform them that the Pickfords staff member that they had hired had been discharged for dishonesty, demonstrating his concern for both Pickfords' and the Brighton Railway Company's reputations.<sup>14</sup>

Joseph Baxendale corresponded with several officials of the Grand Junction Railway Company between the summer of 1842, shortly after Pickfords won its second lawsuit against the company for discriminatory pricing and restrictions on combined parcels, a lawsuit which I will describe in more detail later in this chapter, and June 1843, when

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<sup>12</sup> RAIL 1133/149, 8 November 1845, The National Archives, London.

<sup>13</sup> RAIL 1133/149, 8 November 1845, The National Archives, London.

<sup>14</sup> Gerald L. Turnbull, 'A note on the supply of staff for the early railways', *Transport History* 1 (1968): 3-9.

Baxendale requested an injunction to force the company to resume transporting Pickfords' goods. This transcribed correspondence was preserved as evidence for the request for the injunction.<sup>15</sup> Turnbull's history of Pickfords does not mention this correspondence. In his book *Law and English Railway Capitalism* R. W. Kostal mentions that Baxendale had attempted to negotiate an agreement with the Grand Junction company after the 1841 lawsuit and briefly summarises the correspondence between them between the legal decisions of 1842 and 1843, but does not identify its significance as an example of the business practices employed by partnerships and joint-stock companies. Although he does not consider these interactions in detail, Kostal identifies the role each side of the carrying question took: '[Mark] Huish [secretary of the Grand Junction company] embodied the aspirations and logic of large-scale joint-stock capitalism. Baxendale, by contrast, deliberately cast himself as the champion of free and competitive commerce - as the legatee of the proud and liberal tradition of English trade.'<sup>16</sup> Kostal's analysis here is correct; in addition, however, in the correspondence I review below Huish employs both the transactional interaction style of a joint-stock company (or, as I will discuss below, a military officer) and the focus on short-term advantage of the joint-stock business model, while Baxendale employs the polite and conciliatory interaction style of a participant in the 'sociable economy', and focuses on achieving an agreement that benefits both parties and facilitates a long-term relationship between them.

Pickfords had first taken the Grand Junction company to court in November 1840 when it began to impose restrictions specifically on Pickfords, requiring them to pay for carriage in advance and refusing to accept packed or consolidated parcels, boxes containing goods to be delivered to more than one destination. As I mentioned in chapter 2, packing several persons' goods into one container was customary in the carrying trade, and the reporting of at least one court case suggested that sending packed parcels by railway was considered standard practice.<sup>17</sup> In 1844, members of the Select Committee on Railways pointed out to Charles Alexander Saunders, secretary of the Great Western Railway Company, during his testimony that his labelling of packed parcels as 'fraud' against the company was entirely the company's determination, as no custom or common law forbade it and in fact, as Joseph Baxendale had pointed out, it had 'invariably been the case since time immemorial,

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<sup>15</sup> C14/134/P56, The National Archives, London.

<sup>16</sup> Kostal, *Law and English Railway Capitalism*, 190-195.

<sup>17</sup> *The Standard*, 4 June 1845, 8.

that parties have packed as many parcels as they could into one parcel...to reduce the price of the carriage.<sup>18</sup> The judge in *Pickfords v. the Grand Junction Railway Company* saw nothing objectionable about packed parcels, and the lawsuit was decided in May 1841 in favour of Pickfords, based on the fact that the Grand Junction company, acting as a carrier itself and thus subject to carrier common law requiring equal treatment of all customers, could not impose restrictions on one specific customer. Seeing no alteration in the Grand Junction's practices after the verdict, however, in July 1841 Pickfords brought another suit against the company, this time accusing it of attempting to monopolise the carriage of goods, and again won. The Grand Junction company appealed this second verdict to the Court of Exchequer, which decided conclusively in favour of Pickfords in July 1842.<sup>19</sup>

Pickfords was not the only carrier to take a railway company to court; in the next section I will describe this case in more detail, as well as the legal action carriers Richard Parker and John Crouch took in similar circumstances. Pickfords, however, was in a unique situation. Geography suggests that England would develop three major carrying routes between London and provincial centres - along the south coast to Exeter, along the east coast to Newcastle, and 'cross country' to Manchester. Russells Flying Waggon, which served the south coast, was a large and well-resourced firm, but had by the early nineteenth century become engaged in lawsuits among the partners, as described by Gerhold; in addition, this route competed with coastal shipping.<sup>20</sup> No research suggests an equivalent road carriage route along the east coast; it is likely no major road carrier ever served this route as the Newcastle colliers profitably, efficiently, and cheaply transported goods in this corridor. Pickfords, the Manchester carrier, was the largest carrying firm in the country, operating on its most lucrative road carrying route, and was thus the carrier in the strongest position to engage with railway companies on equal terms.

Shortly after the announcement of the appeal verdict in favour of Pickfords, on 21 July 1842, Baxendale contacted Charles Lawrence, the deputy chairman of the Grand Junction company's board of directors. His first letter incorporated the common forms of business politeness, hoping that 'good feeling may prevail' and expressing caution about bringing up the subject of Pickfords transporting its goods on the Grand

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<sup>18</sup> *Fifth Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 24 May 1844, 257.

<sup>19</sup> Kostal, *Law and English Railway Capitalism*, 191-194.

<sup>20</sup> Gerhold, *Road Transport before the Railways*, 92-94, 122-123, 266.

Junction Railway under the conditions agreed in the court's decision 'lest it might be misconstrued'.<sup>21</sup> Lawrence did not reply to Baxendale's letter for nearly a month; his reply on 19 August simply requested Baxendale to attend him and John Moss, the chairman of the company, in Liverpool. Baxendale replied a few days later stating that he was unable to meet them in person but restated his desire to know the terms on which Pickfords could send goods via the Grand Junction Railway. He added that '[i]t was very agreeable to me to find that the Liverpool and Manchester Railway had after so many years of close system opened her line to Carriers and I have no doubt they will reap the benefit.'<sup>22</sup>

A week later Moss replied to Baxendale stating that the company wished to see how the business of the Manchester & Birmingham Railway Company, which did not itself act as a carrier, fared:

A short time will now solve the long disputed and very difficult question whether a line of Railroad where carriers alone can conduct the business or one where the Company are carriers is most profitable...if the Carriers aid the Manchester and Birmingham and give them the legitimate traffic which fairly belongs to them it will afford a strong argument in favor of the line you had always taken. If on the contrary the Carriers only use it for goods requiring speed then I should say it was decisive in favor of Railway Companys being carriers because by that means and that alone can they compete with canals and other Railroads. I am sure no Railroad Company could wish to be Carriers if they could get the public equally well served and their line supported by a full share of legitimate traffic.<sup>23</sup>

In this letter Moss made an argument that appears in several communications from railway companies, in letters and in print, as well as in the testimony of railway company officials in Select Committee hearings - that they were entitled to a particular type and amount of 'legitimate' traffic.<sup>24</sup> The implication is that the government had granted the company a right to income from whatever traffic the writer considered 'legitimate', and should not have to face competition, from carriers on their line or from other transport modes, for that traffic. Moss also seemed to suggest that he believed he had the right to control what kinds of goods his customers used the railway to carry, and for what purposes.

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<sup>21</sup> Letter from Joseph Baxendale to Charles Lawrence, 21 July 1842, C14/134/P56, The National Archives, London.

<sup>22</sup> Letter from Joseph Baxendale to Charles Lawrence, 22 August 1842, C14/134/P56, The National Archives, London.

<sup>23</sup> Letter from John Moss to Joseph Baxendale, 27 August 1842, C14/134/P56, The National Archives, London.

<sup>24</sup> *Fifth Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 10 July 1840, 440.

Baxendale replied to Moss a week or so later, again asking for a written agreement from the Grand Junction company, and Moss responded by asking Baxendale to state his requirements. Baxendale replied that ideally he would like the same arrangements with the Grand Junction company that he had with the London & Birmingham, and added,

when the Judgment of the court was given in favor of Pickford and Company I have been in correspondence asking the intentions of the GJ C on the part of Pickford and Company I would not so allow any movement lest it might be considered hostile you cannot therefor be surprised at my requesting the favor of some definite reply.<sup>25</sup>

Baxendale was pointing out to Moss that he had been supporting the company's position to his own staff and customers, and that he understood that the situation was a delicate one, though he believed he was justified in asking Moss either to propose or agree to an arrangement. Baxendale appeared to consider that given that the company's actions had been deemed illegal the first move should be the Grand Junction's; his hesitant and diffident tone in these initial letters suggested his embarrassment at having to bring up the matter first, as well as, possibly, a belief that this approach was the most likely to engage Moss's sympathies and motivate him to action.

A week later Moss informed Baxendale that the matter had been referred to Mark Huish, the company secretary. Baxendale wrote again to Moss a week later with a revised proposal - that the company should charge carriers the same costs for locomotives, waggon, and tolls as their internal cost to themselves as carriers; this arrangement would place carriers and the company on an equal footing, and allow them to compete fairly.<sup>26</sup> A month later, on 18 November, apparently having received no reply from Moss, Baxendale wrote directly to Huish, offering yet a third proposal - that Pickfords pay the company's highest tonnage rate for packed parcels. He also requested information on the refund of excess carrying charges that the court had ordered the Grand Junction company to pay to Pickfords.<sup>27</sup>

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<sup>25</sup> Letter from Joseph Baxendale to John Moss, 10 September 1842, C14/134/P56, The National Archives, London.

<sup>26</sup> Letter from Joseph Baxendale to John Moss, 27 September 1842, C14/134/P56, The National Archives, London.

<sup>27</sup> Letter from Joseph Baxendale to John Moss, 18 November 1842, C14/134/P56, The National Archives, London.



After several short and noncommittal replies from his correspondents, Baxendale finally received an angry response from John Moss on 22 November, stating that he'd seen Baxendale's letter to Huish and:

I confess myself mortified that you have decided on what appears a continuance of hostilities...you cannot...seriously suppose that we can comply with your demand to abandon that traffic which is a large and legitimate source of Revenue I do not wish the Grand Junction Co. to enter upon further litigation if it can be avoided...I therefore take upon myself to postpone a reply until I have ascertained from you whether you really intend to insist upon having packed small parcels carried for you at the ordinary tonnage Rates I hope you do not The Grand Junction Co. are advised that you have not the right I am willing nay anxious to arrange all matters with you in a friendly spirit...and shall be glad to do so unless you have decided that it is better to continue the litigation.<sup>28</sup>

Although in this excerpt Moss suggested that he was attempting to interact with Baxendale in a 'friendly spirit', and used personal emotional language such as 'mortified', his framing of the issues shows evidence of a more transactional point of view. He referred exclusively to the company's own internal norms and requirements, describing a form of traffic that the court had just ruled the company was not entitled to as a 'large and legitimate source of revenue'. Despite Baxendale's clear attempts to negotiate some kind of agreement based on the verdict, Moss referred to Baxendale's position as a personal 'demand', and his request to engage in negotiations as 'hostilities'; he framed Baxendale's position and arguments as resulting from personal animus, rather than the principled position of another firm attempting to do business with his company. Although in this excerpt his own personality and agency were evident, he did use some bureaucratic language (the company 'are advised') to conceal his agency and distance himself from the conflict.

Baxendale replied to Moss two days later, pointing out that the question of Pickfords' entitlement to send its goods on the Grand Junction's line had already been decided in a court of law in Pickfords' favour, and again requesting that the company propose or accept an agreement between the firms.<sup>29</sup> Moss replied two days later, addressing what he seemed to perceive were two points of contention; first, that the law also required Pickfords as well as other railway companies to carry packed parcels (in a reply the following day Baxendale agreed that it did), and second, that the Grand

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<sup>28</sup> Letter from John Moss to Joseph Baxendale, 22 November 1842, C14/134/P56, The National Archives, London.

<sup>29</sup> Letter from Joseph Baxendale to John Moss, 24 November 1842, C14/134/P56, The National Archives, London.

Junction had no interest in taking on Pickfords as agents (Baxendale had not proposed this). He also told Baxendale that, in contradiction to the suggestion he'd made in a previous letter, 'I do not think any apprehension or even the certainty of injury to the parcel traffic would cause [the board] to alter their system of being Carriers on their own line that point is permanently settled'.<sup>30</sup>

Baxendale wrote to Huish on 30 November, trying again to obtain an agreement, and Moss responded on 3 December, again stating that the Grand Junction had no interest in employing Pickfords as agents. Moss continued to interpret Pickfords' request to carry their own goods on the line as an offer of service to the railway company; 'there is too much competition with railroad and canals between Liverpool and Birmingham to allow us out of our Rates to pay a carrier'.<sup>31</sup> On 6 December Baxendale wrote to Moss with what seems to have been an attempt to reassure Moss that Pickfords did not intend to compete with the Grand Junction company for the lucrative trade in small parcels:

Pickford and company have not sought to become Carriers of small parcels If the Grand Junction pursues a course similar to the London and Birmingham they will find Pickford and Company are satisfied to leave the question as it now stands without prejudice to their rights.<sup>32</sup>

This letter received a noncommittal response from Moss on 9 December.<sup>33</sup>

This was Moss's last letter to Baxendale; at this point the company seems to have decided to ignore Baxendale's requests. Baxendale wrote again to Huish on 14 December reminding him of his previous unanswered correspondence and again asking for progress on the agreement, and Huish replied that he was awaiting instructions from the board.<sup>34</sup> Baxendale wrote to Huish again on 16 and 22 December with detailed evidence demonstrating that despite the ruling against them the Grand Junction company was continuing to charge Pickfords more than they charged Southan & Son, another carrier, for the same services on the same routes, and

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<sup>30</sup> Letters from John Moss to Joseph Baxendale, 26 November and 3 December 1842, C14/134/P56, The National Archives, London.

<sup>31</sup> Letter from John Moss to Joseph Baxendale, 3 December 1842, C14/134/P56, The National Archives, London.

<sup>32</sup> Letter from Joseph Baxendale to John Moss, 6 December 1842, C14/134/P56, The National Archives, London.

<sup>33</sup> Letter from John Moss to Joseph Baxendale, 9 December 1842, C14/134/P56, The National Archives, London.

<sup>34</sup> Letter from Joseph Baxendale to Mark Huish, 14 December 1842; letter from Mark Huish to Joseph Baxendale, 16 December 1842, C14/134/P56, The National Archives, London.

reminding him that this was illegal.<sup>35</sup> Huish replied on the 29th that 'the board do not recognise your right to put the questions to them', and on 7 January 1843 that despite the ruling against them they had no intention of changing their policies as that would 'give you an advantage over the public'.<sup>36</sup>

At this point Baxendale had written at least two letters to Lawrence, five to Moss, and five to Huish, and had proposed at least three different agreements between Pickfords and the Grand Junction company, but none of his correspondents had either accepted one of these proposals or suggested one of his own. After unsuccessfully attempting to establish relationships with Moss and Huish, Baxendale now appeared to have gone back to attempting to correspond with Charles Lawrence, including what could be perceived as a threat to escalate the situation. His 20 January 1843 letter to Lawrence proposed again that Pickfords and the Grand Junction company enter into the same agreement as Pickfords had with the Manchester & Birmingham and Liverpool & Manchester companies, mentioning that he had 'directed Pickford and Co to take no hostile measures until I had communicated with you'.<sup>37</sup> Lawrence sent a short noncommittal reply on the 24th, and another letter on the 28th which appeared to have registered the potential escalation, but either deliberately or unintentionally misunderstood Baxendale's concerns; he wrote that '[i]f our people are acting illegally in any thing and you will let me know in what respect I pledge myself that the Board will at once set it right'.<sup>38</sup>

On 6 February Baxendale wrote to Huish, stating that Pickfords intended to begin sending packed parcels on the Grand Junction line starting 10 February. He offered to pay a 10 per cent surcharge on the usual rate, as a gesture of good will, in compensation for the additional liability the Grand Junction company had claimed to be incurring. On the 10th Huish wrote back stating that the company would charge Pickfords 80s per ton to carry goods between Birmingham and Liverpool, more than three times the standard rate. Baxendale wrote to Huish again on the 28th, stating that he expected Pickfords to be charged the same rate as Chaplin & Horne, another

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<sup>35</sup> Letters from Joseph Baxendale to Mark Huish, 16 and 22 December 1842, C14/134/P56, The National Archives, London.

<sup>36</sup> Letters from Mark Huish to Joseph Baxendale, 29 December 1842 and 7 January 1843, C14/134/P56, The National Archives, London.

<sup>37</sup> Letter from Joseph Baxendale to Charles Lawrence, 20 January 1843, C14/134/P56, The National Archives, London.

<sup>38</sup> Letters from Charles Lawrence to Joseph Baxendale, 24 January and 28 January 1843, C14/134/P56, The National Archives, London.

carrier, for the same services.<sup>39</sup> Huish replied a week later stating that Chaplin & Horne were not actually acting as carriers:

you cannot but know perfectly well that they are not the carriers...but simply and solely our agents...we and not they being the carrier...your offer therefore to do for us what they do is merely an offer to become our London Agents instead of them an offer which we should not have felt called upon to notice at all.<sup>40</sup>

Baxendale tried one more time, on 22 March, to get Huish to agree to mutually beneficial terms. Huish wrote back on the 29th asking Pickfords once again to propose terms, and Baxendale replied a week later asking again for a similar agreement to the one they had with the London & Birmingham company, listing proposed rates for various categories of goods. On 15 April Huish wrote that he had been instructed to communicate 'that we do not feel called upon in future either to admit or deny statements of facts similar to those alluded to in your letter'.<sup>41</sup> These quotations ('the board do not recognise', 'we do not feel called upon...to admit or deny') showed Huish using bureaucratic language to distance himself from interaction with Baxendale and obscure his own agency in failing to negotiate with him. Huish's ostensible deference to the board's decisions and use of the exclusive rather than inclusive 'we' indicated his focus solely on internal norms and requirements, and his lack of interest in his correspondent's objectives.

The report of the 1842 appeal stated that '[t]he [initial] judgment was in favour of the plaintiff [Pickfords], but the defendants continuing the same kind of imposition in defiance of that judgment, a bill was filed for an injunction.' Ironically, the length of time occupied in the correspondence I have described, in which Baxendale seemed to have been acting in good faith to come to an agreement with the Grand Junction company, was used as evidence, when Baxendale finally applied for an injunction in 1843, that the damage to his business could not have been serious enough to merit legal intervention if he had waited so long to apply for it.<sup>42</sup>

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<sup>39</sup> 'William Chaplin', *Oxford Dictionary of National Biography*, accessed 14 September 2018, <http://www.oxforddnb.com.ezproxy.york.ac.uk/view/article/47556>.

<sup>40</sup> Letter from Mark Huish to Joseph Baxendale, 8 March 1843, C14/134/P56, The National Archives, London.

<sup>41</sup> Letter from Mark Huish to Joseph Baxendale, 15 April 1843, C14/134/P56, The National Archives, London.

<sup>42</sup> *Pickford v. The Grand Junction Railway Company*, 1843, C14/134/P56, The National Archives, London.

Because 'although the unlawfulness of the practices and proceedings of the Grand Junction Railway Company had been established by the said action, and judgment recovered, the Company still persisted therein and in other unlawful practices', the case was heard again before the Lord Chancellor in 1844.<sup>43</sup> Joseph Baxendale was asked about the case and its aftermath in the Select Committee hearings that year:

Upon that point the law has been declared against the company. - Yes.  
Has the company altered its practice in consequence? - No.  
Do you mean, that the practice of the Grand Junction Company at the present moment is in contravention of the principles laid down in the judgment of the Court of Exchequer? - I do.<sup>44</sup>

Although Mark Huish directly denied these charges in his testimony to the Select Committee, Baxendale told the Committee that the Grand Junction company had not only not stopped interfering with the business of carriers sending packed parcels, 'they themselves send their parcels over the London and Birmingham under the plea that the judgment of the Court of Exchequer allows them so to do.'<sup>45</sup>

I have analysed this correspondence in detail because it illustrates the difference in interaction style, expectations and norms between Joseph Baxendale, acting on behalf of Pickfords, and Charles Lawrence, Joseph Moss and Mark Huish, acting on behalf of the Grand Junction Railway Company. In this correspondence Baxendale attempted to negotiate directly with his three correspondents; he seemed not to appreciate that he was in conversation with a corporate entity, that the people he was corresponding with were communicating with each other, or that they were answerable to others. He offered concrete proposals, backed up with figures, comparisons and precedents, and suggested alternatives when these were ignored.<sup>46</sup> He seemed focused on developing a mutually beneficial personal agreement between himself and his correspondent. Baxendale's approach appeared both reasonable and even-handed; he both asked for and offered concessions, including some that were over and above what would have been justified by the verdict in Pickfords' favour (for example, the offer to pay a surcharge on the standard rate and the reassurance that Pickfords would not compete for the small parcels trade), and not only accepted the court's verdict but acknowledged that the ruling applied to his own business as well.

