TWILIGHT OF LAISSEZ-FAIRE: THE CAMPAIGN
FOR TEN HOURS, 1831-1853

THESIS

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By

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In early Victorian England, the new philosophy of social democracy challenged the bourgeois creed of laissez-faire. An important aspect of this struggle, which historians have neglected, is the campaign (1831-1853) for a shorter and regulated factory workday. This study concludes that during the Parliamentary debates on factory legislation, Britain's leaders, regardless of party affiliation, decided that the Government, indeed, had an obligation to assist the victims of social and economic injustice, a decision which meant the end of laissez-faire.
PREFACE

Laissez-faire philosophy and the factory system left their imprint on Britain's Commercial and Industrial Revolution of the Eighteenth and Nineteenth centuries. Much has been written on each, but their interrelationship has been neglected. This study focuses on the connection between the two during the period 1831-1853, when a hard campaign was fought to establish government regulation of Britain's factories. An important era in British labor history, John Towers Ward, The Factory Movement, 1830-1855, and Cecil Driver, Tory Radical: The Life of Richard Oastler, both excellent monographs, have covered it, but they emphasize the popular agitation centered in the northern manufacturing towns, and pay little attention to the role played by factory regulations in the debates in Parliament and the country-at-large which caused Englishmen to reevaluate their national objectives.

During the two decades under study, social democracy—the philosophy of state responsibility for protecting the commonwealth—challenged the assumptions of laissez-faire. Britons had to decide whether they wanted to live in a society which operated without governmental regulation or in one subject to a balance between human rights and socio-economic needs.

The major official primary source for the crusade for Ten Hours is, of course, Hansard's Parliamentary Debates, which also provides material on the larger ideological question.
House of Commons, Sessional Papers, and United Kingdom, Statutes, also were useful. Unofficial sources fall into two groups: periodical and private. Blackwood's Edinburgh Magazine, Economist, London Examiner, London Sun, Manchester Guardian, and The Times (London), middle and upper-class newspapers and journals, and the radical Chartist Northern Star, all reveal the variety of opinions held by Englishmen on the issue of factory legislation in general and the ten-hour workday in particular. The most useful private works include John Fielden, Curse of the Factory System, Dr. Andrew Ure, Philosophy of Manufactures, Edward Baines, History of the Cotton Manufacture of Great Britain, and William Dodd, Factory System Illustrated.

DRAMATIS PERSONAE

Lord Althorp (John Charles Spencer)
1782-1845; Whig M.P. for Northamptonshire; Chancellor of the Exchequer in Grey Ministry, 1831-1834.

Lord Ashley (Anthony Ashley Cooper)
1801-1885; Tory M.P. for Dorset and Bath.

Sir Edward Baines
1800-1890; Journalist and economist; Opponent of Corn Laws.

John Bright
1811-1889; Liberal M.P. for Manchester; Opponent of Corn Laws.

John Morgan Cobbett
1800-1877; Liberal M.P. for Oldham.

John Edmund Elliot
1788-1862; Liberal M.P. for Rothbergshire, Scotland.

John Fielden
1784-1849; Factory owner; Liberal M.P. for Oldham.

Sir James Robert George Graham
1792-1861; Conservative M.P. for Dorchester; Home Secretary in Peel Ministry, 1841-1846.

Sir George Grey
1799-1882; Liberal M.P. for Devonport; Home Secretary in Russell Ministry, 1846-1852.

Thomas Babington Macaulay
1800-1859; Liberal M.P. for Edinburgh.

Richard Oastler
1789-1861; Factory reformer from Leeds.

Feargus O'Connor
1794-1855; Founder of the Northern Star; Chartist M.P. for Nottingham.
Lord Palmerston (Henry George Temple) 1784-1865; Liberal M.P. for Tiverton; Home Secretary in Aberdeen Ministry, 1852-1853.

Sir Robert Peel 1788-1850; Conservative M.P. for Tamworth; Prime Minister, 1841-1846.