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<sup>43</sup> John Monson Carrow and Lionel Oliver, *Cases Relating to Railways and Canals*, vol. 3 (London: A. Maxwell & Son, 1846), 546.

<sup>44</sup> *Fifth Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 24 May 1844, 256.

<sup>45</sup> *Fifth Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 24 May 1844, 256, 537-538.

<sup>46</sup> Carrow and Oliver, *Cases Relating to Railways and Canals*, 548.

Lawrence, Moss and Huish took a different approach. Although each occasionally superficially used the polite language of traditional business communication, the intent behind their letters, and the decisions they made when corresponding with Baxendale, revealed that they were uninterested in conforming to the 'sociable' rules of negotiation that Baxendale seemed to expect. Rather than engaging with Baxendale directly, renegotiating or offering counterproposals, they repeated the company's policies with no flexibility or acknowledgement of Baxendale's arguments. They appeared to misunderstand Baxendale's position and intent, framing Baxendale's attempts at negotiation as a desire to act as 'agents' for the Grand Junction rather than recognising Baxendale as the representative of another business that it was appropriate to negotiate with on equal terms. They alternated among respondents, referring Baxendale to each other, allowing each to claim ignorance of what the others had written, to justify delays in committing to an agreement or proposing an alternative, and occasionally playing 'good cop and bad cop' (for example, Lawrence's conciliatory tone, when offering to 'set things right', compared with Moss's accusations and Huish's bureaucratically neutral statements). They employed bureaucratic language, such as 'we do not feel called upon...to admit or deny' and 'the board do not recognise your right to put the questions to them', to justify ignoring Baxendale's proposals. In their correspondence they referred only to their own internal norms and promoted only their own interests. Despite some vague language about 'serving the public', neither the interests of their correspondent or other customers, the constraints of the verdict against them, nor any wider view of the business world appeared relevant to their decision-making process except insofar as it might promote their interest, as when Moss insisted that the court's ruling also applied to Pickfords.

Their attitude toward the courts' rulings also shows the dichotomy between their business models. Baxendale appeared to consider the courts' rulings an extension of the informal dispute resolution methods that I described in chapter 2. As I mentioned, in the 'sociable' business model parties in conflict often asked a third party, whom both trusted, to mediate; should this not prove possible, or the result not prove satisfactory, the legal system played the same role in a more formal way. Both parties tacitly agreed, for the sake of avoiding disharmony and protecting their reputations and relationships, to abide by the decision of this third party, whether a colleague approved by both parties or a judge in court. Moss, Huish and Lawrence, however,

acknowledged no such constraints; in their business model, gaining advantage for the company was more important than protecting their reputations or relationships by conforming to social norms. It is worth mentioning, however, that while railway company officials may not have been explicitly concerned with protecting their own personal reputations or establishing relationships with other business owners, they did acknowledge the importance of character and reputation in hiring and managing staff.<sup>47</sup> In other words, it is unlikely that the representatives interacting with Baxendale were ignorant of the nature and value of these social norms; they chose not to acknowledge them when it was not to their advantage to do so.

A partial explanation for this contrast in language and negotiation style may be found in the backgrounds of the correspondents. As I mentioned above, while some railway company directors and managers had backgrounds in business, and in fact the Grand Junction company's goods manager, Braithwaite Poole, had been a carrier, the representatives of the Grand Junction Railway Company corresponding with Baxendale had professional backgrounds dissimilar to that of the owners of most small businesses. John Moss came from a merchant and ship owning family; he was a banker, investor in slave plantations in the West Indies, and director of the Liverpool & Manchester Railway Company as well as the company's banker.<sup>48</sup> Charles Lawrence had served as mayor of Liverpool and had also been involved in the Liverpool & Manchester company; he also appears to have been connected to West Indies slave plantations, and is listed as a 'merchant' in family records.<sup>49</sup>

These two men were directors and proprietors of the company; Huish, the third person corresponding with Baxendale, was a salaried manager. As the first railway companies were a new kind of business, their directors could not hire managers with previous similar experience, so they often recruited from the ranks of the armed forces, it being thought that officers, particularly naval ones, would excel in 'the arts of controlling and disciplining large bodies of staff', and could control costs better than

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<sup>47</sup> Mike Richardson and Peter Nicholls, *A Business and Labour History of Britain* (Basingstoke: Palgrave Macmillan, 2011), 16-17; Philip Sidney Bagwell, *The Railwaymen* (London: Allen & Unwin, 1982), 21; Peter Kingsford, *Victorian Railwaymen* (London, Cass: 1970), 6.

<sup>48</sup> 'John Moss', *Oxford Dictionary of National Biography*, accessed 14 September 2018, <https://doi-org.libproxy.york.ac.uk/10.1093/ref:odnb/107414>.

<sup>49</sup> 'Charles Lawrence', 'Legacies of British Slave-ownership', accessed 9 January 2017, <http://www.depts-live.ucl.ac.uk/lbs/person/view/16128>; 'Grace's Guide to British Industrial History', accessed 21 April 2015, [http://www.gracesguide.co.uk/Charles\\_Lawrence](http://www.gracesguide.co.uk/Charles_Lawrence).

the engineers who had constructed the lines.<sup>50</sup> Although Huish's father was a hosier and minor official in Nottinghamshire, Huish spent the first 14 years of his working life, before he obtained his first railway management position, as an officer in the East India Company army. Huish often seems to have viewed his work in military terms, using such language as '[the London & North Western is] in a position of vantage to contend with their natural opponents, the canals, as a strong phalanx, instead of as disjointed members of a jealous and weak because a disunited party.'<sup>51</sup> Huish's military background may have inclined him to view competitors as 'enemies', and to see monopoly railway carrying as a way to 'defeat' these enemies.

It is possible that these men, with their background in 'high finance', international trade, and the armed forces, environments with different norms for interaction and relationships, may have been less familiar with traditional business behaviour than Baxendale was. As I mentioned in chapter 3, Sidney Pollard argues that the norms and structure of the armed forces helped to shape the norms and structure of joint-stock companies, because in some ways their requirements and objectives were similar, and because men trained in the former environment were hired to work in the latter. Although Pearson and Richardson suggest that the Liverpool slave trade, backed by innovative financial instruments, had begun to develop a more impersonal and transparent way of doing business by the 1730s, the hypothesis that railway company managers from this business background were unfamiliar with and disinclined to adopt the social norms of the wider economic culture seems unlikely considering recent extensive research on how social networks developed and operated through international trade.<sup>52</sup> In addition, as I described earlier in this chapter, Baxendale's correspondent George Hudson, who had originally come from the same business culture as Baxendale, felt free to disregard its norms as a representative of a railway company. Thus the difference in the background and training of individuals is not a satisfactory explanation for the difference in interaction styles.

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<sup>50</sup> Michael R. Bonavia, *The Organisation of British Railways* (London: Allan, 1971), 13; Gourvish, *Mark Huish and the London & North Western Railway*, 22-23. American railway managers were recruited from the Army college at West Point; Wilson and Thomson, *The Making of Modern Management*, 44.

<sup>51</sup> Whitehead, *Railway Management, the Proof*, 46.

<sup>52</sup> Robin Pearson and David Richardson, 'Social capital, institutional innovation and Atlantic trade before 1800', *Business History* 50, no. 6 (2008): 765-780; Sheryllyne Haggerty, *'Merely for Money'? Business Culture in the British Atlantic, 1750-1850* (Liverpool: Liverpool University Press, 2012).



While it might be tempting to ascribe the style of interaction demonstrated in these letters to specific personalities and institutions, a similar style of interaction appears in correspondence between officials of the Grand Junction company and the Manchester & Birmingham company between October 1838 and January 1839, concerning arrangements for a junction between the two lines.<sup>53</sup> In these negotiations the latter explicitly attempted to find a mutually beneficial outcome, predicated on compromise and the exchange of concessions, while the former focused exclusively on what did and did not benefit the Grand Junction company. As Mark Huish did not become secretary of the Grand Junction company until 1841, I cannot ascribe the single-mindedness that appears in the Grand Junction company's letters to the Manchester & Birmingham company solely to his personal influence, nor can I ascribe it to joint-stock companies in general, as the Manchester & Birmingham company was also a joint-stock company.

I have used these exchanges between a carrier and representatives of railway companies to illustrate the responses that those who interacted with the first joint-stock railway companies, like those confronting the London water supply companies twenty years earlier, initially deployed, the same responses they would have used when interacting with any other business - negotiation, compromise, and appeal to relationships. In his correspondence Baxendale did not suggest another response used in the context of the 'sociable economy', appeal to arbitration, because the two companies had already engaged in a series of lawsuits. However, at about the same time Alexander Saunders, the secretary of the Great Western Railway Company, explicitly rejected this option in his testimony before the Select Committee on Railways:

To the proposition which you have made, of calling in some experienced carrier to meet an unprejudiced director...I am instructed to reply, that if it be suggested merely for the sake of acquainting the Committee with the views of the trade, they have already derived such information.... If your intention was that the company should leave it to some carrier to fix and determine the regulations of the trade, I am to acquaint you that the directors must decline delegating such authority to any person, however respectable and disinterested, inasmuch as they are acting for the proprietors, and are bound to exercise their own discretion in all which concerns the welfare of the company.<sup>54</sup>

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<sup>53</sup> Thomas Ashton, *Correspondence between the Manchester and Birmingham and the Grand Junction Railway Companies* (Manchester: T. Bowler, 1839).

<sup>54</sup> *Fifth Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 24 May 1844, 439.

In this statement Saunders explicitly disowned responsibility for his position, using the same passive phrases ('I am instructed to reply', 'I am to acquaint you that') as Moss, Lawrence and Huish in their correspondence with Baxendale. He also made it explicit that his only concern, and the only concern of the company's proprietors, was the interest of the company.

In the correspondence I have analysed Baxendale appears unusually, and apparently unwarrantedly, optimistic that he and the Grand Junction company would reach a mutually beneficial agreement through conversation, negotiation and compromise. In this situation his confidence appears particularly unwarranted as the correspondence took place in the context of the ruling in a lawsuit, an escalation people dealing with joint-stock companies resorted to when they failed to come to agreement in a less formal way.

### **The carrying question in the courts**

When carriers found their business damaged by the actions or policies of railway companies, and were unable to reach agreements with the companies directly, some attempted to regularise the relationships between themselves and the companies through legal action. The correspondence between Joseph Baxendale and the Grand Junction Railway Company that I analysed in the previous section took place in the context of a series of lawsuits Pickfords brought against the Grand Junction company between 1840 and 1844. These were part of a set of high-profile court cases, beginning with *Regina v. the London and Birmingham Railway Company* in 1839, brought by carriers against railway companies. Carriers took railway companies to court on two general grounds, the requirement for the companies to treat all customers equally and the question of packed parcels, and invariably won these lawsuits. However, carriers' victories in the courts did not translate into changes in either railway company or government policy.

This set of cases between carriers and railway companies is mentioned by some transport and economic historians. Jackman described *Pickfords v. Grand Junction Railway Company* in an appendix to *The Development of Transportation in Modern England*, drawing on legal records and tracing the carrying question debate in the *Railway Times*.<sup>55</sup> Kostal describes the 'small freight wars' in *Law and English Railway Capitalism*, using them as evidence that the legal profession was intimately involved

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<sup>55</sup> Jackman, *The Development of Transportation in Modern England*, 744-749.

in what has been customarily considered the largely technological development of the railway network, and that English law was inadequate to manage and legislate issues brought up by the development of the railway network and forced to adapt to the new economic and technological environment piecemeal through litigation.<sup>56</sup>

While Kostal is a valuable and insightful source with respect to legal issues, he relies on Jackman and Turnbull, and the claims of the railway companies themselves, for his information about carriers. For example, Kostal writes that once the railway network began to develop 'even the largest carrier firms began to abandon the long-distance delivery trade'; his citation for this statement mentions that carriers had begun to apply for access to the Great Western Railway line in 1838, the opposite of 'abandoning' the trade.<sup>57</sup> Like the scholars I identified in my introduction, Kostal conflates passenger and goods transport, does not distinguish between goods carriage (the carrying trade) and small parcels carriage (the coaching trade), and seems unaware that the London & Birmingham and Grand Junction companies used different business models to manage goods carriage. He suggests that carriers' 'dubious practice' of sending packed parcels was a response to railway companies raising small parcels rates, although as I pointed out in chapter 2 contemporary sources suggest that combining deliveries had been common practice before the development of the rail network.<sup>58</sup> Kostal also categorically states that the legal right of others to operate equipment on a company's lines was never used, which is contradicted both by contemporary evidence, some of which I have presented in chapter 4 above, and by the fact that railway companies made agreements to operate equipment on each other's lines.<sup>59</sup> Finally, Kostal seems to see the carrying trade as the railway companies did, as unnecessary 'middlemen' extracting profit from superfluous services; he does not acknowledge the services carriers performed for their customers or, more significantly, the fact that carriers accepted liability for loss or damage when operating on railways. Thus, although the legal issues involved in the carrying question are within Kostal's area of expertise, his interpretation of evidence is less certain with respect to the practices or policies of carriers or railway companies. In this section I attempt to understand how effective legal measures were in resolving conflicts between carriers and railway companies and in influencing railway company policy and behaviour. I have used Kostal's work on the three cases

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<sup>56</sup> Kostal, *Law and English Railway Capitalism*, 183-221.

<sup>57</sup> Kostal, *Law and English Railway Capitalism*, 188.

<sup>58</sup> Kostal, *Law and English Railway Capitalism*, 194.

<sup>59</sup> Kostal, *Law and English Railway Capitalism*, 215.

that defined the carrying question - Pickfords, Parker and Crouch - as a starting point to review and analyse contemporary material (legal records and reports, and transcripts in newspapers) describing these and other cases. I identified additional carrying question cases through researching precedents cited in these three cases, as well as reviewing legal records from this period.

Carrying question cases were a small subset of the legal battles railway companies, as large and complex entities with large and complex financial arrangements, were perpetually involved in throughout the nineteenth century, as plaintiffs or defendants against shareholders, property owners, contractors, suppliers, and passengers suing for anything from impolite treatment by railway staff to injury and death.<sup>60</sup> Because each legal victory by a carrier plaintiff became a precedent for subsequent cases, because the thinking of both judges and the public changed over time as a result of each case, and because the arguments and verdicts in each case are related to its economic context, which changed as railway companies began to amalgamate, I have presented the cases in this section in chronological order.

The first carrying question case, *Regina v. the London and Birmingham Railway Company*, was heard in the Court of Queen's Bench in 1839.<sup>61</sup> In September 1838, before its line was completed, the London & Birmingham Railway Company made a temporary access agreement with Pickfords, which had asked to use the open portion of the line as the Grand Junction Canal was unavailable due to low water. At that time another carrier, Golbys of Banbury, was also using the line.<sup>62</sup> Shortly afterward the London & Birmingham company refused the request of carrier John Robins to convey goods between London and Birmingham for forwarding to Manchester, and Robins took the company to court for unequal treatment. The company claimed that they had refused Robins access because they were physically incapable of accommodating additional carriers at the time.<sup>63</sup> The situation was complicated by the fact that Joseph Baxendale, a partner in Pickfords, was also at the time the general superintendent of the London & Birmingham company; although he claimed that the tenures did not

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<sup>60</sup> Kostal, *Law and English Railway Capitalism*, 55, 100.

<sup>61</sup> 'RAILROAD MONOPOLY.' *The Manchester Times and Gazette*, 30 March 1839.

<sup>62</sup> *Minutes of Evidence Taken before the Committee on the London and Birmingham Railway Bill*, House of Commons Parliamentary Papers Online, 2 May 1839, 47.

<sup>63</sup> *First Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 26 April 1839, 6; *Second Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 9 August 1839, 58; *Fifth Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 10 July 1840, 6.

overlap, it appears that months after Robins' case was first heard in a local court Baxendale was still acting in both capacities.<sup>64</sup> Justice Patteson ruled, seemingly contrary to common carrier law, that 'there was no clause in the act of Parliament incorporating the said railway company, which compelled the company to take in their carriages the goods of all persons who presented them for conveyance.'<sup>65</sup> In his decision the judge seems to have relied on the 'Parliamentary contract', in which the rights, powers and obligations of railway companies were dictated exclusively by their enabling acts and not by common law applicable to carriers.<sup>66</sup>

While this case was the first to consider carriers' right to operate on railways, *Pickfords v. the Grand Junction Railway Company* drew far more public attention than *Regina v. the London and Birmingham Railway Company* and exerted more influence over public opinion and subsequent litigation. Pickfords brought its first suit against the Grand Junction company in November 1840, and took the company to court again in 1841 and 1842. Along with alleging discrimination with respect to access to company facilities, as in the Robins case, Pickfords also accused the Grand Junction company of interfering with their sending of packed parcels, or consolidated parcels, an issue which would be argued in court and in Parliament for more than a decade.

Although railway company enabling acts typically included maximum charges for conveying goods above a certain weight, they also often allowed companies to charge any 'reasonable' rate for the carriage of small parcels, which before the railways would have been sent by coach rather than by carrier. These parcels were charged by the piece rather than by weight, and the rates were high because small parcels tended to be more valuable, incurred risk and labour disproportionate to their weight, and were sent in higher-speed passenger trains. Some carriers, however, collected small parcels addressed to different people at a single destination, packed them in a larger box, and sent them as standard goods to their agent at that destination who distributed them to their final addresses. As I described in chapter 2, consolidation of packages was a common practice among senders. The Grand Junction Railway Company, however, unilaterally declared packed parcels 'fraudulent' and refused to carry them

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<sup>64</sup> *Minutes of Evidence Taken before the Committee on the London and Birmingham Railway Bill*, House of Commons Parliamentary Papers Online, 2 May 1839, 70.

<sup>65</sup> 'LAW INTELLIGENCE,' *The Morning Post*, 1 February 1839; *The Standard*, 1 February 1839.

<sup>66</sup> Simon Gibbs, "'Of Pious Memory": Railway Regulatory Tribunals in the UK, 1854-1939' (PhD thesis, University of York, 2013), 31.

for carriers (although it accepted them from other customers). Pickfords argued that this unequal treatment violated common carrier law.

In the first *Pickfords v. Grand Junction Railway Company* case, in 1841, the company attempted to argue that they had not carried a Pickfords box between Birmingham and Manchester because Pickfords refused to pay in advance; this argument was rejected because carrying was typically paid for after the goods were delivered, and Pickfords won the case.<sup>67</sup> The following year Pickfords again took the Grand Junction company to court, for continuing to refuse to carry their consolidated parcels and for denying them the same rebates and access to facilities that they provided to Chaplin & Horne, the company's preferred carrier.<sup>68</sup> Lawyers for the Grand Junction company argued that the company's enabling act gave it the right to know the contents of any package they carried; the judge agreed, but pointed out that knowing the contents of a container was not the same as knowing to whom they were addressed.<sup>69</sup> The Grand Junction company also argued that in accepting a consolidated parcel it was accepting liability for goods sent to everyone to whom the packages contained in it were addressed, but the judge ruled that the company's contract for carriage was with the carrier alone, and the carrier assumed any liability to the addressees of goods in their box.<sup>70</sup> Finally, the company argued that '[i]f such men as the plaintiff were permitted to collect these small parcels...and put them in the bulk, the company must increase their rates on small parcels four or five-fold, by which the public would suffer.'<sup>71</sup> John Swift, lawyer for the Grand Junction Railway Company, made this same argument to the Select Committee in 1844 - 'if the company are deprived of a large portion of revenue in this collusive manner, they charge more upon something else to the public'; however, shortly after making this statement he stated in response to a committee member's suggestion that revenue loss from a government-imposed cap on fares might be made up by higher parcels charges that the company's revenue from parcels is 'so small in amount, that it is not worth discussing'.<sup>72</sup>

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<sup>67</sup> Henry Iltid Nicholl, Thomas Hare, and John Monson Carrow, *Cases Relating to Railways and Canals*, vol. 2 (London: A. Maxwell & Son, 1843), 592-599.

<sup>68</sup> Turnbull, *Traffic and Transport*, 112.

<sup>69</sup> Carrow and Oliver, *Cases Relating to Railways and Canals*, vol. 3, 215.

<sup>70</sup> Carrow and Oliver, *Cases Relating to Railways and Canals*, vol.3, 211, 215.

<sup>71</sup> Carrow and Oliver, *Cases Relating to Railways and Canals*, vol. 3, 211.

<sup>72</sup> *Fifth Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 24 May 1844, 180, 202.