Lord John Russell 1792-1878; Liberal M.P. for London; Prime Minister, 1846-1852.

Michael Thomas Sadler 1780-1835; Tory M.P. for Aldeborough.

Nassau Senior 1790-1864; Political economist; Professor of political economy at Oxford.

Adam Smith 1723-1790; Author of Wealth of Nations; Originator of the laissez-faire philosophy of economics.

John Wilson-Patten 1802-1892; Liberal M.P. for Lancaster.

Andrew Ure, M.D. 1788-1857; Glasgow chemist.
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PROLOGUE: THE TEN HOURS BILL, 1831-1833

The British industrial reform movement may be traced back to 1784, when an infectious typhus fever broke out in the cotton works of Radcliffe, a suburb of Manchester. At the request of the Manchester authorities, Dr. Thomas Percival and other medical officials examined the working conditions of the Radcliffe mills and concluded that the exploitation of children was primarily responsible for the disease. Accepting this report, the Manchester magistrates resolved that, henceforth, they would prohibit the binding of children to cotton mills for long hours, stretching into the night.¹

In the early 1800's, Robert Owen took up the cause of the young factory worker and campaigned for a law to restrict the labor of all workers under twenty-one to ten and one-half hours a day, plus time for meals. When Sir Robert Peel, a Liberal Tory, joined the struggle for a shorter workday in 1818, the movement gained prominence but achieved only limited success. The resultant Factory Act of 1819 set nine (instead of twelve) as the minimum age for a factory worker,

¹B. L. Hutchins and A. Harrison, *A History of Factory Legislation* (London: Frank Cass, 1903), pp. 7 and 9. An account of this infectious fever may be found in Clerke's "Thoughts on Preserving the Health of the Poor" (1790).
permitted children between the ages of twelve and fifteen to work twelve hours a day, and declared that anyone sixteen or over was a free agent.²

By the time of the Reform Parliament, dissatisfaction with this measure had become so widespread and deep that people sensitive and sympathetic to the plight of the working classes had begun to denounce it. The years 1831-33 witnesses the beginning in England of the campaign for "Ten Hours," a crusade which continued for twenty-two more years. In the initial phase, the advocates and opponents laid the foundation for all subsequent debate on the issue.

Critics of this reform, of course, did not wish to oppress children, and neither side had a monopoly on benevolence. The crux of the matter was how one viewed the relationship of the factory system to the well-being of the child worker. The British electorate was on the horns of a dilemma: What caused the social evils, the factory system, the Corn Laws, or nationalism--the maintenance of the Empire? Moral values must be balanced against historical issues. Voters and M.P.'s must choose between protecting John Bull's commercial and manufacturing hegemony, or improving the health of British children. Finally, like all questions that cut deeply into the social fiber of a state, the issue of Ten Hours also had political ramifications. The problem, therefore, was complex, and the factors involved interrelated

²Ibid., pp. 21 and 24.
with one another. When analyzing a question of such import as the demand for a ten-hour workday, the historian must take care to relate it to the Zeitgeist of the early nineteenth century and to exercise moderation in labeling one man a precursor and another a Philistine.

The most dynamic leader of the factory reform cause was Richard Oastler, the "Factory King," a protectionist, a Methodist, and a Radical Tory. Progress, he believed, was made by "transforming social facts into social ideas." In an open letter to the "Working Classes of the West Riding of the County of York," dated October 10, 1831, Oastler called upon them to insist that those parliamentarians, clergymen, and factory owners who solicited their support for the abolition of slavery show their sincerity by supporting petitions for ten hours. He urged them, moreover, to "Let your politics be 'Ten Hours A Day And A Time-Book.' . . ." The alliance between Oastler and the workers--founded upon the proposition "that labor was property, and entitled to the protection of the law"--came to be known as the Fixby Compact, since it was from Fixby Hall that he issued the challenge.3