The company's arguments were unsuccessful, and Pickfords again won its lawsuit, as I mentioned in the previous section, but the Grand Junction company was slow to amend its policies. In 1844 the Grand Junction company appealed to the Court of Chancery, where the Lord Chancellor perhaps overoptimistically began by expressing 'a hope that [the hearing] would not occupy so much time as it had taken in the court below'.<sup>73</sup> Although the Lord Chancellor expressed doubts that the Grand Junction company was acting honestly and in good faith, he ruled that the plaintiff, Pickfords, had not made a convincing enough case to justify further action by the courts.<sup>74</sup>

In another high-profile case heard at the Court of Exchequer in 1844 Richard Parker, a London carrier, sued the Great Western Railway Company for the same two practices, discriminatory treatment and charging small parcel rates for his packed parcels while allowing the packed parcels of other senders to be sent at standard goods rates. The same year Parker had testified to the Select Committee on Railways that he had no objection to the ten per cent discount railway companies offered carriers for providing their own collection, distribution, packing and other customer-facing services as well as accepting liability for goods, and believed it was a reasonable allowance to cover his costs; his case against the Great Western company had to do with the fact that they offered this discount to other carriers but not to him. He told the committee that the company had never given him a satisfactory explanation for this decision; he assumed it was because 'I was not sufficiently courteous or obsequious to Mr. Seymour Clark', the Great Western company's Chief Traffic Superintendent.<sup>75</sup>

Like the Grand Junction company, the Great Western Railway Company unsuccessfully argued that consolidating packages increased the liability of the railway company, and that Parker had voluntarily paid the increased amount for carriage of his goods; neither of these arguments was accepted and Parker was awarded his settlement.<sup>76</sup> Despite this and subsequent victories in the courts, Parker was forced to continue his legal battle with the Great Western and other railway companies at least until the mid-1850s, winning suits for more than 15,000 incidents

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<sup>73</sup> 'COURT OF CHANCERY - SATURDAY,' *The Standard*, 22 July 1844.

<sup>74</sup> Carrow and Oliver, *Cases Relating to Railways and Canals*, vol. 3, 560-562.

<sup>75</sup> *Fifth Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 24 May 1844, 391, 387.

<sup>76</sup> Carrow and Oliver, *Cases Relating to Railways and Canals*, vol. 3., 604.

of discriminatory pricing.<sup>77</sup> These constant legal battles, however successful, seem to have taken a toll on Parker's business; by 1849 the plaintiff had become 'Edwards and others', the assignees of Parker, as Parker, still awaiting more than £6,000 in damages from the Great Western company alone, had gone bankrupt.<sup>78</sup>

In 1849 the Warwick Assize Court awarded George Crouch, a London carrier, the value of overcharges and parcels lost when the London & North Western Railway Company opened his packed parcels and shipped the contents on themselves, charging the receivers for the service. In the appeal in the Court of Exchequer in 1850 the company's attorney admitted that '[o]f course it was illegal for the defendants to open parcels; but it was unfair to the defendants and to the public to act as the plaintiff did.'<sup>79</sup> Like the Grand Junction Railway Company, the London & North Western company argued that if they could not gain their expected profits from small parcels they would be forced to raise their rates on other goods, 'by which the public would suffer'.<sup>80</sup> The plaintiff's attorney described the absurdity of a railway company demanding additional charges to carry a box that contained articles destined for more than one person: 'if any of the jury had two children at school, and it was wished to send each of them a plum-cake, the Company insisted that each must be put into a distinct parcel, or they would be charged at the rate of 6d per pound.'<sup>81</sup> In his testimony before the Select Committee in 1844 Edward Cardwell, a director of the South Eastern Railway Company, brought up the same point:

One of the Judges said when the matter was put before him in argument, 'I have eight children, and I suppose I am to pay for my portmanteau eight times over if it happens to have an article belonging to each child in it.... If I choose to take a box and pack it with all kinds of articles, and send it to any particular carrier to be carried, I may do so; he cannot refuse to carry it...[railway companies] have no more right to know from [the carrier] how many small parcels there are in it than he has to know from me'<sup>82</sup>

In his summing-up statement Chief Justice Wilde pointed out that the company's refusal to accept packed parcels was not justified by the company's enabling act; if

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<sup>77</sup> *The Bristol Mercury*, 29 July 1843; 'COURT OF COMMON PLEAS, MONDAY, Feb. 12,' *Jackson's Oxford Journal*, 17 February 1844; *The Morning Post*, 18 January 1848; 'LAW INTELLIGENCE. - FRIDAY,' *The Morning Chronicle*, 10 February 1849; *The Standard*, 21 December 1849.

<sup>78</sup> 'Law Intelligence', *Daily News*, 21 December 1849.

<sup>79</sup> F. A. Carrington and A. V. Kirwan, *Reports of Cases Argued and Ruled at Nisi Prius* (London: S. Sweet, 1850), 798.

<sup>80</sup> Carrington and Kirwan, *Reports of Cases Argued and Ruled at Nisi Prius*, 799.

<sup>81</sup> Carrington and Kirwan, *Reports of Cases Argued and Ruled at Nisi Prius*, 797.

<sup>82</sup> *Fifth Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 24 May 1844, 368, 370.



the company 'want further powers they must go to Parliament; and if it is thought right that they should have such a power, Parliament will give it to them.'<sup>83</sup> This ruling was the first of several legal victories for Crouch against the London & North Western, the Midland & London, the South Western, and the Brighton & South Coast companies.<sup>84</sup> Crouch subsequently also sued the publishers of the *Railway Times* for libel over an article describing his 'illicit trade in small parcels, in defiance of the rules of companies over whose lines he desires free way', and a jury awarded him £5 damages.<sup>85</sup>

However, like Baxendale and Parker, Crouch did not see an improvement in his treatment by railway companies after his legal victory. In response to the ruling against the London & North Western company, for example, Mark Huish issued a statement that the company would no longer accept packed parcels, justifying the decision by claiming that it was possible that 'Lucifer Matches, Chemical Combustibles, and other dangerous substances' might be found in them.<sup>86</sup> In 1852 the company issued another notice, dictating the conditions under which it would accept packed parcels. Huish stated that due to the 'extra risk and responsibility' the company took on, it would charge carriers double for packed parcels and would refuse to send carriers' packages further than the extents of their own line, although they forwarded other packages where required. In addition, the carrier needed to guarantee that none of the parcels were themselves packed parcels, which was impossible given carriers' refusal to open and inspect the parcels they transported in the same way the railway companies did to carriers' parcels.<sup>87</sup> In his book about the carrying question Crouch described the measures he was forced to take in response to the actions of the railway companies, including compensating his customers for the loss of or damage to property that the railway companies refused to compensate him for, and sending his own staff as passengers with shipments in order to ensure their safe arrival.<sup>88</sup> Although Crouch won settlements from several railway companies, he stated that they did not compensate for this inconvenience and expense and that he was thus forced to operate his business at a loss.<sup>89</sup> He stated that the railway companies were equipped with 'the sword of oppression, the helmet of combination, the shield of

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<sup>83</sup> Carrington and Kirwan, *Reports of Cases Argued and Ruled at Nisi Prius*, 805.

<sup>84</sup> George Crouch, *The Case Stated: Crouch and the Railways' Monopoly* (London: J. W. Peel, 1854), 25-27.

<sup>85</sup> 'LAW INTELLIGENCE - YESTERDAY,' *The Morning Chronicle*, 15 February 1855.

<sup>86</sup> Crouch, *The Case Stated*, 14-15.

<sup>87</sup> Crouch, *The Case Stated*, 22.

<sup>88</sup> Crouch, *The Case Stated*, 17-18, 23.

<sup>89</sup> Crouch, *The Case Stated*, 46.

corruption, and habited in massive golden armour'. Crouch noted that railway companies had admitted to spending at least £20,000 fighting legal cases against carriers.<sup>90</sup> Business representatives meeting with officials of the Board of Trade in 1849 pointed out that while Crouch had won his case against the London & North Western Railway Company he had in the process lost 'upwards of £85' and 'in fact, the railway companies openly assert that they do not care for such actions.'<sup>91</sup>

Over time the carrying question cases built up a legal precedent, making each subsequent case a surer victory for the carrier plaintiff. In a case against the Great Northern Railway Company in 1852 a judge ruled that the company was entitled to charge a carrier a higher price than other customers for the same service, but a higher court, citing *Pickfords v. Grand Junction* and *Parker v. Great Western*, overruled the verdict.<sup>92</sup> Pickfords, Parker, and Crouch sued railway companies for their right to use rail lines and vehicles on the same terms as railway companies or their preferred carriers, in accordance with common law requiring carriers to serve all customers equally, and to operate their business, in the case of sending packed parcels, according to the traditional practice of the carrying trade. Each of these carriers, as well as others bringing similar cases to court, won his lawsuit, and every railway company defendant was instructed to pay the carrier damages and rectify its practices to permit carriers to conduct their business on the railways. Yet although, as Kostal notes, the opinions of the judges in this succession of carrier plaintiff victories 'reflected a consistency and unity of opinion rare in Victorian common law', the practices the courts had unequivocally declared illegal continued, and carriers continued to bring railway companies to court until 1873, when new legislation referred such disputes to a panel of commissioners rather than the legal system.<sup>93</sup>

### **Public response to railway company policy**

The members of the House of Commons Select Committee on Railways, the origins and actions of which I will discuss in the following section, believed that irregularities or illegalities in railway company practices were best dealt with in court. However, the witnesses testifying before the committee explained to the members that this method of regulation was not viable. Joseph Baxendale stated that '[the law] is inoperative

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<sup>90</sup> Crouch, *The Case Stated*, iii, vi.

<sup>91</sup> *The Leicester Chronicle: or, Commercial and Agricultural Advertiser*, 16 June 1849. *The Bradford Observer*, 21 June 1849.

<sup>92</sup> Crouch, *The Case Stated*, 30.

<sup>93</sup> Kostal, *Law and English Railway Capitalism*, 214; Gibbs, "'Of Pious Memory'", 101-103.

unless a man has not only determination, but a very heavy purse. Very few people would be found who would contend with a public company.<sup>94</sup> Edward Cardwell, director of the South Eastern Railway Company, pointed out that railway companies were so wealthy that 'the expenses of litigation form so light a burden upon them that it is not a sufficient security to those who may have dealings with them that they should have the means of recourse to the ordinary remedies at law'.<sup>95</sup> Richard Parker pointed out that 'though I have gone into court, and obtained all I asked for, it all takes up a great deal of my time, and I get nothing for it; my lawyer gets well paid, but I do not get a farthing', and noted that '[w]hen I see that Pickford's, a much mightier company than I am, are kept at bay month after month, and year after year, I do not like to go into a conflict.'<sup>96</sup> Carriers pointed out that taking railway companies to court put their livelihoods in jeopardy; 'the carriers generally are small men...and they actually stand as much in fear of the railway companies as a pupil does of his schoolmaster.'<sup>97</sup> Fear of retaliation from railway companies proved to be reasonable; in 1853 Thomas Kimpton won a case against the London & North Western Railway Company for overcharging him for sending packed parcels, and the company retaliated by refusing to accept any parcel from Kimpton at less than twice the usual rate, and by losing or misdirecting his property so frequently that he believed 'it must have been done by the orders of some one in authority.' The committee asked Kimpton if he had taken his case to Chancery, and Kimpton admitted he had not, because 'the expense is too great'.<sup>98</sup>

As the carriers' escalation of their grievances to the legal system proved ineffective in changing railway company business practices, some carriers, as well as other dissatisfied customers of the railway companies, sought redress by publicising the conflict. Partly as a result of newspaper coverage of these cases, partly due to newspaper reporting on Parliamentary Select Committee hearings addressing the issue, and partly due to direct experience with railway companies, the carrying question became a public issue in the 1840s, debated in pamphlets and in the press.

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<sup>94</sup> *Fifth Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 24 May 1844, 256.

<sup>95</sup> *Fifth Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 24 May 1844, 363.

<sup>96</sup> *Fifth Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 24 May 1844, 391, 402.

<sup>97</sup> *Fifth Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 24 May 1844, 405.

<sup>98</sup> *Fifth Report from the Select Committee on Railway and Canal Bills*, House of Commons Parliamentary Papers Online, 8 July 1853, 184.

As I described in my introduction, most transport historians writing about the development of the rail network in Britain during this period have not suggested that there was any question about the transition from the carrying trade to railway company carrying. Only Freeman and Aldcroft mention that railway company carrying may have been problematic: 'road, water and waggonway transport appear to have been servicing the needs of the industrialising economy without undue difficulty. The relatively slow growth of railway freight traffic relative to that carried by inland water and by coasters testifies to this.'<sup>99</sup> The evidence I provide in this section - from pamphlets, newspaper reports, petitions and memorials, and testimony before Select Committees - indicates that many customers of the carrying trade did not consider railway company goods carriage an improvement, and often resisted using it.

Carriers and their supporters wrote letters and pamphlets describing their experiences with railway companies, although many, mentioned in Kostal and referred to in the pamphlets that still exist, no longer survive.<sup>100</sup> In contrast to the set of pamphlets I analysed in chapter 4, which were nominally addressed to those responsible for making railway company policy, and which illustrated a debate among decisionmakers about companies' policy on carrying, the pamphlets written by carriers and railway company supporters that I analyse in this section were addressed to the general public, and were intended to affect public opinion on the carrying question in favour of or against the railway companies. Pamphlets in favour of the carrying trade cast the carrying question in terms of 'David and Goliath', with carriers representing the English tradition of private enterprise and free competition against publicly-supported monopolists. J. T. Norris, whose 1841 pamphlet supporting the carrying trade I mentioned in chapter 4, framed the carrying question as a general question of freedom; 'competition amongst many parties, open to the whole public' was 'essential to the very existence of this freedom' that citizens of Britain were justly proud of.<sup>101</sup> He portrayed the plaintiff in *Pickfords v. Grand Junction Railway Company* as seeking fairness and openness to facilitate healthy competition; Joseph Baxendale, in his attempts to negotiate with the Grand Junction company which I analysed earlier in this chapter, sought 'a clear stage and no favour'.<sup>102</sup> The Grand Junction company, however, '[d]espite the general asseverations that their own

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<sup>99</sup> Freeman and Aldcroft, *Transport in Victorian Britain*, 18.

<sup>100</sup> Kostal, *Law and English Railway Capitalism*, 206.

<sup>101</sup> Norris, *The Carriers' Case Considered*, 8.

<sup>102</sup> Norris, *The Carriers' Case Considered*, 9.

interests are, and ever will be, identical with those of the public', narrowly focused on its own interest which, at least in this situation, was antithetical to that of the public.<sup>103</sup> Norris demonstrated this by quoting letters from the company's directors to its proprietors, showing how deliberately they protected that interest by manipulating public opinion:

An attempt was made by parties engaged in the carrying trade to create an impression unfavourable to the system on which the merchandise business of this railway is conducted. The attempt however, the Directors believe, has been entirely defeated by the evidence offered on behalf of the Company.... The Bill for the regulation of railways...was attentively watched by the Directors, and their efforts...have been directed to procure a modification of the proposed enactments which were calculated to prejudice the interests of the Company, and to interfere widely with the internal management of their property.<sup>104</sup>

Norris also highlighted the Grand Junction company's disingenuousness by pointing out the 'ambidexterity' of its public statements, which described the railway as both a public and private road, and claimed that the company made profits both on tolls only and on its carrying business. John Moss, chairman of the company, had stated in 1837 that the company preferred not to carry and had no intention of going into the carrying business; by 1840 he had declared that the company were required to act as carriers and had intended to set up a carrying business since before its enabling act had been approved.<sup>105</sup> Norris did not consider it likely that railway companies' monopoly over goods carriage could be controlled by competition from canals or other railway lines; so much money had been invested in railway companies that it was unlikely that canals could provide meaningful competition, and the boards of directors of railway companies tended to overlap, and they made informal non-competition agreements.<sup>106</sup> Thus there was no external check on 'the Company...in fact carrying out resolutely into practice, the monopoly which they so candidly avow in words.'<sup>107</sup>

In addition to his political and ideological arguments, Norris described the financial bind carriers found themselves in. The Memorandum of Understanding the Grand Junction company required carriers who used their line to accept did not permit them to charge less than the company for equivalent services; carriers were reimbursed for providing their own liability and customer-facing services, 'that which constitutes the

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<sup>103</sup> Norris, *The Carriers' Case Considered*, 29.

<sup>104</sup> Norris, *The Carriers' Case Considered*, 8-9.

<sup>105</sup> Norris, *The Carriers' Case Considered*, 22.

<sup>106</sup> Norris, *The Carriers' Case Considered*, 28, 32.

<sup>107</sup> Norris, *The Carriers' Case Considered*, 27.

real difficulty, and to the public the main value of the carrier's trade', with a percentage of the company's carriage rates.<sup>108</sup> Because the carrier's reimbursement was a percentage of the railway company's own charges, whenever the Grand Junction company lowered its rates the carrier's reimbursement was reduced even though the carrier continued to provide the same services at the same cost to themselves.<sup>109</sup>

The first of carrier George Crouch's books supporting the carrying trade, *Railway Parcels and Rates*, was published in 1849. It outlined the arguments in *Crouch v. The London and North Western Railway Company*, and included some transcripts of witness testimony as well as the spoken verdict of the jury, which is not included in other records of the case. Crouch claimed that railway company policy was intended to:

injure Traders and Competitors, by designedly opening, delaying, and missending Packed Parcels, and delivering the contents to the Customers, - to destroy Carriers - who compete with them on their own Line, and carry for less than the Company - and to ruin them by enormous and illegal overcharges and misconduct.<sup>110</sup>

Crouch's other surviving publication is a longer book entitled *The Case Stated: Crouch and the Railways' Monopoly*, in which he asked the 'merchants, manufacturers and traders of Great Britain and Ireland' to support him in his conflict with several railway companies.<sup>111</sup> He also asked for, and expressed, support for railway companies and their shareholders. Like John Whitehead and 'A Sufferer', whose arguments I analysed in chapter 4, Crouch argued that railway companies would benefit financially from supporting carriers, and pointed out that railway company shareholders would be dismayed to discover how much money that could have gone into dividends had been wasted on legal battles.<sup>112</sup>

Both carriers and their supporters and railway companies considered it important to have public opinion on their side. Railway company officials were well aware that they would somehow have to overcome the public's general suspicion of monopoly. They therefore argued that while it seemed likely that railway companies exercised, or would soon exercise, a monopoly over rail passenger and goods transport it would be

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<sup>108</sup> Norris, *The Carriers' Case Considered*, 12.

<sup>109</sup> Norris, *The Carriers' Case Considered*, 12, 32.

<sup>110</sup> George Crouch, *Railway Parcels and Rates* (London: Pelham Richardson, 1849), dedication.

<sup>111</sup> Crouch, *The Case Stated*, dedication.

<sup>112</sup> Crouch, *The Case Stated*, 36, 41, 50.

impossible for them to exploit their position due to negative public opinion. In 1840, for example, Edward Cardwell, director of the South Eastern Railway Company, testified to the Select Committee on Railway Communication, 'I believe that if the public are once led to be very suspicious...they will take care that we shall be sufferers in the long run.'<sup>113</sup> John Swift, lawyer for the Grand Junction Railway Company, claimed that

the railway company is amenable to public opinion in a far more immediate and active mode than the middleman, who...is not talked about and watched as the companies are.... [The influence of public opinion on railway companies] is more powerful than the action of public opinion upon individual carriers, upon whom it never acts at all.<sup>114</sup>

These officials asserted that railway companies would never exploit their monopoly position due to 'fear of public opinion, and also of Parliamentary action' to authorise a competing rail line; if a company tried to increase its rates 'the public feeling would be aroused, and...[the companies'] interest would suffer materially'.<sup>115</sup>

In 1847, in response to one of the several petitions to government created by businessmen in support of the carrying trade, some 'remarks' were published in an anonymous pamphlet. It is likely that the author was connected to a railway company - the pamphlet described railway operations using company jargon (for example, 'Northern Division') and stated that railway company officials were the 'most clever and intelligent in the world'.<sup>116</sup> Although the pamphlet's publisher, Bradshaw and Blacklock, does not appear in the *Nineteenth-Century Short Title Catalogue*, Bradshaw was a publisher of railway timetables, and thus had some connection with the railway sector.<sup>117</sup> The anonymous author argued that 'the trade of Birmingham have erred in principle, and been misled, much to their own disadvantage, and are lending their support to a party, whose only object is self-interest'.<sup>118</sup> The author restated the arguments against the carrying trade first laid out by Henry Booth in 1841, and described in chapter 4 - that carriers were self-interested and unnecessary

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<sup>113</sup> *Fifth Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 10 July 1840, 374.

<sup>114</sup> *Fifth Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 24 May 1844, 515.

<sup>115</sup> *Fifth Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 10 July 1840, 154, 164.

<sup>116</sup> *Carrying Question: Remarks on the Memorial Presented to the Railway Commissioners by Some of the Merchants of Birmingham* (Manchester and London: Bradshaw and Blacklock, 1847), 3, 11.

<sup>117</sup> 'Bradshaw and Blacklock', accessed 9 November 2018, <http://newbaxtersociety.org/bandb.aspx>.

<sup>118</sup> *Carrying Question*, 3.

'intermediaries', that it was inefficient for many carriers to use a single rail line, and that 'the Carriers desire to maintain a monopoly of their trade at the expense of the Railway Companies.'<sup>119</sup> The author adopted Booth's framing of the issue, with railway companies and carriers equally matched in the conflict.<sup>120</sup> The pamphlet stated, inaccurately, that customers need not be concerned that railway companies would exercise their monopoly privilege by raising rates, as 'any person of common discernment, must know that such could not be done, because their maximum rates are fixed by Parliament' (maximum tolls on goods carriage were fixed by companies' enabling acts, but goods carriage rates were not).<sup>121</sup>

The proprietors of businesses that used railway companies to transport goods expressed dissatisfaction with railway company service and policies through letters published in newspapers, public meetings, and petitions to government. As with the responses to the practices of the London water monopolies I described in chapter 3, these speakers and writers expressed concerns about both the quality and expense of railway company service and the lack of competition. Customers complained 'of the irregularity and dearness of the conveyance of...goods on the railways, since the companies superseded the old carriers and took the trade into their own hands'.<sup>122</sup> When in 1846 the London & North Western Railway Company announced that it would exclude carriers from part of its line, a speaker at a meeting in Birmingham to protest this decision stated that '[t]he moment they had driven the carriers off the line...by carrying at a loss themselves...they would raise the freights to a much higher rate than at present.'<sup>123</sup> Another stated that

he had been told that unless he signed an agreement to send all his corn by railway, the company would not afford him the same accommodation which they did to others; he was forced to send his goods in his clerk's name since not only had he been barred from the line, but the railway company had also notified all of their other customers that they would not ship to him.... Not long ago he had given an order to a manufacturer in Yorkshire, who sent the goods by railway, and paid the carriage. When they were delivered in Birmingham, the carriage was again demanded; but he...refused to pay, and sent the man back, with a letter asking for an explanation. A month elapsed before he got

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<sup>119</sup> *Carrying Question*, 4.

<sup>120</sup> *Carrying Question*, 9.

<sup>121</sup> *Carrying Question*, 8.

<sup>122</sup> *The Bradford & Wakefield Observer; and Halifax, Huddersfield, and Keighley Reporter*, 11 November 1847.

<sup>123</sup> 'THE CARRIAGE OF GOODS ON RAILWAYS,' *The Leicester Chronicle: or, Commercial and Agricultural Advertiser*, 5 December 1846.



any answer at all, and it was then presented to him in an envelope, and the sum of 5s. demanded before he could open it to see what it contained.<sup>124</sup>

Several other speakers described how railway service was inferior to carrier service; for example, carriers contracted to railway companies only delivered to destinations within a specified boundary, and were known to leave consignments by the side of the road once they reached that boundary.<sup>125</sup> They stated that railway companies and their contracted carriers did not adapt their business practices to that of their customers, as the carrying trade did and as customers of the carrying trade had come to expect.

### **Government response to the carrying question**

In addition to addressing railway companies and their peers through published letters, pamphlets, and public meetings, businessmen concerned about the carrying question appealed directly to the government to regulate railway company business practices. In 1839, in response to railway companies' refusal to abide by the verdict in *Regina v. the London and Birmingham Railway Company*, 3,500 of 'the most respectable merchants and manufacturers' of London, Manchester, Chester and other cities, some of whom had also been refused railway carriage of their goods, sent a memorial to the House of Commons requesting them to intervene on behalf of carriers and restrain the railway companies' monopoly. The memorial pointed out that the government had already involved itself in railway operations, by compelling the Grand Junction and London & Birmingham Railway Companies to carry the mail, and that the law respecting railway goods carriage must be clarified or 'there will be created, in place of the existing roads and canals, which by law are open to all, conveyance monopolies of the most mischievous nature'.<sup>126</sup> Another memorial collected 1,700 signatures from businessmen and carriers in London, Manchester, Birmingham, Worcester, Nottingham, Leicester, Sheffield, Wolverhampton, Oxford, Northampton, Walsall, Huddersfield and Staffordshire (a witness stated that they had also obtained signatures from Derby but they had not arrived in time to be submitted).<sup>127</sup> These public expressions of concern motivated the House of Commons to appoint a Select Committee to investigate railway company business practices.

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<sup>124</sup> 'THE CARRIAGE OF GOODS ON RAILWAYS,' *The Leicester Chronicle: or, Commercial and Agricultural Advertiser*, 5 December 1846.

<sup>125</sup> 'THE CARRIAGE OF GOODS ON RAILWAYS,' *The Leicester Chronicle: or, Commercial and Agricultural Advertiser*, 5 December 1846.

<sup>126</sup> *The Chartist*, 16 February 1839.

<sup>127</sup> *Fifth Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 10 July 1840, 11.

In 1846 railway company officials proposed a clause for inclusion in the Bristol & Birmingham and Midland Consolidation Bill stating that 'it shall not be lawful to include in one packet several parcels of various sorts, and intended for various individuals, but that it shall be lawful for the Midland Railway Company to charge a separate sum for each such parcel, although many are included in one packet.'<sup>128</sup> London booksellers petitioned the House of Commons in opposition to the clause:

[railway companies] got large powers...but these privileges were granted to them under the idea that the railway would be of great public convenience, not only a source of profit to themselves.... [B]efore the introduction of railways the carrying trade were subject to heavy loss...if they detained [parcels] they were liable to fines. Were railways to be exempt from this, and to have nothing to force them to attend to the public?<sup>129</sup>

The booksellers pointed out the danger to privacy of such a clause, which permitted railway companies to open and search any parcel.<sup>130</sup>

After the formation of the London & North Western Railway Company in 1847, Birmingham merchants met to oppose the exclusion of carriers from what had formerly been the London & Birmingham line.<sup>131</sup> The resulting memorial to the Board of Trade requested that railway company goods carrying rates be regulated, that railway companies be required to transport carriers' goods, that the rate companies charged carriers be the proportion of their standard rates that did not include the work undertaken by carriers, that the company's goods not be given a higher priority than carriers' goods, and that disputes be settled according to carrier law.

In 1849 a deputation of merchants and carriers presented the Board of Trade with petitions from merchants in Liverpool, Birmingham, Leeds, Edinburgh, Sheffield, Coventry, Newcastle, Belfast, Bristol, Glasgow, and other cities, protesting 'oppressive conduct and charges of railway companies toward traders and carriers' and claiming that railway companies had 'resorted to illegal and improper charges in order to defeat fair competition'. The Board of Trade acknowledged that 'no person

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<sup>128</sup> 'RAILWAY PARCELS' CHARGES,' *The Standard*, 3 August 1846; 'RAILWAY INTELLIGENCE,' *The Bristol Mercury*, 8 August 1846; *Berrow's Worcester Journal*, 13 August 1846. Parliament had previously rejected similar clauses for the Great Western Railway Company in 1844 and the London & York Railway Company in 1845.

<sup>129</sup> *The Standard*, 'RAILWAY PARCELS' CHARGES,' 3 August 1846; *The Bristol Mercury*, 'RAILWAY INTELLIGENCE,' 8 August 1846; *Berrow's Worcester Journal*, 13 August 1846.

<sup>130</sup> *The Standard*, 'RAILWAY PARCELS' CHARGES,' 3 August 1846; *The Bristol Mercury*, 'RAILWAY INTELLIGENCE,' 8 August 1846; *Berrow's Worcester Journal*, 13 August 1846.

<sup>131</sup> *Carrying Question*, 3.

can doubt that some remedy must be had' and agreed to consider the deputation's requests.<sup>132</sup>

On 4 March 1850 a public meeting, chaired by Baron Lionel Rothschild, MP for the City of London, and attended by 65 of the 'most influential gentlemen' in London, 'merchants, bankers, wholesale warehousemen, manufacturers, and traders', was held to 'take into consideration the charges on railways and the alleged monopoly of the great railway companies in taking the carrying of goods into their own hands instead of leaving it under the management of private carriers.' Crouch described this meeting in detail, stating that the room was packed to overflowing and many were turned away due to lack of space.<sup>133</sup> The attendees, including several MPs, at least one of whom who was also a railway director, overwhelmingly supported railway companies and desired them to be profitable, but affirmed that it was necessary that government, by ensuring that railway companies did not exercise a monopoly over goods carrying, must save the railway companies from themselves.<sup>134</sup> The railway company director who spoke at the meeting pointed out that companies could not act unilaterally, but must be regulated.<sup>135</sup> The attendees appointed 28 gentlemen to express their concerns to the House of Commons Select Committee.<sup>136</sup> According to Crouch, 'the report so made by the Committee of the said public meeting, never was acted on, or further progress made thereon; why, we cannot say'.<sup>137</sup>

In *British Politics on the Eve of Reform* Peter Jupp divides Parliamentary petitions into two types, those arising from local meetings and those facilitated by national pressure groups or single-issue organisations.<sup>138</sup> Petitions addressing the carrying question were atypical, as they were the result of local meetings held all over the country rather than the work of national single-issue groups. Unlike, for example, petitions supporting abolition, no national membership organisation gathered signatures for petitions supporting the carrying trade; nevertheless, the memorials protesting railway

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<sup>132</sup> 'THE RAILWAYS AND THE CARRIERS.— DEPUTATION', *Daily News*, 11 June 1849; *The Leicester Chronicle: or, Commercial and Agricultural Advertiser*, 16 June 1849; *Trewman's Exeter Flying Post or Plymouth and Cornish Advertiser*, 21 June 1849; *The Bradford Observer*, 21 June 1849.

<sup>133</sup> Crouch, *The Case Stated*, 36-37, appendix 10-13; 'RAILWAY CARRYING,' *The Morning Post*, 5 March 1850.

<sup>134</sup> Crouch, *The Case Stated*, 9, 13, 22.

<sup>135</sup> Crouch, *The Case Stated*, appendix 22.

<sup>136</sup> Crouch, *The Case Stated*, 38.

<sup>137</sup> Crouch, *The Case Stated*, 42.

<sup>138</sup> Jupp, *British Politics on the Eve of Reform*, 219.

monopoly of goods carriage contained thousands of signatures from all over the country.

Parliament responded to these expressions of concern over the carrying question, as well as other concerns about railway company finances, management and business practices, by convening Select Committees which held a series of hearings between 1839 and 1844 and published hundreds of pages of witness testimony. While the first Select Committee hearings on railways, held in April 1839, heard only eight witnesses, all associated with railway companies, the second and third sets of hearings, from April to August 1839 and February to June 1840, heard about 50 witnesses each, representing railway companies, government agencies, and railway companies' customers, including carriers. The hearings held between February and May 1844 heard 26 witnesses. Although the committees produced five reports including recommendations about several aspects of railway company practice, they did not make any concrete recommendations with respect to the carrying question, and the government ultimately declined to take any substantive action to address it.

In 1839, before the carrying question became a significant public issue, Charles Poulett Thomson, the president of the Board of Trade, convened the first House of Commons Select Committee on Railways. Many of the 15 MPs on the committee had already distinguished themselves in Parliament, most notably Robert Peel, who had served as Prime Minister four years before, and Charles Shaw Lefevre, Speaker of the House of Commons. The committee also included at least one member with relevant expertise; Sir John Guest was familiar with railways from managing his family's ironworks in Wales and had other similar business interests.<sup>139</sup> The committee did not hear testimony from carriers during this session, but the opinion of the railway company representatives who testified about the appropriate relationship between railway companies and carriers was divided and uncertain. Witnesses' responses to questions relating to carrying were inconclusive, as most companies had not fully developed their goods carrying policies or started carrying goods on their lines. The Great Western company had not started carrying, the London & Birmingham company had been transporting goods for less than a month, and the Southampton Railway Company witnesses stated that they did not as yet carry many goods.<sup>140</sup> One railway

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<sup>139</sup> *First Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 26 April 1839, ii.

<sup>140</sup> *First Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 26 April 1839, 12, 58.

company representative pointed out that carrying 'is so completely a new trade to us, that we have not been able to frame regulations'.<sup>141</sup> Only one company had developed a regular carrying service by that time; John Moss, chairman of the Grand Junction Railway Company, stated that three or four carriers operated on their line alongside the company's own carrying business, and that the company allowed these carriers 'a per-centage out of the toll we charge, for their trouble as carriers; we are not anxious to be carriers.'<sup>142</sup>

At about the same time, the committee overseeing the reauthorisation of the London & Birmingham Railway Company's enabling act were also exploring issues of control of and access to rail lines. They were particularly interested in the extent to which the original intent of enabling acts - for the company to construct the line and allow others to use it on payment of a toll - could realistically be expected to be realised. They asked Captain Moorsom, an engineer for the company, how it could be possible for an individual to operate a locomotive on the line; he explained that while it was possible, and permitted, the company was not compelled to provide a third party's locomotive with fuel or water, or a place to pick up and deliver goods or passengers.<sup>143</sup>

Joseph Baxendale, general manager of Pickfords, testified before the committee in his role as deputy chairman of the South Eastern Railway Company and former goods manager of the London & Birmingham Railway Company. He explained that the London & Birmingham Railway Company had considered setting up a carrying business but had no interest in becoming carriers themselves as 'they are upon a much sounder principle.'<sup>144</sup> '[I]t is quite out of the question,' he argued, 'that a railroad company can be carriers, and admit other carriers upon the line, without doing serious injury to those carriers.' He believed railway companies should confine themselves to managing the infrastructure, as 'they act upon the same principle as the canals, only finding a larger capital for the benefit of the traders'.<sup>145</sup> Theodore Rathbone, deputy chairman of the North Union Railway Company, also expressed support for carriers,

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<sup>141</sup> *First Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 26 April 1839, 6.

<sup>142</sup> *First Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 26 April 1839, 27.

<sup>143</sup> *Minutes of Evidence taken before the Committee on the London and Birmingham Railway Bill*, House of Commons Parliamentary Papers Online, 2 May 1839, 8.

<sup>144</sup> *Second Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 9 August 1839, 55.

<sup>145</sup> *Second Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 9 August 1839, 55.

as they allowed railway companies to focus on operating, maintaining and improving the rail infrastructure. Allowing carriers to manage goods transport provided railway companies with 'the benefit of the established connexions, experience and system of the carriers, instead of having them as rivals and enemies.'<sup>146</sup> Edward Bury, who supplied locomotives for the London & Birmingham Railway Company, also supported carriers - '[a] private carrier would convey...and...handle the goods at less expense than the company could; he would adopt those plans which would seem to him to be the best; and as regards his general connexion with the country, the public would be very much benefited' - and stated baldly, 'I do not think that railway companies ought to have anything to do with carrying.'<sup>147</sup>

The committee's second report, published in August 1839, reflected this state of uncertainty about the role of carriers on railways. The committee accepted that railway companies were not required, like canals and turnpikes, to provide public access, and reiterated the defendants' argument in *Pickfords v. Grand Junction Railway Company* that stations and water supplies were not included as part of railway companies' transport infrastructure. In order to protect passenger safety, the committee concluded, 'it is necessary that the Company should possess a complete control over their line of road, although they should thereby acquire an entire monopoly of the means of communication.'<sup>148</sup> This point settled, the committee considered the carrying question directly. As '[w]itnesses, whose opinions on this question are deserving of careful consideration, will be found to differ entirely upon the comparative advantage of Companies themselves becoming carriers', the committee stated that it did not yet feel competent to make recommendations regarding railway goods carriage.<sup>149</sup>

The committee, now referred to as the Select Committee on Railway Communication, met again between February and June 1840, after the Board of Trade had received several more petitions from businessmen and carriers objecting to railway company carrying. In this session the committee heard testimony from nine carriers. Thomas Tibbets of Pickfords explained that railway companies charged a toll for using their

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<sup>146</sup> *Second Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 9 August 1839, 226.

<sup>147</sup> *Second Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 9 August 1839, 238, 239.

<sup>148</sup> *Second Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 9 August 1839, vi, vii.

<sup>149</sup> *Second Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 9 August 1839, viii, 9.

line, fixed by a company's enabling act and varying by type of goods, and an additional rate per ton for use of the company's locomotives and waggons, which did not vary by type of goods and was not fixed by law. The committee asked Tibbetts to explain the rationale behind the company's charges, but he was unable to; 'they issued their terms, and we paid for the use of the railroad on those terms.'<sup>150</sup> Joseph Derham, also of Pickfords, pointed out that carriers could not determine railway carrying charges in advance, as the companies billed them weekly for locomotive power based on the direction in which they carried the greatest weight; for example, if in one week they carried 50 tons in one direction and 40 tons in the other, they would be charged for locomotive power for 50 tons each way. This uncertainty frustrated the committee:

The question is, whether it is or not an advantage to the public that the company should be carriers, or individuals; how can the Committee form an opinion upon that until they know how the carriers calculate their profit; if you cannot tell the Committee how much of the 45s you charge for goods, you expect to come into your own pocket, how can they form an idea whether the company could carry them cheaper? - From the manner in which they make the charges we are precluded from making that calculation at the time.<sup>151</sup>

All of the carrier witnesses expressed frustration with dealing with railway companies. Railway carrying cost more than other transport modes, and carriers had to absorb this increase without passing it on to their own customers.<sup>152</sup> Companies expected immediate payment while carriers were paid 'whenever you can get it'.<sup>153</sup> Carriers mentioned that 'there is not the punctuality which existed in former times'; goods were often delayed on the railway, either due to accident or error or, in the case of the Grand Junction, because the company sent its own goods before carriers' goods. Such delays could result in significant additional cost and delay if the goods were intended to be shipped overseas; a delay of a day in the arrival of goods to be loaded onto an international vessel could result in a delay of weeks and loss of customs house fees if the ship had already sailed by the time the goods arrived at the dock.<sup>154</sup> Finally, companies refused to compensate carriers for loss or damage; John Robins,

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<sup>150</sup> *Fifth Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 10 July 1840, 17.

<sup>151</sup> *Fifth Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 10 July 1840, 21. To be fair, the committee should have been directing questions about overall cost, revenue and profit to carrying company proprietors rather than carriers' agents.

<sup>152</sup> *Fifth Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 10 July 1840, 68.

<sup>153</sup> *Fifth Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 10 July 1840, 29, 79.

<sup>154</sup> *Fifth Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 10 July 1840, 32-33, 35, 39.

for example, stated that 'I have never received a farthing for all the pilferages and damages which have occurred on [the Grand Junction Railway].'<sup>155</sup> The London & Birmingham company admitted that it had lost a package of his, but had refused to pay compensation for it.<sup>156</sup> The committee asked carrier William Harnett why, in that case, he continued to use the railway: 'If it does not pay you, why do you continue to send by railway? - In hopes of an improvement.'<sup>157</sup>

The issues carriers raised to the committee were different from those they presented as plaintiffs in court. In court carriers argued points of common law, while before the committee they described situations where companies had behaved unethically or illegally. Carriers did not take railway companies to court over increased costs, delays, or even loss of or damage to goods, but rather sought redress for systemic discrimination in rates or service. In their testimony to the Select Committees the carrier witnesses expressed more general concerns about railway company policies and business practices, concerns which highlighted the difference between the economic behaviour of carriers and their customers and that of railway companies.

The committee also heard testimony from 14 customers of the carrying trade - merchants, warehousemen, salesmen, and manufacturers from Birmingham, Liverpool, London and Manchester, some of whom had signed the memorials in support of the carrying trade. All except the Birmingham witnesses used the railways to send and receive goods but employed carriers rather than the railway companies, and all but the Birmingham witnesses expressed dissatisfaction with railway company service, stating that it was less reliable than the carrying trade and less responsive to their needs. Some witnesses stated that railway company carrying was no less expensive than carrying by other transport modes, and could cost up to 25 per cent more, and goods could be 'as long coming as if they came by the canal'.<sup>158</sup> Reiterating the carriers' testimony, witnesses explained that reliability was more important than speed. Witnesses also said that the timing of goods trains was not convenient for them; for example, since perishable goods often arrived in London by rail in the

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<sup>155</sup> *Fifth Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 10 July 1840, 92.

<sup>156</sup> *Fifth Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 10 July 1840, 93.

<sup>157</sup> *Fifth Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 10 July 1840, 23.