Another leader of the factory Reform Movement in England was Michael Thomas Sadler of Aldborough, a Tory M.P. and

political economist. A friend of Oastler, Sadler, too, was convinced that the goal of a ten-hour workday must be supported at all costs. He thought Westminster's John Cam Hobhouse had surrendered to the political economists by compromising on the issue in 1825. "The principles and schemes of this group," he declared on November 20, 1831, "have led to degradation, misery, and destruction of the working classes." 4

On December 15, 1831, Sadler introduced in the Commons a bill for the regulation of the labor of factory children, and on March 16, 1832, during the debate on the bill's second reading, he announced his intention to liberate them from that over-exertion and long confinement, which common sense, as well as experience, has shown to be utterly inconsistent with the improvement of their minds, the preservation of their morals, and the maintenance of their health. . . .

Replying to the advocates of laissez-faire, who warned of the evil such a measure would produce, he remarked that all legislation is "an evil only to be tolerated for the purpose

Sadler to Oastler, Leeds, Nov. 20, 1831, Kydd, Factory Movement, I, 131; DNB, XVII, 594-95; Hutchins and Harrison, Factory Legislation, p. 31. Hobhouse sponsored the Act of 1825 which provided that people under sixteen could not work more than twelve hours a day and must be allowed an hour and a half for meals, thus making a thirteen and one-half hour day. This law reduced the average day by one-half but kept the same number of working hours.
of preventing some greater one. . . ." It was absurd, he declared, to regard the children of the poor as free agents.  

To investigate the charges of Sadler, Oastler, and others, the House of Commons established a Select Committee to look into the problem of child labor in factories. A number of prominent physicians appeared before this committee to testify for factory reform. Among them, Sir Anthony Carlile, F.R.S., the principal surgeon of Westminster for forty years, contended that "more than ten hours is quite incompatible with health and moral propriety"; and Benjamin Brodie, Esq., F.R.S., a surgeon of St. George's Hospital, thought that ten hours was too long for children to labor, and twelve hours, too long for anyone to work.  

The turning point for Sadler's Ten Hours Bill came in the spring of 1833. By this time, Anthony Ashley Cooper, Conservative for Dorset, later (1851) the seventh Earl of Shaftesbury, had become the bill's chief sponsor, because the voters of Leeds and Huddersfield had rejected Sadler. Endowed with an acute social consciousness, Lord Ashley also was interested in improving conditions in mines and asylums. In March, 1833, the opponents of Ten Hours, charging that the Select Committee's investigation of 1832 had been

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6 Ibid., pp. 210 and 312-314.
political in nature, called for a more thorough and impartial study. On April 3, 1833, John Wilson-Patten, Liberal of Lancaster, a spokesman for the Master Manufacturers Association, moved for the establishment of a Parliamentary Commission to investigate the problems of stemming from child labor in factories. Lord Ashley opposed the motion, observing that the issue had been investigated enough. Indeed, such studies could be dated back to the work of Drs. John Aikin and Thomas Percival in the 1790's. Again in 1818, medical men could not justify long hours of labor. In support of Lord Ashley's argument, John Fielden, Liberal M.P. from Oldham, declared in the debate of April 3:

It is a notorious fact that labour is carried on for 13, 14, and 15 hours a day in defiance of the law. I think that 10 hours would be profitable enough both for the employers and the employed.

Fielden's opinion carried weight, for he was an owner of Fielden Brothers, Waterside Mills, Todmoren, then one of the largest manufacturing concerns in the United Kingdom. The House of Commons, nonetheless, approved the motion to establish another investigative commission by a single vote: 74-73. But did this decision reflect popular opinion? Press and working-class reaction indicates that it did not.  