<sup>158</sup> *Fifth Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 10 July 1840, 62, 53.



evening to be sold the following morning, it was just as convenient for them to be delivered by waggon, which was slower but arrived in time for the opening of the market.<sup>159</sup> These witnesses also pointed out that carriers offered services railway companies did not, such as notifying customers when shipments were due.<sup>160</sup> Carriers could be trusted to deliver goods to market and then return with the revenue from their sale.<sup>161</sup> Through long relationships carriers understood the business and needs of their customers, and had developed their own business practices in collaboration with them. Finally, witnesses stated that railway companies were not as amenable as carriers to settling disputes or paying for loss or damage. Railway companies 'would insist on strict right, and set you at defiance' while carriers 'would stretch a point to oblige you'.<sup>162</sup> The committee asked some witnesses why they thought anyone used the railways, if they offered no advantage over the carrying trade; some replied that they did it because others did, and they felt they could not afford to be left behind.<sup>163</sup> The four witnesses from Birmingham employed the Grand Junction Railway Company as carriers for some or all of their goods, and all expressed satisfaction with the company's service; all agreed, however, that neither the Grand Junction nor any other railway company should have the right or ability to exclude carriers from their lines.<sup>164</sup>

Some witnesses specifically attributed their dissatisfaction with railway companies to the fact that they were joint-stock companies. Andrew Caldecott, a Manchester warehouseman, stated that 'with respect to public companies, it is almost useless; we are turned about from pillar to post, and do not know where to get redress.'<sup>165</sup> Witnesses felt that while they and the carriers they employed were on an equal footing there was no point in attempting to get railway companies to compensate for poor service, as 'one house could not contend against a company' and 'public bodies generally do not consider themselves responsible.'<sup>166</sup> At least one railway company

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<sup>159</sup> *Fifth Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 10 July 1840, 64, 68.

<sup>160</sup> *Fifth Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 10 July 1840, see 49-50.

<sup>161</sup> *Fifth Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 10 July 1840, 63.

<sup>162</sup> *Fifth Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 10 July 1840, 59.

<sup>163</sup> *Fifth Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 10 July 1840, 66.

<sup>164</sup> *Fifth Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 10 July 1840, 144.

<sup>165</sup> *Fifth Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 10 July 1840, 53.

<sup>166</sup> *Fifth Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 10 July 1840, 54, 59.

official concurred; Edward Bury, the superintendent of locomotives on the London & Birmingham Railway, stated that 'I never knew a joint-stock company who would do a thing more economically than private individuals', and 'there would be much more satisfaction in the public dealing with individuals than with the company.'<sup>167</sup>

As in the previous year, not all of the railway company officials testifying before the committee in 1840 were convinced that railway companies should act as carriers, and many seemed to recognise the strengths and limitations of joint-stock companies. Edward Bury argued that not engaging in the carrying trade meant that the company's 'earnings would be greater with less inconvenience, and less trouble to ourselves.'<sup>168</sup> Captain Laws, manager of the Manchester & Leeds Railway Company, was convinced that railway company carrying would soon be phased out, and 'the Grand Junction, if it pursues its own plan [to act as carrier], will very soon stand alone.'<sup>169</sup> He noted that the new Birmingham & Gloucester and North Midland companies did not intend to carry, and believed that the Great North of England and York & North Midland companies would make the same choice. He also believed the Liverpool & Manchester company would soon cease carrying; '[w]hen I consider the enormous expense that company carry at, I cannot think they will continue carriers'.<sup>170</sup> He believed that the Grand Junction company's choice to subsidise its carrying operations with passenger revenue was financially unsustainable; '[i]t appears to be very bad policy, if they cannot carry goods at a profit, to do it at all.'<sup>171</sup>

In its third report, issued in May 1840, the committee revisited the issue of railway company monopolies of goods carriage, concluding that although their investigation

demonstrates beyond all doubt that Parliament was anxious to prevent Railway Companies from obtaining an exclusive control over the conveyance of Passengers and Goods along their respective lines...[a]t the time...the subject was very imperfectly understood; powers were consequently conceded to these Companies, which counteracted...the evident purposes of the Legislature.... The original error consisted in a total misapprehension of the best means of providing locomotive power on Railways: Parliament at first considered that this might be safely...supplied by public competition; and its

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<sup>167</sup> *Fifth Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 10 July 1840, 116.

<sup>168</sup> *Fifth Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 10 July 1840, 110.

<sup>169</sup> *Fifth Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 10 July 1840, 267.

<sup>170</sup> *Fifth Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 10 July 1840, 267.

<sup>171</sup> *Fifth Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 10 July 1840, 269.

measures were accordingly framed with the view of affording a free scope to all persons who might be willing to engage in such an undertaking.... The general impression of Parliament appears to have been, that there existed a close analogy between the principles which govern the means of conveyance by Railway and by Canal, and this indeed appears to have been the opinion of the Railway Proprietors themselves [who] frequently declared that...they considered themselves to be merely toll proprietors, and that it was neither their desire nor for their interest to undertake the conveyance of passengers and goods over the lines of road which they proposed to construct.<sup>172</sup>

The committee realised, however, that Parliamentary restrictions on tolls 'were useless, except under the supposition that there should be a free competition among the parties supplying the locomotive power', and suggested that such competition was unlikely because carriers were reluctant to invest in the expensive equipment required to use the railways. Given this obstacle to competition, as well as issues of passenger safety and service coordination, '[i]t was eventually acknowledged that these lines...must be placed under one undivided control and authority'. The committee concluded that 'it is indispensable...to prohibit, as far as locomotive power is concerned, the rivalry of competing parties on the same line of railway, although such prohibition involves the continuance of the monopoly.'<sup>173</sup> Thus the committee not only confirmed that the railway companies did exercise a monopoly on their lines but that that monopoly was acceptable to the government.

The report described the three business models for railway company carrying that had been explained to the committee - those of the London & Birmingham company, which did not carry, the Grand Junction company, whose own carrying service competed with carriers, and the Liverpool & Manchester company, which they erroneously stated was the only railway in the country 'required by their Act to undertake the carriage of all goods...whereby private carriers are virtually excluded from participation in this business.'<sup>174</sup> It concluded that the operations of the Liverpool & Manchester company were 'carried on very much to the satisfaction of the public', but acknowledged that it competed with multiple inland waterway carriers on the same corridor. The Grand Junction company's policies had 'created much ill-feeling between the parties concerned', partly because carriers could charge no less than the

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<sup>172</sup> *Third Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 14 May 1840, 3.

<sup>173</sup> *Third Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 14 May 1840, 4.

<sup>174</sup> *Third Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 14 May 1840, 9.

railway company acting as a carrier.<sup>175</sup> Of the three business models, that of the London & Birmingham company seemed to the committee the least unsatisfactory, because although it did not provide any cost advantage to the public, as carriers were still beholden to the railway company for carrying arrangements, '[t]he profits of each carrier will depend on the amount of his business, and this can only be maintained and increased by an incessant attention to the wishes of his employers, and by his civility, punctuality, and care in the collection and delivery of goods.' In addition, the committee recognised that 'the details of the carrying trade will be more attended to by those who earn their livelihood from it, than if [it] were left to the management of railway directors, necessarily less acquainted with the details of such a trade, and less interested in its success.' Although they acknowledged that a railway company goods carriage monopoly might harm the public, and although they seemed to favour the London & Birmingham company carrying model, the committee did not make any substantive recommendations about carrying; they only recommended 'the appointment of an authority to watch the different systems practiced upon the different lines of railway' and that railway companies provide statistical information about the volume and revenue of goods carriage separated into revenue from rates charged by the company acting as carrier and tolls collected from carriers.<sup>176</sup>

Four years later, the committee reconvened to consider the advisability of government intervention in railways. Five members of the 1844 committee - Mr Greene, Lord Seymour, Viscount Sandon, Lord Grenville Somerset, and Mr Thornely - had served on the first committee; among the new members was Henry Labouchere, former President of the Board of Trade, and William Gladstone, then President of the Board of Trade.<sup>177</sup> Between 1839 and 1844 the physical and financial landscape of the railway sector had changed dramatically; the railways that had opened before the 1839 hearings had now been operating for more than five years, and many of the lines still under construction in 1839 had become operational.<sup>178</sup> Some companies were already acquiring other lines as well as canal companies, and there was a fierce

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<sup>175</sup> *Third Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 14 May 1840, 9.

<sup>176</sup> 'THIRD REPORT from the SELECT COMMITTEE on RAILWAY COMMUNICATION,' *The Morning Chronicle*, 21 May 1840; 'RAILWAYS and the BOARD OF TRADE,' *The Morning Post*, 23 November 1840.

<sup>177</sup> *Fifth Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 24 May 1844, ii.

<sup>178</sup> The most significant lines in the country were completed and opened in the following years: Grand Junction, 1837; London & Birmingham, 1838; Manchester & Birmingham, partially opened 1840; Great Western, 1841; Eastern Counties, 1843. The series of amalgamations of several smaller lines into large railway companies began after 1845.

competition for traffic.<sup>179</sup> Although railway operations had become more standardised, particularly with respect to passengers, three major railway companies, the London & Birmingham, the Grand Junction, and the Great Western, still used different business models for carrying.

The committee had been asked to consider a set of 'Clauses submitted with a View to amend the Law relative to the Carriage of Goods by Railway', designed to systematise and equalise the rights and responsibilities of railway companies with respect to carrying and to outline fair and consistent practices for railway company treatment of carriers.<sup>180</sup> It is unclear who developed these clauses, or in what manner they were submitted for review by the committee; the committee itself, however, appeared to have considered them 'a view of the arrangements which the carriers desire, but which...would be most unpalatable to the Railway Companies.'<sup>181</sup> These clauses would require railway companies acting as carriers to separate their goods carriage rates into tolls and charges for pickup and delivery, locomotive power and waggons, and carrying, and that these charges should be 'fixed, equal, and reasonable'. The clauses would empower the Board of Trade to investigate and adjudicate complaints of unfair or preferential treatment in rates or in operations (for example, prioritising loading and unloading, sending goods on faster or earlier trains).

The language of some of the witnesses in these hearings is similar to that used in the municipal water supply company hearings I analysed in chapter 3, demonstrating a conflict between a business model based on relationships and the model employed by joint-stock companies. For example, witnesses before both committees suggested that their credibility could be demonstrated by the strength of their connections with their communities. One witness observed that a witness in *Parker v. The Great Western Railway Company* 'has lived in Oxford and its neighbourhood from his youth, and his testimony would be relied on by the magistrates of that place' and that of he himself 'no man has just cause to doubt my word.'<sup>182</sup> These kinds of statements show

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<sup>179</sup> *Fifth Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 24 May 1844, 83, 103, 140.

<sup>180</sup> *Fifth Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 24 May 1844, Appendix 5, 64-65.

<sup>181</sup> *Fifth Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 24 May 1844, xvi.

<sup>182</sup> *Fifth Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 24 May 1844, 439.

that these witnesses, like many others, still valued and relied on a carefully maintained social reputation to support their economic interests.

Three railway company official witnesses used the same language and frames to delegitimise the carrying trade as in the pamphlets I analysed in chapter 4. John Swift, lawyer for the Grand Junction Railway Company, asserted that the company were 'carriers' and carriers on the line were not; asked about the Pickfords case, he stated that 'the only question is, whether he or I should have the money; we being, in fact, the carriers and he only the collector or deliverer'.<sup>183</sup> He later used the phrase 'what are called the carriers on the railway', stating that as 'the railway company are the carriers, I cannot see how you can deal with any other person under the name of carrier.'<sup>184</sup> Using similar language to that in Braithwaite Poole's pamphlets, Swift explained that carriers were really only 'customers of the carrier, that is to say, of the railway company' and frequently used the expressions 'so-called carriers' and 'middlemen'.<sup>185</sup> During his testimony the committee members questioning him began to adopt his terminology. Swift refused to allow the word 'monopoly' to be applied to railway company operations; 'I do not call it by that name, because it is not an agreeable name.'<sup>186</sup> In his testimony Mark Huish, secretary and general manager of the Grand Junction company and author of one of the pamphlets I analysed in chapter 4, used similar language to refer to carriers:

I cannot admit that there is any competition between the Grand Junction Railway Company and the middlemen.... The company being the sole carriers, they receive all goods...in their capacity as carriers, and...receive and transmit them from the so-called carriers or middlemen.<sup>187</sup>

John Moss, chairman of the Grand Junction company, engaged in similar semantic manipulation, referring to carriers using the line as the railway company's agents.<sup>188</sup>

Despite having heard witness testimony related to the carrying question, the committee did not recommend any action to control railway companies' growing

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<sup>183</sup> *Fifth Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 24 May 1844, 178.

<sup>184</sup> *Fifth Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 24 May 1844, 196.

<sup>185</sup> *Fifth Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 24 May 1844, 514.

<sup>186</sup> *Fifth Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 24 May 1844, 519.

<sup>187</sup> *Fifth Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 24 May 1844, 527.

<sup>188</sup> *Fifth Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 24 May 1844, 205.

monopoly over regional and national goods transport. Their report stated that 'interference of such an extensive and unusual nature...ought not, in their opinion, to be attempted, unless after mature deliberation, upon a very strong case of necessity...and with a full view of the actual position of the different interests affected'. Given 'the magnitude of the other questions, of a more pressing nature, into which the Committee have had to inquire', including financing, safety, and through service for passengers, they opted not to make any recommendations on the carrying question until after the Pickfords case had been decided in court.<sup>189</sup>

Nearly a decade later, in 1853, a Select Committee on Railway and Canal Bills was convened to reconsider government involvement in the management of railway companies, which by this time constituted a national transport network. By this time it was generally acknowledged that these companies collectively constituted 'an entire monopoly, sanctioned by Parliament', although the extent to which canals and alternative rail routes offered meaningful competition, and the extent to which these potential competitors should be permitted to combine, were still open questions.<sup>190</sup> Although the carrying question appeared to have been settled by default by this time, the committee did hear some testimony from the Board of Trade, carriers, and carriers' customers relating to railway company carrying. Representatives of the traders of Birmingham described several instances of railway companies either directly refusing service to specific individuals or indirectly damaging businesses by charging them higher rates, delaying packages, requiring pay in advance, or placing arbitrary restrictions on the conditions of carriage. The witnesses pointed out that while these actions might be illegal, taking railway companies to court had proved ineffective in stopping them; even when the carrier plaintiff won his case the damage had already been done. In short, 'the ordinary remedy of an action at law is not available as a sufficient protection for the individual trader.'<sup>191</sup> A few witnesses called directly on Parliament to take action to protect the carrying trade and the public from railway company monopoly. George Loch, barrister for the Bridgewater Trustees, stated that if the government were concerned about monopoly 'you must reduce the railways

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<sup>189</sup> *Fifth Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 24 May 1844, xvi-xvii.

<sup>190</sup> *Second Report from the Select Committee on Railway and Canal Bills*, House of Commons Parliamentary Papers Online, 28 February 1853, 16.

<sup>191</sup> *Fifth Report from the Select Committee on Railway and Canal Bills*, House of Commons Parliamentary Papers Online, 8 July 1853, 145.

throughout the country to be highways, and not monopolists of carriage also.<sup>192</sup> George Mellish, director of the Grand Junction Canal Company, agreed, stating that the only way to ensure competition was '[i]f Parliament were to oblige the railways to admit the carriers'. His argument, however, was not very convincing as he went on to say that

if [the canal company, currently acting as carriers on their line] were compelled necessarily to let all carriers come in, that it would be very difficult for us to continue our carrying establishment at all, for it cannot be carried on efficiently except we practically have a monopoly to a certain extent.<sup>193</sup>

The committee heard hundreds of pages of testimony from railway company officials, canal company officials, and other parties, much of which was contradictory, and some of which the committee criticised for focusing on the witness's self-interest rather than seeking to develop and apply general principles to promote public benefit.<sup>194</sup> As a result, although it made several recommendations in its report, the committee did not directly address the carrying question.

Over a period of 14 years, in response to expressions of public concern over railway company goods carriage, Select Committees considered the carrying question in their deliberations over the extent and role of government involvement in railway companies. Although they did recommend legislation concerning other issues regarding regulating railway companies, the committees ultimately made no recommendations for legislation to keep railway companies from monopolising goods carriage, or to mitigate the effects of these monopolies. Ultimately all of those who expressed concern about railway company monopoly of goods carriage and the elimination of the carrying trade were forced to rely on government, in some form - the courts or Parliament - to mitigate the situation when their attempts to negotiate as peers with railway companies proved unsuccessful. While the courts directly, and Parliament implicitly, acknowledged the justice of the complaints of those using railway companies to transport goods, and the courts explicitly attempted to address them, the government did not have the power, or the will, to request or enforce changes.

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<sup>192</sup> *Third Report from the Select Committee on Railway and Canal Bills*, House of Commons Parliamentary Papers Online, 18 March 1853, 35.

<sup>193</sup> *Third Report from the Select Committee on Railway and Canal Bills*, House of Commons Parliamentary Papers Online, 18 March 1853, 21-22.

<sup>194</sup> *Third Report from the Select Committee on Railway and Canal Bills*, House of Commons Parliamentary Papers Online, 18 March 1853, 42.



In *Forging Industrial Policy*, Frank Dobbin suggests that the British government during this period supported an economic climate in which 'rationality ensued when scores of small entrepreneurs competed freely without interference from politics or from larger, dominant firms'.<sup>195</sup> With respect to railway companies, government attention was directed toward three issues - balancing public benefit against the rights of landowners in the compulsory purchase of land, protecting the safety of passengers, and preventing the predatory acquisition of small companies by larger ones.<sup>196</sup> The government in principle supported the carrying trade, as it conformed to its model of competing small entrepreneurs on a level playing field, but proved unable to enforce that support in any meaningful way, due to 'lack of basic mechanisms for administrative or judicial oversight of private activity', relying on the idea that 'the law would enforce itself' through the courts.<sup>197</sup> As we have seen, however, the unanimity and vigour of judicial verdicts supporting the carrying trade and censuring railway company policies and practices with regards to goods carriage had virtually no effect in changing those policies and practices, or stopping the entire railway network from excluding carriers.

### **Attempts to boycott railway companies**

By the late 1840s it was becoming clear to many of those objecting to railway company policies and practices that the strategies they had employed - negotiation and mediation, legal action, publicity, and appeals to government - had not been successful. Describing public wariness toward joint-stock companies and the threat of monopoly that they posed, James Taylor notes that 'supporters of limited liability argued that the public did not have to deal with limited liability companies if they did not want to', although it is difficult to imagine how most people could have substantively exercised this choice, particularly when the joint-stock company in question was a monopoly.<sup>198</sup> Although a relatively insignificant and ultimately unsuccessful response, some businessmen, having experienced the poor quality and high cost of railway company carrying and not having succeeded in eliciting desired changes, explicitly attempted to avoid carrying by railway. An 1844 complaint against the Liverpool & Manchester Railway Company, primarily focusing on passenger service, included the following statement about goods carriage:

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<sup>195</sup> Dobbin, *Forging Industrial Policy*, 160.

<sup>196</sup> Dobbin, *Forging Industrial Policy*, 166.

<sup>197</sup> Dobbin, *Forging Industrial Policy*, 161.

<sup>198</sup> James Taylor, 'The joint stock company in politics', 107.

The other evening...I called at a warehouse to see a friend of mine, who was delivering a number of bales to a lorry for the New Quay [canal] Company. 'Why do you not forward them by rail?' inquired I, 'the charges being about the same?' 'Oh, curse the rail,' said he, 'the company don't study our comforts, and, of course, we...don't study their interest; we always send by a carrier, unless a vessel be waiting at Liverpool, and then we rail 'em; and so we thank them for nothing, as Paddy says.'<sup>199</sup>

In 1845 it was reported that due to increasing costs of railway company carriage former customers of the South Western Railway were returning to inland waterway carrying.<sup>200</sup> In 1846 it was reported that goods carriage between Leicester and London was both faster and less expensive by fly waggon than by railway.<sup>201</sup> In 1847 a group of Birmingham merchants declared that due to '[t]hat great disappointment, both as regards punctuality...and damage of goods carried on railways', they would 'employ themselves, and encourage and recommend to others not present, the employment of water in preference to railway carriage' for their goods.<sup>202</sup> One frustrated bookseller, determined to send packages by rail from Edinburgh to London as he expected it to be faster than by water, and discovering otherwise, stated that 'as I could obtain no assurance from [the railway company] that celerity could be depended on, I must give up the railway.'<sup>203</sup> A letter to the *Hull Packet* noted that due to high railway carriage costs and poor service '[a] waggon goes daily between Beverley and Hull and is well loaded every day.'<sup>204</sup> The *York Herald and General Advertiser* reported in 1849 that

[o]n the opening of the lines between Hull and Scarbro', all the carriers and coaches were expected to be annihilated, but when it was found that the company charged so enormously for small parcels, carriers commenced again between Scarbro' and Driffield, and Burlington and Driffield, and have continued to be well encouraged.<sup>205</sup>

In 1851 it was reported that

[t]he charges for small parcels from Exeter to this town, by the South Devon Railway, is most exorbitant. A parcel only one pound and-a-half in weight is charged eleven-pence, when it will be taken by the Ashburton carrier for two-pence.... The public should notice this.<sup>206</sup>

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<sup>199</sup> 'LIVERPOOL AND MANCHESTER RAILWAY FARES,' *Liverpool Mercury*, 18 October 1844.