The Manchester Guardian, the chief spokesman for the manufacturing interests, was one of the few newspapers that applauded Wilson-Patten's successful move. The Tory Morning Hearald of mid-March 1833, by contrast, contended that Wilson-Patten must have been unaware that his call for a commission probably would mean the death of Ten Hours and asked him to open his eyes to the fact that "never was a stronger, a more universal impression made upon the mind of any country than has been made by all the evidence to which we allude." Early in April, the Morning Post, another Tory newspaper, picked up this tune, denounced the procrastinating investigation, the "false-pretenses" of its sponsors, and charged that child abuse by millowners was the prime justification for the Ten Hours Bill. 8

After the Factory Commission had begun its hearings, critics complained that it worked in secrecy and deliberately wasted time. On April 25, 1833, the "Address of the Operatives of England, and Scotland, to All Ranks and Classes of the Land," which came from the pen of George Higginbottom of Manchester, denounced the Commission and declared that the evidence already collected was more than enough to warrant

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8 Manchester Guardian, Apr. 6, 1833; London Sun, Mar. 11, 1833, p. 4; Apr. 4, 1833, p. 4; Llewellyn, Decade of Reform, p. 113. Llewellyn contends that the Benthamite members of the Commission, Edwin Chadwick, Thomas Tooke, and Thomas Southwood Smith had preconceptions about child labor and did not want any interference with the free contract between employer and employee.
legislative action. In mid-May, 1833, the Leeds Times questioned the Commission's refusal to give publicity to the inquiry and also asked the operatives (workers) to denounce such secrecy. About the same time, the working classes of Leeds held a meeting to discuss the exploitation of factory children. Concluding that the hearings constituted a stalling tactic, they decided to present a statement of protest to the Commission, when it came to their city. The workers of Bradford joined the protest movement and emphasized their resentment by parading hundreds of cripples before the Factory Commission when it came to investigate conditions there.9

On May 28, The Times (London) added its voice to the chorus of complaints against the Commission by charging that it was nothing more than an expedient for delay and by publishing Sadler's criticism of its secret proceedings. Two days later John Wilson, Secretary of the Commission, responded that the secrecy was necessary to protect the operatives, not the millowners. The Commission's critics, however, refused to accept this explanation. The skeptical Morning Herald accused the Commissioners of trying to hide the cruelty with which children were treated and denied that they became adjusted to working in the factories. Children in their early teens, the paper asserted, need more stringent

moral training than did their younger brothers and sisters. Finally, the Herald, having observed that the Commission would recommend protection for young workers only until they reached fourteen—not eighteen as prescribed by Sadler—ruefully conceded that the Commission indeed had served the purpose of the millowners who called for it.

Samuel Kydd, secretary to Oastler, ably summarized the opposition to the Factory Commission in his History of the Factory Movement (1857), wherein he explained that public criticism stemmed from two sources: (1) traditional British disdain for royal commissions, and (2) the conviction that the Commissioners were merely the lackeys of the millowners, whose hospitality they often accepted.

The Report of the Commissioners, laid on the table of the Commons on June 28, 1833, supported the findings of Sadler's Committee by conceding that long hours of labor were injurious to the health of children and admitting that child workers were not free to enter into contracts by and for themselves. The Commissioners even recommended legislative action in behalf of factory children but opposed the Ten Hours Bill. Now faced with the Commission's opposition, Ashley and Sadler (outside of Parliament), made a last minute attempt

10 Ibid., May 28, 1833, p. 4; ibid., May 30, 1833, p. 1; London Sun, July 1, 1833, p. 4; ibid., July 3, 1833, p. 4.

to save their bill by offering to delete the clauses which provided for certification and personal punishment. These provisions, onerous to the millowners, would have established machinery for the trial of negligent proprietors. In defense of this compromise, Ashley and Sadler expressed fear that some millowners who had been fined would retaliate against their workers. The appeal for conciliation failed, however, because zealots like Oastler opposed any compromise with the millowners and their supporters. Oastler's ultra position, moreover, was supported by most of the estimated 100,000 who attended the massive Wibsey Low Moor meeting on July 1, 1833.\footnote{Ibid., pp. 51-52, 58, and 60-62.}