<sup>200</sup> *Hampshire Advertiser & Salisbury Guardian*, 20 September 1845.

<sup>201</sup> *The Leicester Chronicle: or, Commercial and Agricultural Advertiser*, 26 December 1846.

<sup>202</sup> 'MIDLAND RAILWAY,' *The Bradford & Wakefield Observer; and Halifax, Huddersfield, and Keighley Reporter*, 4 February 1847.

<sup>203</sup> *Daily News*, 10 June 1847.

<sup>204</sup> 'Correspondence,' *The Hull Packet and East Riding Times*, 5 October 1849.

<sup>205</sup> *The York Herald, and General Advertiser*, 30 June 1849.

<sup>206</sup> 'SOUTH DEVON,' *Trewman's Exeter Flying Post or Plymouth and Cornish Advertiser*, 23 October 1851.

An 1851 letter to the editor of the *Daily News* expressed the writer's opinion in strong terms:

The irregular and careless conduct of the goods traffic on most railways is notorious...[i]n answer to [a customer's] application for redress, he has doubtless been bandied about from one end of the line to the other; and...the only satisfaction he obtains is a curt reply from every clerk on the railway.... The effect of these evils is, that freighters never send goods by railway...if they can send any other way.

The writer went on to state that he preferred to send goods by carrier, and was happy to pay more to do so.<sup>207</sup> Even as late as the 1850s, by which time the carrying question had been settled by default in favour of the railway companies, some continued to attempt to avoid using railway companies for goods carriage.

### **Summary and conclusions**

Many individuals and businesses that employed the carrying trade began to use railway company carrying as it became available, or as it became the only option to transport their goods, and many who did so, for various reasons - high cost, slow service, insufficient protection of goods, poor response to complaints and requests for compensation - found railway company carrying unsatisfactory. Part of this dissatisfaction derived from the fact that railway companies' business structure was oriented toward passenger transport; railway companies were accustomed to interacting with individuals rather than with other businesses expecting their own requirements and objectives to be acknowledged, understood and catered to. Despite the fact that carriers, customers and the government made their dissatisfaction with the policies and actions of railway companies clear, these companies continued to adopt and strengthen their monopoly goods carriage business model.

In this chapter I described the strategies carriers, carriers' customers, the general public and the government adopted to respond to the development of railway company goods carrying during the 1840s. These strategies, similar to those of customers of the joint-stock companies supplying water to London in the 1820s, ranged from attempts to negotiate with companies, to attempts to gain compensation or policy changes through the courts, to publicising problematic company behaviour through pamphlets and public meetings, petitioning the government, and making alternative carriage arrangements.

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<sup>207</sup> 'RAILWAY MANAGEMENT,' *Daily News*, 2 October 1851.

This chapter also indicates that while these strategies were somewhat successful against London's water supply companies, they met with little or no success against railway companies. Unlike the water companies, railway companies did not engage at all with attempts to negotiate, either informally with individuals or formally through the legal system. Parliament responded to public expressions of dissatisfaction by convening Select Committees to investigate railway company practices and recommend legislation to address problems; although these committees recommended legislation addressing other areas of railway service, they ultimately took no significant action with respect to the carrying question, and railway companies continued to operate monopoly goods carrying services on their lines.

## **Chapter 6: Carrying after the railways**

### **Introduction**

As I described in chapters 4 and 5, although in the 1840s and early 1850s the carrying trade seemed to have the support of the business community and the government, and to have had both prevailing ideology (in favour of competition and against monopoly) and practical considerations (in that at least some believed railway companies were more profitable facilitating the carrying trade than acting as carriers themselves) in their favour, railway companies ultimately achieved their aim to become exclusive carriers on their lines. Railway companies' displacement and co-optation of carriers had several effects on both the economy and on the way business was done. I begin this chapter by offering some speculations about how railway companies were able to dominate domestic goods carrying in the face of strong and principled opposition. I then review some of the changes brought about by this change in goods carriage - railway companies' consolidation of goods carriage through acquiring canals and incorporating local carriers, the contestation of the legal meaning of the word 'carrier', and the eventual state regulation of railway companies. I conclude this chapter by considering the effect of the change in goods carriage on the wider economy.

### **Why did the railway companies succeed?**

As I have documented in this study, once railway companies determined to take over regional carrying they succeeded despite opposition from carriers, government, the business community and the general public, and despite the apparent incongruity between their policies and government views of how the economy should be structured. This success has up to now not required analysis; historians have assumed that it was a natural result of railway companies' superior service and lower prices. As this study has shown, however, railway company goods carrying was often considered inferior to the carrying trade except in terms of speed; in situations where speed was a factor senders used railways where they would formerly have used coaches, but otherwise many preferred to continue to employ the carrying trade. This study has also suggested that the cost of carrying, while not trivial, was not of overwhelming significance to those who employed the carrying trade. While later observers have suggested that the most significant improvement of railway company carrying over the carrying trade was increased capacity, carriers using railways could have achieved the same increase that railway companies eventually did; in fact, the former might have been greater as carriers had more experience in organising goods

transport, and would have been better able to integrate existing transport and storage resources into a high-capacity multimodal service.

This study suggests three advantages the railway companies had over the carrying trade. First, mirroring the collective action of joint-stock companies in other business sectors and industries, railway companies exercised collective influence through such organisations as the Railway Clearing House.<sup>1</sup> As early as 1839 George Carr Glyn, then chairman of the London & Birmingham Railway, set up a 'railway society' to oppose government regulation of railways; this society was disbanded in 1840 when the threat proved to be illusory.<sup>2</sup> However, in response to logistical pressures and government regulation railway companies created collective organisations throughout the 1840s and 1850s and as the dividends of individual lines dropped between 1845 and 1855 cooperation rather than competition for limited traffic was seen as the most sensible and profitable course.<sup>3</sup>

By contrast, although Everitt suggests that '[a]mongst the carriers themselves, oral evidence suggests that there was often a strong sense of community, fostered occasionally by relationship, but much more by their meeting one another week after week in the inns', carriers had no equivalent collective organisations.<sup>4</sup> Small family firms interacted with each other at the ends of their routes or indirectly through inns and agents, but there was no overall organisation or sharing of intelligence. Some evidence suggests that the personalised business model of the companies comprising the carrying trade worked against collective action.<sup>5</sup> The nonhierarchical structure of the carrying trade left it without any ability to speak collectively or exert collective influence; the closest they came during the carrying question was the perceived leadership of Pickfords, the largest of the carrying firms, in its battle against the railway companies.

Second, due to their extraordinarily profitable passenger business railway companies came to control a substantial amount of capital that carriers, individually and collectively, were unable to match. The sheer economic mass of the railway companies, particularly when it began to be exercised collectively, allowed them to

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<sup>1</sup> Rose, *Firms, Networks and Business Values*, 135-136.

<sup>2</sup> Philip S. Bagwell, 'The railway interest: its organisation and influence 1839-1914', *Journal of Transport History* 7, no. 2 (November 1965): 65.

<sup>3</sup> Bagwell, 'The railway interest', 66.

<sup>4</sup> Everitt, 'Country carriers in the nineteenth century', 200.

<sup>5</sup> Jones and Rose, *Family Capitalism*, 3.

invest more in goods transport than carriers could afford to, to wear down and outwait carriers through endless lawsuits in the only area carriers could directly confront railway companies, the courts, and to influence government through personal and financial connections with MPs.

Finally, from their inception railway companies developed strong ties with the state. The relationships railway company directors formed with members of Parliament when obtaining their companies' enabling acts allowed them to exert political influence in places to which carriers had no access. In his testimony to the Select Committee in 1844 Richard Parker mentioned that he had intended to petition for a change in the Great Western company's enabling act, but 'not being accustomed to such proceedings, never having given evidence before, never having petitioned except a public petition, never having petitioned on a Private Bill, or knowing anything about Parliamentary proceedings, [he] feared the expenses', and was unable to act in time. 'I came down to the Private Bill-office, and I found that I could not petition against those clauses; that I must give three days' clear notice, and that I could not do, and I lost the opportunity.'<sup>6</sup> Parker told the committee he had been unaware that he could approach the Board of Trade to investigate complaints against railway companies as 'I really was ignorant upon the subject'.<sup>7</sup>

By contrast, while carriers found it difficult to get representation in Parliament through formal means that railway companies obtained through personal connections, the number of railway company directors in the House of Commons increased from 18 per cent in the 1840s to nearly 90 per cent in 1853.<sup>8</sup> These personal and financial connections between railway companies and the government, later referred to as the 'railway interest', helped to overcome both public opposition to railway company business practices and the government's own preference for supporting many small competing businesses.<sup>9</sup> MPs and railway company directors may have had differing views on the way the economy should function, but they shared social and cultural backgrounds and participated in the same social networks. These personal

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<sup>6</sup> *Fifth Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 24 May 1844, 388.

<sup>7</sup> *Fifth Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 24 May 1844, 391.

<sup>8</sup> Bagwell, 'The railway interest', 83.

<sup>9</sup> Dobbin, *Forging Industrial Policy*, 160; Geoffrey Alderman, *The Railway Interest* (Leicester, Leicester University Press, 1973).

connections may have played a pivotal role in helping an impersonal business model emerge victorious in a conflict with a social business model.

### **Railway companies eliminate or integrate competitors**

Once railway companies succeeded in monopolising regional goods carriage on railways, they set about eliminating competition from inland waterway carriers by acquiring and then operating or filling in canals.<sup>10</sup> Pollins suggests that railway companies began to purchase canal companies as early as the 1840s.<sup>11</sup> 'A Sufferer' mentioned in 1848 that the London & North Western Railway Company drove carriers off the Grand Junction Canal, as well as its own line.<sup>12</sup> By 1863 railway companies controlled one third of the country's canal mileage; as Sir Alexander Cockburn told the House of Lords,

There cannot be a doubt that...the introduction of railways has destroyed the competition which formerly existed.... [T]he absence of other means of conveyance...compels the owner of goods...to resort to railway conveyance. He is thus at the mercy of the [railway company], and has no alternative but to submit to any terms, however unjust and oppressive, which the latter may think fit to impose.<sup>13</sup>

As I have indicated, the carrying trade did not disappear completely; in fact, in some areas the number of local carriers increased after the introduction of railway service.<sup>14</sup> These carriers, however, served a different economic purpose than the carrying trade of two generations before. W. H. Hudson identified two roles for carriers at the turn of the twentieth century, as 'country buses' bringing villagers to and from town for errands, shopping, and market days and as an informal postal service picking up and delivering packages for village residents; Everitt identifies a third purpose, bringing fresh produce from nearby farms into town.<sup>15</sup> Although carriers still established relationships with customers, and continued to serve as 'shopping agents' as well as transporters of goods, this new incarnation of the carrying trade no longer served

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<sup>10</sup> Hadfield, *The Canals of Yorkshire and North East England*, 206, 389; Maw, *Transport and the Industrial City*, 96-102; Porteous, *Canal Ports*, 17; *Fifth Report from the Select Committee on Railway Communication*, House of Commons Parliamentary Papers Online, 10 July 1840, 140.

<sup>11</sup> Pollins, *Britain's Railways*, 61.

<sup>12</sup> 'A Sufferer,' *Railway Policy*, 4-5.

<sup>13</sup> Charles Clark, Esq., *The House of Lords Cases, on Appeals and Writs of Error....* vol. 10 (London: Butterworths, 1865), 556.

<sup>14</sup> Everitt, 'Town and country in Victorian Leicestershire', 236; Maw, *Transport and the Industrial City*, 96.

<sup>15</sup> W. H. Hudson, *A Shepherd's Life* (Cambridge: Cambridge University Press, 2011), 53-55; Everitt, 'Town and country in Victorian Leicestershire', 217.



other businesses, as production of goods had largely relocated into cities with rail links.<sup>16</sup>

### **The change in the legal meaning of ‘carrier’**

As railway companies began to control the goods carrying business and carriers became increasingly marginalised, the legal definition of ‘carrier’, after a period of ambiguity, underwent a change. As I mentioned in chapter 5, some railway company officials testifying before Select Committees between 1839 and 1844 referred to themselves as carriers; they objected to the use of the word ‘carrier’ to describe the carrying trade, describing carriers as ‘middlemen’ or ‘collectors’ or ‘deliverers’, or even ‘so-called carriers’.<sup>17</sup> As I described in chapter 1, however, the term ‘carrier’ had a legal meaning, and carriers had specific and substantial responsibilities under statute and common law to protect and insure goods in their care, and to compensate customers for lost or damaged property. While railway companies were eager to exclude carriers from the goods carrying business, they were less eager to take on these responsibilities, and the issue of whether a railway company was a ‘carrier’ in law took some time to settle.

As early as 1833 the issue of whether railway companies were legally carriers, and thus subject to the law regarding carrying, or only companies responsible for constructing, maintaining and operating transport assets, began to generate legal questions, particularly in relation to tax assessment and liability for goods. R. W. Kostal covers the former topic in detail in *Law and English Railway Capitalism*, but as he approaches it with a different set of questions I have not relied on his interpretation of the story, instead drawing evidence from contemporary sources.<sup>18</sup> The legal issues involved in settling these questions, and the arguments presented in the hearings that decided them, can be found not only in the law books and case records I cite below, but also in the extensive contemporary newspaper reporting of these cases, which were clearly assumed to be of interest to the general public as both investors in railway companies and as users of railways.

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<sup>16</sup> Stobart, *Sugar and Spice*, 205.

<sup>17</sup> *First Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 26 April 1839, 7, 23, 42, 58; *Second Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 9 August 1839, 156, 163, 224; *Fifth Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 24 May 1844, 178, 196, 514, 515, 527, 540.

<sup>18</sup> Kostal, *Law and English Railway Capitalism*, 222-253.

Among the many taxes and revenues authorised by Parliament was a land tax, introduced in the 1690s to fund poor relief.<sup>19</sup> Although this tax, collected by local authorities, was inconsistently assessed, the general principle was to tax a percentage of the value of the land itself, and its agricultural and industrial improvements, based on how much rent a property owner could derive from it.<sup>20</sup> Assessable improvements were distinct from the profits of a business, or 'stock in trade', which in theory could be performed or located anywhere.<sup>21</sup> In the eighteenth century a local authority's assessment of infrastructure within its boundaries, particularly canals, was generally agreed to be the proportion of the asset's value corresponding to the proportion of the asset within its boundaries, based on determination of a 'value per mile' of the total profits of the asset owner.

In 1833 the Liverpool & Manchester Railway Company appealed the assessment of the township of West Derby based on the company's 1832 profits. The company asserted that because 'from the untried nature of their undertaking...[it] ha[d] been obliged to be themselves the carriers on their own line', its stated profits were generated not only by the value of the land the railway occupied, but also the 'profits on trade', which should not have been included in the township's calculations. West Derby argued that if another party had been using the company's property the company would have generated the same assessed profit from tolls. The company responded that the revenue it could have generated from the tolls for the goods they carried was much higher than the company's actual revenue because the company did not collect tolls on goods they carried themselves, and therefore the infrastructure company did not profit from them. In effect, as the company was arguing that it would have made substantially more profit on goods transported in 1832 from tolls alone than from carrying them, it admitted that it had been operating its carrying business at a loss. In a 'monstrous' and 'extraordinary' decision, however, the court disagreed with the company's arguments, and the township's tax rate was upheld.<sup>22</sup>

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<sup>19</sup> Michael Turner, 'The land tax, land and property old debates and new horizons', in Michael Edward Turner and Dennis R Mills, *Land and Property: the English Land Tax 1692-1832* (Gloucester: Alan Sutton, 1986), 1; Martin Daunton, *Trusting Leviathan: The Politics of Taxation in Britain 1799-1914* (Cambridge: Cambridge University Press, 2001), 33.

<sup>20</sup> William Hodges, *The Law Relating to the Assessment of Railways to the Relief of the Poor...* (London: Shaw and Sons, 1842), 8-9.

<sup>21</sup> Robert Unwin, 'An industrial dimension to land tax studies: the Barnsley Coalfield 1690-1830', in Turner and Mills, *Land and Property*, 143.

<sup>22</sup> 'Kirkdale Sessions.--Extraordinary decision.', *Liverpool Mercury etc.*, 21 February 1834.

Nine years later the defining case for railway company land tax assessment, *Queen v. The South-Western Railway Company*, was heard in the Court of Queen's Bench. The parish of Micheldever in Hampshire had assessed the South Western Railway Company for the proportion of its published profits assigned to the 4.5 miles of the 77-mile line that fell within the parish's boundaries.<sup>23</sup> The company had lost its challenge to this rate in a lower court, but appealed the decision. The local newspaper reported that 'the case was full of confusion in every part of it'.<sup>24</sup>

In a five hour argument, the company expressed its willingness to accept an assessment based on toll revenue but argued that it should not include the profits of their carrying business. They referred to the precedent of *King v. The Trustees of the Duke of Bridgewater*, which found that the Bridgewater Canal Trustees would be assessed on the value of their asset, including toll income, but not on the value of their carrying business. In the Bridgewater case, however, the trustees' 'characters of occupiers of the land and of carriers were quite distinct', and it was found that their carrying business was 'unconnected with the land, did not add to its value, and therefore [was] properly excluded from the rate'.<sup>25</sup> The railway company argued that as other parties had the right to carry on the line their carrying revenue should be considered separately - 'it was a mere personal profit arising from a personal privilege and advantage, and was therefore not liable to any rate'.<sup>26</sup>

The court, however, confirmed the lower court's ruling in favour of the parish, stating that

[i]t seemed to have been originally expected that railroads would be generally demised...to third parties.... It had, however...been considered by the companies to be more profitable to become carriers themselves, and although any person was entitled in law to use any company's railroad...yet...the traffic...upon these lines is at present a virtual monopoly.... As the defendants...were in actual, exclusive, and beneficial occupation of the railroad, there seemed to be no reason...for pursuing any different course.<sup>27</sup>

A contemporary legal analysis of this case pointed out that the London & South Western Railway Company's 1835 enabling act included clauses both permitting the company to act as a carrier on its line and requiring it to allow other carriers to use

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<sup>23</sup> Hodges, *The Law Relating to the Assessment of Railways*, 18-19.

<sup>24</sup> *Hampshire Advertiser & Salisbury Guardian*, 22 January 1842.

<sup>25</sup> Hodges, *The Law Relating to the Assessment of Railways*, 28.

<sup>26</sup> 'COURT OF QUEEN'S BENCH, JAN. 19,' *The Standard*, 20 January 1842; *Hampshire Advertiser & Salisbury Guardian*, 22 January 1842.

<sup>27</sup> 'Court of Queen's Bench, Jan. 15.', *The Standard*, 18 January 1842.

the line.<sup>28</sup> If the company had opened its line to carriers, the company as infrastructure provider and the company acting as carrier 'would...stand much in the same relation to each other as the trustees of a turnpike road, and the coach and post-masters conveying passengers upon it.'<sup>29</sup> This analysis also mentioned the logistical issues involved in making the theoretical distinction between tolls and rates in this case, pointing out that although the company's enabling act required it to keep separate records of profits from tolls and from carriage the company did not appear to have done this, nor did it have a mechanism to collect tolls separately from carriage rates.<sup>30</sup>

Although the Micheldever verdict set a clear standard for the land tax assessment of railway companies, the issue was topical enough two years later to be a subject of questions in the hearings of the Select Committee on Railways. An overall Parliamentary review of taxation in 1846 also addressed the subject, but by this time it was generally agreed that it was reasonable for railway companies to be assessed on the value of 'the net rent a company of carriers would give for the occupation of the same'.<sup>31</sup> By the time the Eastern Counties Railway Company took the parish of South Weald to court in 1847 to contest its assessed rate, the principle that a railway company was itself a carrier had been settled, and the question argued in court was over the amount of the company's profits and the appropriate rate of deduction for tenants' profits.<sup>32</sup> An 1854 analysis of a railway company assessment rate case took it for granted that companies were assessed on 'the net profits, as derived from the traffic'.<sup>33</sup>

In contrast, consensus on whether the legal definition of 'carrier' with respect to liability for customers' lost or damaged property applied to a railway company took substantially longer. An article in the *Leeds Intelligencer and Yorkshire General Advertiser* in 1842 noted that while some railway companies' enabling acts specifically exempted them from common carrier law, the law still required that any common carrier should be held responsible for loss or damage to property in their custody. The article's author recommended, however, that anyone seeking compensation from a

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<sup>28</sup> Hodges, *The Law Relating to the Assessment of Railways*, 12.

<sup>29</sup> Hodges, *The Law Relating to the Assessment of Railways*, 22.

<sup>30</sup> Hodges, *The Law Relating to the Assessment of Railways*, 13, 23, 25.