The campaign for the Ten Hours Bill climax ed in July and August 1833. On July 5, by a vote of 164 to 141, the Commons defeated the motion of John Charles Spencer, Viscount Althorp, Chancellor of the Exchequer, to send the bill to select committee. The tide seemed to be turning in favor of Ashley's Ten Hours Bill, but on July 18, the House rejected it by a division of 238 to 93. This turn of events was due to the strange alliance of those who feared that the bill went too far with those who complained that it did not go far enough. Lord Althorp, thereupon, introduced the Government's bill (August 9), which provided for a forty-eight hour workweek for children between nine and twelve, while those
thirteen to seventeen could work sixty-nine hours a week. The Ministry's bill also set twelve hours as the maximum work day. This bill, later entitled "An Act to Regulate the Labour of Children and Young Persons in Mills and Factories," passed within twenty days. On August 17, the House approved the measure; the Lords followed suite on the 28th and the next day it received the Royal Assent.\textsuperscript{13}

Parliamentary debates on this issue focused on the general effects of factory labor on children. Sadler, quoting a physician, asserted that most accidents occurred late in the day, when the children were weary. Sir Samuel Whalley of Marleybone even charged on July 5, 1833, that West Indian slavery was not as bad as child labor in British factories. The cruel treatment suffered by the children, he declared, was a "frightful outrage upon humanity" which already had given England a bad name in Europe.\textsuperscript{14}

The opponents of Ten Hours, of course, defended factory conditions. On July 5, William Henry Hyett, Liberal M.P. of Stroud, attacked the proposition that factory conditions are, by their nature, injurious to the health of the young. He admitted that there was evil in the present factory system, but insisted that the amount of suffering had been greatly magnified. Hyett's main concern was the evidence compiled

\textsuperscript{13}Parl. Debates, XIX (1833), 254, 913; ibid., XX (1833), 499.  
\textsuperscript{14}Ibid., XIII (1832), 502; ibid., XIX, 227-28.
by Sadler's Committee. He alluded in particular to the tables at the end of the volume that showed the "comparative estimate of the duration of human life in large manufacturing towns, as compared with certain other places . . .". He complained that it was unfair to compare the London Metropolis, with its wealth, charities, and first-rate health facilities, to a factory town. The comparison should be between a manufacturing city and a commercial center. Using this approach, he discovered that 5,567 of the last 10,000 people who had died in Liverpool (commercial)--or 55.67 per cent--were under twenty years of age. In three manufacturing centers, the mortality rate for teenage workers was about the same: 58.89 per cent on Macclesfield, 58.96 per cent in Bradford, and 59.11 per cent in Wigan. But in Gloucester County, another industrial area, the under-twenty rate was only 39.51 per cent, while the ratio for all ages was 40.77 per cent. Thus, the teenage mortality rate in a factory town was about the same as in a commercial center. The slight difference, Hyett argued, could be explained by evils which everyone must admit to exist in our manufacturing establishments, without imputing it to the cruelty and overworking of children, which it is the object of this Bill to counteract.15

In the same debate Lord Althorp insisted that the Ten Hours Bill would mean misery and starvation for the working poor, instead of benefiting them. He, therefore, called for the protection of child labor only until the age of eleven.16

British journals also joined the debate on the problems of child labor. The Tory London Sun blamed the factory system for crime, poverty, and cripples, declared that the subject called for the prompt attention of Parliament, and lamented that this system destroyed the world-famous personification of England as John Bull—a healthy, robust, and cheerful character. The Tory Morning Post echoed these sentiments and asserted that the evidence collected by Sadler's Committee should have convinced all who hated slavery that they must unite to end these deplorable factory conditions. Even The Times conceded that children were becoming diseased, deformed, and disabled, and demanded that "the strong arm of the law must be made to beat humanity into the empenetrable hearts of their worse than Egyptian task-masters."17

When the opponents of factory reform accused the reformers of standing on weak ground, the Morning Post of mid-March, 1833, asked rhetorically:

Did the sunken eyes and pallid complexion of human beings visibly hastening to their early graves in obedience to the murderous mandate

17 London Sun, Feb. 15, 1832, p. 4; ibid., Jan. 5, 1833, p. 4; The Times (London), Jan. 11, 1833, p. 2.
of the factory system, exaggerate either the extent or the consequence of excessive and unnatural labor?

Surely the time had come, the Post asserted, to end these desperate attempts to depreciate the evidence. 18

Had not Doctors Aikin and Percival forty years earlier, the Morning Herald asked early in April 1833, "demonstrated the pernicious effects which the labour of cotton factories produced on the health of children?" Nonetheless, in the House of Commons, "mercy still weeps over the defeated claims of humanity." 19

Finally, in April 1833, the Tory Blackwood's Edinburgh Review discovered that way back in 1814 the humane William Wordsworth had denounced the materialism fostered by the Industrial Revolution in these lines of "The Excursion:"

And feelingly the Sage should make report
How insecure, how baseless in itself,
Is that Philosophy, whose sway is framed
For mere material instruments--;--how weak
Those Arts, and high inventions, if unpropped
By Virtue. 20

The Whig Morning Chronicle, however, not only disagreed with the poet, but argued that the regulation and discipline of factories were good for children. And factory work, the Chronicle insisted, was much easier than field labor. 21

18 London Sun, Mar. 21, 1833, p. 4.
19 Ibid., Apr. 5, 1833, p. 4.
21 London Sun, Mar. 3, 1832, p. 4.
More severe in its criticism of the Ten Hours Bill than the *Morning Chronicle* was the *Manchester Guardian*, which warned against reducing the workday to less than eleven and one-half hours. The *Guardian* assured its readers that reports of factory horrors were false exaggerations and that an average temperature of 80°F in mills and factories was not too hot. Child labor after all was a necessity. A reduction in hours, moreover, would not "banish from the mills the pale faces and the attenuated and dwarfish forms" occasionally seen there, for these problems stemmed from the immorality of the working classes.  

According to some advocates of *laissez-faire* and manufacturers, the real cause of Britain's woes was the Corn Laws, not the factory system. Repeal of the Corn Laws, urged *Tait's Edinburgh Review*, an organ of the Anti-Corn Law League, and children would not have to work long hours to buy bread. It was this fact, complained *Tait's Review*, that the factory reformers, mostly Tories, were trying to hide. The *London Sun*, no friend of the factory system, also attacked the Corn Laws at this time, supporting the calls of Henry Warburton of Bridport and Joseph Hume, Radical from Middlesex, for their repeal. "The Corn monopolists may depend upon it," the *Sun* declared, neither men nor children will work fourteen hours per day if they [wheat producers, the aristocrats]

22 *Manchester Guardian*, Jan. 28, and Apr. 7, 1832; *ibid.*, June 1, 1833.
will give [the workers] a bellyful for working seven hours."

On June 18, 1833, the Sun again affirmed that only through the repeal of the Corn Laws could children be liberated from their long hours of toil in the factories. 23

The strongest and most vocal opponents of the Ten Hours Bill, however, did not agree that the repeal of the Corn Laws would constitute an adequate alternative, but warned that such a short workday would mean the end of British commercial and manufacturing supremacy. Hyett, a major Whig spokesman for the factory owners in the House of Commons, predicted on July 5, 1833, that passage of the Bill would be a calamity of such magnitude as to regress England back to the age of guilds. Observing that Parliament had "a mania for making little laws for little occasions," he advised that "they ought to mend the general health [rather] than botch up in detail a few offensive and irritating sores." 24

Adopting Hyett's position, the Morning Chronicle protested that passage of the Ten Hours Bill would mean rising prices and falling wages, since factories that employed children would be deprived of one-sixth of their productive power. The Manchester Guardian sounded the same note of