<sup>31</sup> *Fifth Report from the Select Committee on Railways*, House of Commons Parliamentary Papers Online, 24 May 1844, 434-437; 'BURDENS AFFECTING LAND. REPORT OF THE LORDS' COMMITTEE.' *Devizes and Wiltshire Gazette*, 18 June 1846, 1.

<sup>32</sup> 'Rating Railways.' *The Chelmsford Chronicle, etc*, 9 April 1847, 3.

<sup>33</sup> J. Fisher, *Assessment of Railways: Some Observations on the Judgment Delivered in the Court of Queen's Bench...* (London: James Bigg and Sons, 1854), 12.

railway company should consult a lawyer first, as 'public companies are far too ready to take advantage'.<sup>34</sup> As railway companies took on the role of carriers during the 1840s, direct conflicts between companies and their customers became more frequent as customers, not having either the personal relationships or precedents in custom and common law to negotiate with railway companies as they had with carriers, resorted to lawsuits. Newspapers in the late 1840s were filled with reports of customers suing railway companies 'as common carriers' for recompense for loss or damage of goods.<sup>35</sup>

Railway company defendants initially attempted to avoid being subject to common carrier law, though it was generally considered that unless their enabling acts specifically exempted them they were required to comply with the Carriers' Act.<sup>36</sup> In the 1849 case *Shaw v. York & North Midland Railway Company*, for example, the defendant attempted to argue that the company had not contracted to transport the plaintiff's horses safely and were thus not required to compensate the plaintiff for one that had been killed in transit. Aside from arguing that 'they did not receive the horse on the understanding that he was to be safely carried', the defendant claimed that they 'were not common carriers, and...the law applicable to common carriers did not apply to them.' The jury awarded £315 to the plaintiff, but the verdict was overturned by the judge, who determined that due to the nature of the specific agreement between the company and the plaintiff the company was not liable for the death of the plaintiff's horse.<sup>37</sup> While this was an unusual case, in that the carrying trade did not typically transport live animals and thus there was little or no pre-railway precedent for deciding it, it is notable in that the defendant argued that railway companies were not common carriers and thus not subject to the laws applicable to carriers.

It was clear, however, by the late 1840s that the legal system had accepted that railway companies carrying goods on their lines had the legal responsibilities of carriers. Although *Richards v. The Brighton Railway Company*, heard in the Court of Common Pleas in 1849, related to a piece of luggage belonging to a passenger rather than goods being carried by the company, the judge, in his finding in favour of the

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<sup>34</sup> *The Leeds Intelligencer and Yorkshire General Advertiser*, 8 January 1842, 6.

<sup>35</sup> *The Morning Chronicle*, 28 September 1847; *Hampshire Advertiser & Salisbury Guardian*, 15 January 1848; *The Morning Post*, 22 February 1849; 'LAW INTELLIGENCE,' *Daily News*, 8 May 1849.

<sup>36</sup> *The Hull Packet*, 14 January 1842.

<sup>37</sup> *The Hull Packet and East Riding Times*, 24 March 1848; *The Morning Post*, 23 January 1849; *The York Herald, and General Advertiser*, 27 January 1849.

plaintiff, argued that the circumstances ‘were quite sufficient to cast upon [the railway company] the common law responsibility of carriers’.<sup>38</sup> In *Phillips v. the Great Western Railway Company*, heard in Bristol County Court in 1850, the plaintiff argued that the railway company was responsible under the Carriers’ Act to compensate him for lost property, irrespective of any clauses to the contrary in the company’s enabling act, and the judge agreed, citing earlier similar cases as precedents.<sup>39</sup>

In addition to being required to take responsibility as carriers for their own actions, case law began to hold railway companies that had contracted with carriers as agents responsible for the actions of these carriers as well. An 1847 article reported the verdict in *Machin v. the London and South-Western Railway Company*, in which the plaintiff had engaged the defendant ‘in their capacity as carriers’ to send a bale of silk worth more than £100 from Andover to London, and subsequently took the company to court for compensation when the bale was lost. While a common carrier would ordinarily not be liable for goods worth more than £10, the plaintiff stated that he was suing the railway company for the ‘felonious act of the company’s servant’, Chaplin & Horne, described as ‘the defendants’ agents’. The jury awarded the cost of the bale to the plaintiff, indicating that the actions of Chaplin & Horne were considered the responsibility of the railway company.<sup>40</sup> In another case heard that year at the Guildhall in London, the plaintiff had given his goods to Pickfords to be sent to Aylesbury, and Pickfords had transferred them to Chaplin & Horne, acting as railway company carriers, who had subsequently misplaced them. The plaintiff’s solicitor advised the plaintiff that Pickfords was not liable for the goods, as responsibility had been transferred, and ‘[r]ailway companies, when they undertook to carry goods, were, in the eye of the law, subject to all the responsibilities of common carriers.’ The legal question in this case was whether or not it could be heard in City court; as the answer appeared to be ‘no’, no further legal action was reported.<sup>41</sup> Shortly afterward, in *Moore v. Horn & Co.* (sic), the Westminster County Court confirmed that the London and Brighton Railway Company could be sued for compensation for broken glass in a package they were responsible for; in this case the carriers Horn & Co., which had received the package, were considered to have acted as agents for the railway company.<sup>42</sup>

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<sup>38</sup> *The Bradford Observer*, 17 May 1849.

<sup>39</sup> ‘BRISTOL COUNTY COURT’, *The Standard*, 17 September 1850.

<sup>40</sup> *The Morning Post*, 24 December 1847.

<sup>41</sup> *The Morning Chronicle*, 28 September 1847.

<sup>42</sup> *Daily News*, 24 November 1847.

Even in cases where a railway company acting as a carrier could legitimately have expected protection under common carrier law, such as those involving the loss of items worth more than £10, juries awarded plaintiffs substantial sums for damages. In an 1851 case against the London & North Western Railway Company the defendant presented several arguments for why they should not be liable for the cost of a lost box of silk, including that 'if the company were made liable under such circumstances it would be a great hardship'; despite the fact that under carrier law the company should not have been liable for more than £10, the jury awarded the plaintiff £17.<sup>43</sup>

On the other hand, railway companies highlighted their status as common carriers when it was in their interest to do so. In 1849, for example, a coal merchant sued the Midland Railway Company for 'breach of their duty, as common carriers' by not accepting a shipment of coal; the company successfully argued that common carriers had discretion over what type of goods they carried and to where they delivered, and were therefore not required to carry a specific type of goods to a specific place if they did not offer equivalent service to anyone.<sup>44</sup> The same year a plaintiff suing a railway carrier for a lost package received only £10 compensation, the limit of carriers' liability if the value of a package had not been declared.<sup>45</sup> Railway companies successfully used the Carriers' Act to gain the same exemption from liability as carriers; in an 1856 case involving damage to a pier glass the railway company defendant argued with partial success that 'the Company was exempt, under the Carriers Act, from liability on account of damage.'<sup>46</sup>

One result of the legal definition of 'carrier' evolving to include railway companies was a change in the way carrier law protected individual carriers. In Sheffield Sheriff's Court in 1835, for example, *Smith v. Wilkinson* confirmed that a carrier was only liable for the property in his possession over the part of the route for which he was responsible. The plaintiff sued a carrier between Rotherham and Sheffield for the loss of property sent to him in Shepley; the defendant, however, confirmed that he had

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<sup>43</sup> *Liverpool Mercury*, 11 February 1851.

<sup>44</sup> 'Law Proceedings,' *The Sheffield & Rotherham Independent*, 30 June 1849; *The Hull Packet and East Riding Times*, 29 June 1849.

<sup>45</sup> 'Law Intelligence,' *Daily News*, 11 December 1849; *The Sheffield & Rotherham Independent*, 22 December 1849.

<sup>46</sup> *Wrexham and Denbighshire Weekly Advertiser and Cheshire, Shropshire, Flintshire, and North Wales Register*, 1 November 1856.

delivered it safely to Sheffield and was thus no longer responsible for it.<sup>47</sup> By 1841, however, common law with respect to carrying had begun to change due to railway company practice. In that year *Muschamp v. Lancaster and Preston Railway Company* was decided in favour of the plaintiff. Muschamp, a carrier, had delivered a package to the railway company to be sent to someone in Derbyshire, beyond the line of the company to which the package was given. In this case the Lancaster & Preston Railway Company was found responsible for the package through to its delivery to Derbyshire. This case set the precedent that once a package was delivered to any railway station, the railway company that received it was responsible for it until it arrived at its destination railway station, whether the company itself carried it the whole way or not.<sup>48</sup>

### **Regulation of railway companies in the nineteenth century**

As I mentioned in my introduction, the relationship between railways and government, and government regulation of railways, are topics of interest to historians of transport, and a great deal has been written on the subject in the railway company histories I mentioned in my introduction. It was acknowledged after the findings of the first Select Committee on Railways in 1839 that some government oversight of railway companies would be required, as the initial intent of Parliament for carriers to compete on a separately-owned infrastructure asset did not reflect the reality of railway company policy and operation. In 1854, the Railway and Canal Traffic Act codified railway companies' de facto change from infrastructure asset builders and maintainers to carriers of goods. The act declared railway companies carriers, subject to the same laws as other carriers. In addition to requiring railway companies to provide equal service to all customers at the same rate, and to accept liability for loss of or damage to property in their care, companies were also required to forward goods expeditiously and not 'obstruct' passengers or goods.<sup>49</sup> Enforcement of this act was ineffective, however, and continuing abuses and further lawsuits resulted in additional legislation in 1868 and 1873.<sup>50</sup>

This very brief outline of the development of railway regulation demonstrates two points relevant to this study. First, although as I described in chapter 5 government was unable to influence the outcome of the carrying question, it did ultimately develop

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<sup>47</sup> *The Sheffield Independent, and Yorkshire and Derbyshire Advertiser*, 3 January 1835.

<sup>48</sup> 'Nisi Prius.--Monday.' *Preston Chronicle*, 27 March 1841.

<sup>49</sup> Kostal, *Law and English Railway Capitalism*, 206; Gibbs, "'Of Pious Memory'", 18, 80-81.

<sup>50</sup> Gibbs, "'Of Pious Memory'", 101-103; Daunton, *Trusting Leviathan*, 267.



the ability and motivation to regulate the economic behaviour of railway companies. Second, although railway companies were initially unwilling to negotiate or compromise on anything they perceived as adversely affecting their interests, they became subject to increasingly complex and detailed government regulation through the late nineteenth and early twentieth centuries, eventually resulting in nationalisation of the railway network in 1948.

### **Effects of the change in goods transport on the wider economy**

The change in England's goods carrying system, from a dense network of small carriers collaborating with each other and with supporting businesses to relatively few high-capacity corridors managed by railway companies, had significant, though largely unacknowledged, effects on the English economy. The edge rail technology developed in the northeast in the eighteenth century and disseminated throughout the country in the early nineteenth century was a component of a larger mechanism to convey a bulk commodity (coal) from a single origin (a pit head) to a single destination (a dock or staith). This technology was less suited to the transport requirements of dispersed multistage domestic production than that provided by the carrying trade. It has been suggested that the railway network caused 'small rural operations previously insulated from the competition of large urban businesses [to be] no longer viable'; in fact, the carrying trade facilitated the ability of small rural producers, located in low-wage regions outside of guild and corporate control, to compete successfully with each other, and with urban businesses.<sup>51</sup> As a multitude of connections 'hardened' into fewer high-capacity rail corridors, manufacturers shifted production from homes and villages to centralised factories, and consumers began to acquire goods from fixed locations in urban centres rather than travelling peddlers and temporary markets. Roger Scola outlines the debate among historians over the changing relative importance of shops and markets; while his own evidence from Manchester and Salford business directories indicates that shops did exist in the area in the eighteenth century, his tables show a significant increase in the number of shops after the introduction of railway service to Manchester, with no corresponding increase in the number of market stalls.<sup>52</sup> Christina Fowler notes this change from mobile to fixed points of purchase beginning in the eighteenth century, and suggests that it related to demographic changes; some of her figures, however, suggest that

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<sup>51</sup> David Turnock, *An Historical Geography of Railways in Great Britain and Ireland* (Aldershot: Ashgate, c1998), 202.

<sup>52</sup> Roger Scola, 'Food markets and shops in Manchester 1770-1870', *Journal of Historical Geography* 1, no. 2 (1975): 156-159, 162.

increased use of railways to transport goods may have played a role in accelerating this change.<sup>53</sup>

### **Summary and conclusions**

As I described in chapter 5, during the 1840s and 1850s the carrying question, whether railway companies had the exclusive right to carry goods on their lines, was contested between carriers and their supporters and railway companies in the courts, in Parliament and in print. The evidence presented in this study suggests that the carrying interest had more public backing and more legal support, and was more consistent with prevailing business and government ideology; additionally, railway companies' collective decision to exclude the carrying trade from rail goods transport may have, at best, been less profitable than operating passenger and small parcels service only and collaborating with the carrying trade, and at worst reduced company profits. However, by the mid-1850s the carrying question had been largely settled in favour of the railway companies.

Although it is impossible to determine with any certainty, I began this chapter by offering some speculations on why the railway companies were victorious in the conflict over goods carriage. I then described some of the changes in goods transport and the wider economy resulting from this outcome of the carrying question. In addition to putting carriers out of business or integrating them into railway company operations, railway companies began to monopolise not only rail carrying but canal carrying as well, purchasing and either operating or removing canals. The word 'carrier', and its associated legal definition, became over the course of several years and legal decisions a word applied to railway companies, although railway companies initially attempted to evade the responsibilities and obligations that went along with being legally defined as carriers. Although railway companies resisted any government oversight, either by legislation or by the courts, a series of laws passed in the second half of the nineteenth century brought them under increased government control. The technical constraints of railway goods carriage began to affect where and how goods were produced and acquired.

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<sup>53</sup> Christina Fowler, 'Changes in Provincial Retail Practice during the Eighteenth Century, with Particular Reference to Central-Southern England', *Business History* 40, no. 4 (1998): 41, 47.

## Summary and conclusions

### Introduction

I begin the final chapter of this study with a brief summary and review of the arguments presented in previous chapters. I consider the relationship between the structure of goods distribution and the structures of production and consumption before and after railway company carrying became the predominant model for goods carriage. I conclude this chapter with some thoughts on the relevance of this research to related fields of study.

### Summary of arguments

I began this study by arguing that our understanding of the change in domestic goods transport in England between about 1830 and about 1850, from carriers operating on roads, inland waterways and coastal ships to railway companies operating on rail lines, is incomplete without a better understanding of the multimodal carrying trade and its role in the economy of the long eighteenth century. I argued that although some transport and economic historians have identified and described some aspects of the carrying trade, their focus on specific modes of transport, geographical areas or types of business, or on regional development and industrialisation, as well as a common conflation of passenger travel and goods transport, has meant that we do not yet have an account of the carrying trade that allows us to assess its role in the economy of eighteenth-century England. I have attempted to provide this account in the first two chapters of this study. In chapter 1 I developed a more detailed analysis of how carriers worked in collaboration with each other, and with the businesses that supported them, than has yet been written, and in chapter 2 I showed how carrying operated within the economic context of eighteenth-century England using contemporary business correspondence.

In chapter 2, drawing on evidence from business correspondence, which showed how people interacted with each other to accomplish economic transactions, I argued that the carrying trade facilitated and was part of the 'sociable economy' identified and described by several social historians, particularly E. P. Thompson and Craig Muldrew.<sup>1</sup> In chapter 3 I began to compare this sociable style of business to the transactional and managerial style of joint-stock companies, described and analysed by James Taylor and others.<sup>2</sup> I argued that the first mainline railway companies can

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<sup>1</sup> Thompson, *Customs in Common*; Muldrew, *The Economy of Obligation*.

<sup>2</sup> Taylor, *Creating Capitalism*.

be viewed as part of the 'modern management revolution', and their policies and actions can be understood as the economic behaviour of joint-stock companies. People accustomed to the sociable style of business, confronted with the transactional style of business adopted by joint-stock companies, developed strategies to adapt to this change; I used the conflict over London's water supply in the 1820s to illustrate these strategies, how they were deployed, and how representatives of joint-stock companies responded.

In chapter 4 I introduced the carrying question of the 1840s - whether railway companies had the right to act as exclusive carriers of goods on their lines - and in chapter 5 I presented the debate and its outcome. The fact that this question provoked public debate shows that the change from the carrying trade to railway company carrying was, rather than the technological issue it is usually presented as, in fact a political conflict between opposing interests, and between incompatible business models. Those supporting the carrying trade used strategies confronting the railway companies similar to those of the customers of London's water supply companies. These strategies proved ineffective against the railway companies, however; despite opposition from the government and the general public, they eventually achieved monopoly goods carriage on their lines.

Finally, in chapters 4 and 6 I analysed the economic and social changes that resulted from this change in domestic goods carriage, and some of the effects of that change on transport infrastructure and business practice.

### **This study and the wider research agenda**

Although this study was undertaken to fill a gap in transport and economic history, it is relevant to, and draws from, wider historical research. Increased understanding of the carrying trade can inform the work of historians of several topics relating to eighteenth-century England, including transport infrastructure; industrialisation and regionalisation; consumer culture, consumption and fashion; distribution and retailing; literacy, letter writing and the postal service; and women's work and family firms.

For more than a century historians have devoted a great deal of consideration to the development of England's domestic transport infrastructure - railways, roads and turnpikes, inland waterways, and to a lesser extent coastal shipping.<sup>3</sup> As I noted in

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<sup>3</sup> I identified this literature in my introduction.

my introduction, with few exceptions most of this work is internally focused, addressing the financing, construction and management of this infrastructure rather than its use. Better understanding of the carrying trade can provide insight into how the businesses that used the infrastructure engaged with it and how their use of the infrastructure was shaped both by external factors and by the configuration of the infrastructure itself, the change over time in the use of different transport modes and assets, and the ways in which these transport modes and assets were functionally connected through the carrying trade.

The extensive body of literature on industrialisation during this period, and its relation to regionalisation, can also benefit from an understanding of the carrying trade. Scholars writing about the causes of the Industrial Revolution have long focused on technological, economic and to some extent political factors; more recent work considers social and institutional effects on economic development and differentiation in the type and extent of industrialisation in regions and sectors.<sup>4</sup> Historians of the Industrial Revolution have analysed the change in production methods from decentralised homes and workshops to factories, and the change in consumption patterns from peddlers and temporary markets to fixed and centralised urban retailing. This literature generally focuses on the development of production processes and the organisation of work, but neglects the role of the distribution network (as distinct from transport infrastructure) in facilitating regionalisation and the development of geographically separated production processes outside London and provincial cities.<sup>5</sup> Research on distribution is still relatively rare, and researchers seem to take it for granted that if transport infrastructure was constructed or improved between two locations that trade between them would automatically develop. Although some historians recognise that changes in transport technology affected changes in production and consumption, few if any have addressed distribution as an economic activity in itself, or considered how changes in distribution influenced changes in production and consumption. Discussion of the putting-out system of domestic manufacture, for example, does not typically consider the transport arrangements that

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<sup>4</sup> Maxine Berg, Pat Hudson and Michael Sonenscher, 'Manufacture in town and country before the factory', in Maxine Berg, Pat Hudson and Michael Sonenscher, eds., *Manufacture in Town and Country before the Factory* (Cambridge: Cambridge University Press, c1983).

<sup>5</sup> Court, *The Rise of the Midland Industries*; Maxine Berg, *The Age of Manufactures, 1700-1820: Industry, Innovation, and Work in Britain* (London: Routledge, 1994); Stobart, *The First Industrial Region*.

must have been in place to move goods between production centres during multi-stage manufacturing and wholesale and retail sale.<sup>6</sup>

When transport is mentioned, it is often in a way that suggests little understanding of the contemporary transport system. The only mention of transport in Mary B. Rose's analysis of the industrialisation of cotton manufacturing in Lancashire, for example, is a description of '[i]mperfect often slow communications over poor roads, or by sea' which 'imped[ed] information flows and increas[ed] the danger of loss or damage to goods'.<sup>7</sup> This phrasing describes infrastructure, not transport, and seems to suggest that a different, or previous, system did not 'impede' information flows, and transported goods with less risk; as I have suggested, the contemporary transport system could, possibly with more justification, have been equally described as facilitating information exchange and supporting the multi-stage putting out system by transporting raw materials, components and finished products. Although it mentions Szostak's argument that improvements in transport infrastructure lowered the costs of factory production by increasing efficiency, S. R. H. Jones's 1994 overview of the historical arguments explaining the rise of the factory system in England in the early nineteenth century is almost entirely internally focused, and does not consider the changing nature of goods carriage, from the carrying trade to the railway network, as a possible factor in explaining the shift from 'outworkers' to centralised factory production.<sup>8</sup> The carrying trade was dense, decentralised, responsive to change and capable of connecting a web of small manufacturers; railway company goods transport was centralised, fixed and unresponsive, which made it more difficult to connect small manufacturers and provided communication and distribution advantages to places well served by railway links. Understanding the nature of goods transport with respect to multi-stage production might also help to explain such phenomena as the apparent 'delay' in the centralisation of the components of cotton cloth manufacture after the technology for mechanising these components became available.<sup>9</sup>

The carrying trade was integral to the development of consumer culture and fashion in the eighteenth century. As I discussed in my introduction, although this

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<sup>6</sup> Rose, *Firms, Networks and Business Values*, 24-27.

<sup>7</sup> Rose, *Firms, Networks and Business Values*, 60.

<sup>8</sup> S. R. H. Jones, 'Origins of the factory system in Great Britain', in *Business Enterprise in Modern Britain*, eds. Maurice W. Kirby and Mary B. Rose (London: Routledge, 1994), 31-60.

<sup>9</sup> Rose, *Firms, Networks and Business Values*, 30-31.

development, occurring in parallel with the rise in demand for luxury goods beginning with imported 'hot liquors', has attracted scholarly attention since the 1990s, and historians have investigated changes in both production and consumption during this period, to date little attention has been paid to distribution. The capacity and flexibility of the carrying trade helped producers and suppliers of fashionable goods accommodate rapid changes in taste. The existence and configuration of the carrying network permitted sellers of fashionable goods to exhibit examples in showrooms in London while the goods themselves were produced in and shipped from other parts of the country. Gillows furniture and Sheffield silver, both shown and sold in London showrooms, were manufactured in Lancaster and Sheffield respectively; components for the products manufactured in these locations, such as upholstery fabric and horsehair, or specialised silver plating and finishing processes, were often produced or performed in still other provincial locations or in London. The carrying trade facilitated manufacturers' access to a global market of raw materials from which to produce fashionable objects, and distributed these objects throughout the country, leading to the formation of a national market and national taste led by London elites.

In conjunction with this distributed method of selling goods, historians have not yet recognised the existence, and in some sectors prevalence, of what we would now call 'mail order' purchasing during the eighteenth-century consumption boom. A recent history of mail-order retail begins in the mid-nineteenth century after '[the] advent of a cheap, reliable and universal postal service', despite the fact that the carrying trade had been providing similar services to elite and middle class consumers for at least a century by that time.<sup>10</sup> As described in the correspondence I reviewed in chapter 2, customers could purchase furniture, fabrics or other household or luxury goods by either selecting a product in a firm's showroom or describing it in correspondence with the firm's owners; the firm then manufactured the desired product at its factory, or through a distributed network of workshops, and delivered it directly to the buyer via carrier. Such a purchasing pattern fits into neither the 'traditional' method of purchasing at markets or through travelling peddlers, nor the 'modern' method of purchasing directly from an urban retail shop to which goods are delivered.<sup>11</sup>

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<sup>10</sup> Richard Coopey, Sean O'Connell, and Dilwyn Porter, *Mail Order Retailing in Britain: A Business and Social History* (Oxford: Oxford University Press, 2005), 14.

<sup>11</sup> Stobart, *Sugar and Spice*, 146.

The configuration of the carrying trade both influenced and was influenced by the way objects were bought and sold. Carriers often acted as sellers for their customers, scheduling their routes to coincide with market days, bringing goods to market, and returning with the proceeds. Such markets were replaced by fixed urban retailing as the flexible and adaptable carrying trade was replaced by the fixed lines of the railways. An understanding of the carrying trade can supplement existing research on both the network of peddlers and markets and the fixed retailing system that came to replace it.<sup>12</sup>

Changes in the distribution network also affected interactions between sellers and buyers. For example, as Clifford notes, '[t]he relationship between a customer and retailer often involved more than just the simple exchange of currency for goods'; sellers relied on customers to bring in business through customers' social networks and to provide intelligence on fashion trends to allow sellers to shape their products to appeal to a constantly changing market.<sup>13</sup> The shift from selling directly between persons to selling from shops required shopkeepers to assess potential buyers and make decisions about credit and payment on the spot, rather than using their social networks to ascertain a potential buyer's trustworthiness. Economic interaction began to rely less on personal relationships and more on formal rules of economic engagement used for single-exchange transactions, although participants, with varying degrees of success, continued to attempt to apply the rules of personal relationships to single-exchange transactions.<sup>14</sup>

The operation of the carrying trade depended on widespread literacy, as carriers and their customers documented the conveyance of goods, coordinated goods transfers, and communicated collection and delivery information. Carriers kept detailed written records, and carriers' customers provided information on when, where, how and with whom goods were being conveyed. Research on the carrying trade can thus contribute to recent work on literacy and letter writing in the eighteenth century, and the development of a 'culture of correspondence' during this period, by tracking the use of these written communications and the development of this documentation over time.

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<sup>12</sup> Fowler, 'Changes in provincial retail practice'.

<sup>13</sup> Helen Clifford, *Silver in London: The Parker and Wakelin Partnership 1760-1776* (New Haven: Yale University Press, 2004), 138-149.

<sup>14</sup> Hannah Barker, 'Trusting the Money of Strangers in Eighteenth-Century London' (talk, University of Liverpool, 14 November 2018).



Finally, research on the carrying trade can contribute to our understanding of social networks, family businesses and women's work during this and later periods. Research into carrying and the transport network could supplement such works as Andrew Popp's *Entrepreneurial Families*, providing a fuller picture of the social and physical networks within which business activity took place in early nineteenth-century England.<sup>15</sup> The structure of the carrying trade, and changes in carrying service (as distinct from changes in transport infrastructure) may have played some part in the development and configuration of the regions, networks and clusters Popp identifies and describes.

As was, and is, true of many small businesses, entire families participated in the work of carrying, and women as well as men owned and managed carrying firms. As early as 1630 records mention that the widow of a carrier sought approval to carry between Salisbury and London, and a woman is recorded as a carrier for the Eastern Association army in the 1640s.<sup>16</sup> As I mentioned in chapter 1, women carriers appeared in business directories, newspaper articles, and wills, although the proportion and actual number of women in the carrying trade, and how these may have changed over time, cannot be determined from the demographic information I analysed in chapter 4.

By comparison, Davidoff and Hall have noted that

[r]ailway building and management were closely associated with engineering, organized on a large scale as private companies and often staffed on military lines, all characteristics uncongenial to women. The heavily male ambience of the railway system has not often been commented on but was a significant factor in the economy of the second quarter of the nineteenth century.<sup>17</sup>

The difference between the carrying trade, where the presence of women was unremarkable, and railway companies, where women seem to have been all but completely excluded, is striking. The 1841 and 1851 census occupation tables for England, for example, provide the following figures:

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<sup>15</sup> Popp, *Entrepreneurial Families*.

<sup>16</sup> Susan Bullock, *Women and Work* (London: Zed Books c1994), 109; Anne Laurence, *Women in England, 1500-1760: A Social History* (New York: St. Martin's Press, 1994), 127.

<sup>17</sup> Leonore Davidoff and Catherine Hall, *Family Fortunes: Men and Women of the English Middle Class, 1780-1850* (London: Routledge 2002), 301.

Table 4: Number and percentage of women working in the carrying trade and railways, 1841 and 1851

| Occupation     | 1841 census          |                        |                    | 1851 census          |                        |                    |
|----------------|----------------------|------------------------|--------------------|----------------------|------------------------|--------------------|
|                | Number of men listed | Number of women listed | % of women workers | Number of men listed | Number of women listed | % of women workers |
| Carrying trade | 58,750               | 788                    | 1.3                | 76,327               | 3,142                  | 4                  |
| Railways       | 243                  | 2                      | 0.8                | 54,161               | 55                     | 0.1                |

Source: '1841 Census of Great Britain, Occupations', *A Vision of Britain Through Time*, accessed 14 September 2018, [http://www.visionofbritain.org.uk/census/table/GB1841OCC\\_M\[1\]](http://www.visionofbritain.org.uk/census/table/GB1841OCC_M[1]); Great Britain, Census Office, *Census of Great Britain, 1851*, ccxli-ccxlvii.

As I mentioned in my analysis of demographic information in chapter 4, there is a clear distinction between the number of women working in the carrying trade and on the railways. There is, however, some evidence that women railway workers may have been undercounted; an early railway company history mentions that the wives of platelayers were often employed as crossing gate keepers, and identifies one woman as a signal manager and station manager in the 1830s.<sup>18</sup> It is unclear from this anecdotal evidence whether a significant enough number of women worked on the railways to require a reconsideration of the 'male ambience' of the sector.

The apparent absence of women from railway administration, management, and even such tasks as cleaning and ticket taking as well as technical work may be partly due to the early influence of the armed forces on railway company organisation; in addition, however, the nature of joint-stock company management in general may have contributed to the lack of women's involvement in railway companies. Although Amanda Vickery's comprehensive 1993 review of the concept of 'separate spheres' in the historical literature, and some of the work that has expanded on the topic since then, does not seem to consider it, there may be a connection between the growth in the dominance of joint-stock companies in the domestic economy, the change from relational to transactional business practice, and the increasing dominance of business sectors less congenial to women (such as railways) and the decline of women's participation in business management (as compared to the participation of women in the labour force generally).<sup>19</sup> In her essay Vickery mentions the work of

<sup>18</sup> Stretton, *The History of the Midland Railway*, 31.

<sup>19</sup> Amanda Vickery, 'Golden Age to Separate Spheres? A Review of the Categories and Chronology of English Women's History', *The Historical Journal* 36, no. 2 (June 1993): 409.

women in letter-writing, part of the labour involved in establishing social networks; it is possible that some of the work women contributed to the management of family firms in developing and maintaining vital social networks and personal connections became less significant with the growth of the joint-stock company.

Issues and questions relevant to all of these topics can help to shape the direction of further research on the carrying trade. An understanding of the transport infrastructure allows us to appreciate the physical and logistical constraints within which carriers operated. Understanding the nature and evolution of production and consumption during the long eighteenth century, and the sites of interaction between the two, can more clearly define the role of the carrier in the chain of activities from extraction of raw materials through production to purchasing and consuming. Understanding the waves of fashion as well as slower and more general changes in lifestyle and consumption patterns during this period can help to explain the changes in volume, types, and origins and destinations of goods transported by carriers, and the shifts in transport mode choice that resulted from these changes. The way the carrying trade operated, using extensive written documentation, only makes sense when coupled with our understanding of literacy and the use of the written word by most people of the 'middling sort' during this period. Finally, understanding the carrying trade as an interconnected network of small family firms, and the comparison of this type of business organisation to the large, complex, specialised and hierarchical organisation of the joint-stock companies that soon dominated the economic landscape, can be informed by research on family firms and women's work during this period.

## Appendix: Companies cited in chapter 2

| Firm name  | Firm location | Archive location   | Type of goods produced/sold           | Type of source          | Years reviewed |
|--|---------------|--|---------------------------------------|-------------------------|----------------|
| Locke, Blackett & Co.  | Newcastle     | Tyne and Wear Archives, Newcastle  | Lead and lead shot                    | out letter book         | 1741-1750      |
| William Lupton & Co.   | Leeds         | Brotherton Library, Leeds  | Cloth                                 | in and out letter books | 1760-1851      |
| Gillows  | Lancaster     | Westminster City Archives, London  | Furniture                             | out letter book         | 1769-1841      |
| Jonathan Michie  | London        | Westminster City Archives, London  | Wine                                  | out letter book         | 1770-1776      |
| Boulton and Fothergill/Matthew Boulton/Boulton and Fishwick/Boulton and Watt | Soho          | Birmingham Archives and Heritage, Birmingham Central Library, Birmingham | Metalwork, machinery                  | in and out letter books | 1773-1845      |
| Walkers, Fishwick & Co.  | Newcastle     | Tyne and Wear Archives, Newcastle  | Painters' colours, lead and lead shot | in letter book          | 1786-1789      |
| Watson & Co./Fenton, Watson & Co./Thomas Bradbury & Sons                     | Sheffield     | Sheffield City Council Archives, Sheffield                               | Silverware                            | out letter book         | 1787-1814      |
| Wormald, Fountaine and Gott/Wormald, Gott & Wormalds/Benjamin Gott & Sons    | Leeds         | Brotherton Library, Leeds  | Wool and woollen cloth                | in and out letter books | 1792-1832      |
| Thomas Courtney Devenish   | London        | Westminster City Archives, London  | Furniture                             | out letter book         | 1796-1804      |
| Joseph Trollope & Sons   | London        | London Metropolitan Archives, London                                     | Wallpaper                             | in letter book          | 1797-1808      |
| Edward & James Richardson  | Newcastle     | Tyne and Wear Archives, Newcastle  | Leather                               | out letter book         | 1806-1807      |

|  |           |   |                         |                    |           |
|--|-----------|---|-------------------------|--------------------|-----------|
| Joseph Jackson                                 | Wakefield | John Goodchild Collection, Wakefield          | Wool and woollen cloth  | In and out letters | 1807-1823 |
| Dixon & Smith                                  | Sheffield | Sheffield City Council Archives, Sheffield    | Silver                  | out letter book    | 1809-1820 |
| Fielden Brothers                               | Todmorden | University of Manchester Archives, Manchester | Cotton textiles         | out letter book    | 1811-1838 |
| Skelton & Wells                                | Leeds     | Brotherton Library, Leeds                     | Wine                    | out letter book    | 1814-1832 |
| Harrison's Nursery Garden                      | London    | London Metropolitan Archives, London          | Seeds, bulbs and plants | out letter book    | 1818-1827 |
| Thomas Nowill & Sons                           | Sheffield | Sheffield City Council Archives, Sheffield    | Silverware              | in letter book     | 1819-1821 |
| George Hattersley & Sons, R. Hattersley & Sons | Keighley  | West Yorkshire Archives, Bradford             | Machine parts           | in letters         | 1824-1866 |
| H. Singers & Co.                               | Gateshead | Tyne and Wear Archives, Newcastle             | Wine, spirits, vinegar  | in letters         | 1826-1832 |
| Hindley & Sons                                 | London    | Westminster City Archives, London             | Furniture               | out letter book    | 1835-1844 |

#### Locke, Blakett & Co.

John Locke, a London lead merchant, and Christopher Blakett, a Newcastle coal and lead manufacturer, founded a company in Newcastle in 1797 to produce red and white lead and lead shot. They appear to have sent their goods primarily by coastal ship.

#### William Lupton & Co.

William Lupton Sr. began the family's cloth-dressing business in the mid-eighteenth century; the business was formally established in 1773. His son and grandson, also named William, and his grandson's widow, Ann, continued the business.

## Gillows

Robert Gillow began manufacturing furniture in Lancaster in 1729, eventually developing a large business with a showroom in London and global connections to suppliers and customers. The firm made and sold bespoke furniture for fashionable customers and off the shelf, sometimes self-assembly furniture for middle-class buyers. On Robert Gillow's death, his sons Richard and Robert assumed management of the firm, Robert based in the London showroom and Richard at the Lancaster workshop. Gillows sent furniture from Lancaster by waggon (their own or a carrier's), by canal from Liverpool, and by coastal ship from Liverpool.

## Jonathan Michie

Jonathan Michie of London, wine merchant, was a client of solicitor Frederick Booth, amongst whose papers his letter book was found. Michie did a substantial business with the East India Company and with customers in North America, as well as buyers in England. Orders were sent by coach, waggon, canal and coastal ship.

## Boulton and Fothergill/Matthew Boulton/Boulton and Fishwick/Boulton and Watt

Matthew Boulton developed a wide variety of businesses over the course of his lifetime. Before going into business with James Watt to produce steam engines, he and his partners manufactured small metalwork such as toys, buttons and buckles. The extensive Archives of Soho (the factory near Birmingham) are now held at the Birmingham Central Library.

## Walkers, Fishwick & Co.

Walkers, Fishwick and Co. were founded in 1785 as a merger of firms producing painters' colours, red and white lead, and later lead shot. Aside from their factory in Newcastle, the firm had premises in London, Chester, Derby, Liverpool and elsewhere. They primarily sent their goods by coastal ship from Newcastle to other parts of Britain.

## Watson & Co./Fenton, Watson & Co./Thomas Bradbury & Sons Ltd.

The silversmithing firm eventually known as Thomas Bradbury & Sons Ltd. began as a partnership of three silversmiths active in Sheffield at least since 1769. In the late eighteenth century they produced silver and silver plated goods in Sheffield which they sold through a showroom in London. Goods were sent by several modes, and often travelled on more than one mode; goods were also sent overseas through

agents in London and Liverpool. Their correspondence mentions several carriers by name, including Hibberson, Hunt & Sons, Andertons Waggon, Clarkes Waggon and Lyes Waggon.

Wormald, Fountaine and Gott/Wormald, Gott & Wormalds/Benjamin Gott & Sons  
Benjamin Gott began his career in woollen textile manufacturing in 1780 as an apprentice at Wormald and Fountaine. Five years later, at the end of his apprenticeship, he became a junior partner in the firm with the help of an investment from his father, John Gott. 1791 Gott became the senior partner after the death of Joseph Fountaine and retirement of John Wormald. In 1805 he opened Armley Mills, the largest wool factory in the world at that time. Gott introduced technical innovations to the cloth manufacturing process, including the use of steam power and power looms. In 1825 he transferred the business to his sons John and William.

Thomas Courtney Devenish

Thomas Courtney Devenish, a London cabinet maker and upholsterer, was a client of solicitor Frederick Booth, amongst whose papers his letter book was found. Devenish's letter book mentions shipments by both land and water.

Joseph Trollope & Sons

This London firm was founded by Joseph Trollope, a wallpaper hanger, in 1778. They often sent samples and wallpapers by coach, though they were occasionally directed to send purchases by waggon.

Edward & James Richardson

The Richardson family had been tanners since the seventeenth century, originally in Great Ayton and later in Whitby and Newcastle. They sent and received goods mostly by water, and were active in organising coastal voyages from Newcastle to ports in Wales and southwest England.

Joseph Jackson

Little information is available about Joseph Jackson, wool-stapler, except that the warehouse on King Street in Wakefield was built for his firm in 1811, and that Titus Salt, who later built Salts Mill and Saltaire in Yorkshire, was his apprentice there.

#### Dixon & Smith/James Dixon & Son

James Dixon and Thomas Smith began producing silver, silver plated, and Britannia metal goods in Sheffield around 1806. The firm continued to expand throughout the early nineteenth century; Thomas Smith left the firm, and William and James Dixon, James Dixon's sons, joined it. They sent goods by several modes within Britain as well as overseas via their agent in Liverpool. They preferred to send their merchandise by Hunts Waggon, but letters also mention Johnsons Waggon and Lister & Co.

#### Fielden Brothers

Joshua Fielden of Todmorden founded a cotton spinning factory in 1783; his sons took over on his retirement in 1803. The firm expanded during the early nineteenth century, developing overseas markets and upgrading its machinery. Raw cotton was sent to them via packhorse and canal boat; they preferred to send finished goods via inland waterway.

#### Skelton & Wells

The Leeds Directory for 1817 contains an entry for Skelton & Wells, wine merchants, at premises in Albion Street in Leeds. In 1860 Thomas Casson bought the business from Frank Richardson & Co, and Skelton & Wells are named as their predecessors.

#### Harrisons Nursery

Henry Hewitt had opened a nursery in Kensington by 1775, which sold vegetable and flower seeds, bulbs from Holland, and seedlings for shrubs and both ornamental and agricultural trees. Some were grown at the nursery but most were grown by country farmers. Harrisons shipped to buyers all over England, largely by coach and waggon; water transport is mentioned infrequently. Buyers occasionally arranged to meet Harrisons' own waggon at designated locations.

#### Thomas Nowill & Sons

Thomas Nowill founded a silverware and cutlery manufacturing firm in Sheffield in 1700, which passed through various generations of Nowills until 1949. The firm seems to have sent urgent orders, often for shipment overseas, by coach, though some are noted as sent by waggon.



#### R. Hattersley & Sons/George Hattersley & Sons

After serving as an apprentice at Kirkstall Forge near Leeds, Richard Hattersley started his own business in 1789 in Airworth, and later Keighley, manufacturing nuts, bolts, screws and other small parts for textile machines. He eventually shared the business with his sons. The firm employed both road and water carriers and occasionally sent small items by coach.

#### H. Singers & Co.

Hugh Singers, born in Edinburgh in 1787, went into business in Gateshead as a vinegar manufacturer, later adding wines and spirits to his merchandise. His son Archibald travelled around the north of England collecting orders. They sent their goods by coach, waggon, and water.

#### Charles A. Hindley

Charles A. Hindley established an upholstery and furniture shop in London in 1773. Most of Hindley's goods appear to have been sent by waggon; the only water shipment mentioned in this correspondence is of pattern blocks for fabric manufacture.

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