24 Parl. Debates, XIX, 245.
warning; passage of the bill, it charged, would deal the textile industry and its millions of employees a blow from which neither would ever recover. Trumpeting the familiar refrain of laissez-faire, the Guardian argued that government should not interfere with industry and that hours of labor should be reduced only if were shown that the shortened workday would not hurt production.25

Both sides, of course, accused the other of being politically motivated. The advocates of "Ten Hours" blamed Whig Ministers for helping the plutocracy at the expense of millions of exploited workers. The Morning Herald commented that it was ridiculous to ask Secretary of the Treasury Thomas Spring-Rice to testify, since he was a lackey of the manufacturing interests. The staid London Times even accused the factory owners of pushing through the Factory Act of 1833 so that they could force children thirteen and older to work as long as the employers wished. The Manchester Guardian, by contrast, attributed electioneering maneuvers to Sadler and contended that the Select Committee not only was biased, but included "very few of the members best suited to conduct an inquiry of this sort. . . ." The Morning Chronicle, moreover, declared that the Ten Hours Bill had originated with some ultra-Tories looking for popularity; the London Sun charged that the Select Committee's report was full of

25 London Sun, Mar. 3, 1832, p. 4; Manchester Guardian, Apr. 20, 1833.
exaggerations, and that many of the alleged cases of child abuse were the products of Sadler's pseudo-humanity. Such invectives from a journal that once had pleaded for legislative action to remedy an evil from which Englishmen had long suffered, indicate how political the conjoint issues of factory reform in particular and social conditions in general had become by 1833.26

The fate of the Ten Hours Bill in the early 1830's reveals that social questions in Britain on the eve of the Victorian Era cannot be judge on their own merits. Numerous other factors--the factory system, the Corn Laws, politics, and imperialism--all impinged upon the consciousness of the electorate. Frequently, opinions on one issue stemmed from views on a parallel problem. The Manchester Guardian, for example, due to its laissez-faire bias, not only opposed reforming the abuse of child labor, but denied that the factory system created a health hazard. The Guardian, Morning Chronicle, and Hyett may have been wrong in their views, but these opinions were at least based upon a philosophy in which they sincerely believed. The tenets of twentieth-century social democracy would have been anthema to these middle class liberals and their journal editors.

The lines drawn in the early 1830's remained fundamentally the same throughout the struggle for factory reform,

26 London Sun, Mar. 3, 1832, p. 4; ibid., Apr. 5, 1833, p. 4; The Times (London), July 18, 1833, p. 5; Manchester Guardian, Mar. 31, 1832; MEB, II, col. 931.
an issue quietly debated for the next decade. In the early 1840's, however, it again dominated and disturbed the political scene of Britain.
CHAPTER I
THE CAMPAIGN CONTINUES, 1834-1844

When William Cobbett learned that the Ten-Hours battle had been lost, he chided its opponents by charging that they "had discovered that England's manufacturing supremacy depended on 30,000 little girls." The issue, however, did not die in the summer of 1833; indeed, it developed over the next decade until it came to share the political arena with free trade and the Corn Laws. True, the first two years after the defeat of Ten Hours were generally quiet so far as factory legislation was concerned, though people like Oastler still strove to keep the question on the front burner. In 1835, however, interest dramatically revived due to the publication of two books that contradicted the ideas of the factory reformers: *The Philosophy of Manufactures* by Andrew Ure, M.D., and *History of the Cotton Manufacture in Great Britain* by Edward Baines, works which laid the foundation for future opposition to factory reform.¹

Ure and Baines contended that the diseases and disorders which beset children stemmed from their improper home life, not factory labor, which did not appear injurious to their health. The latter might indeed cause minor disorders of the nervous and digestive systems, but no one need fear that a serious disease or death would result. After all, had not Dr. E. Carbutt, physician to the Royal Manchester Infirmary, affirmed that factories, with their dryness and warmth, could even help cure some illness? And what of Dr. Mitchell, the actuary of London, who had prepared for the Factory Commissioners tables of sickness. His research indicated that factory labor was no more harmful to health than any other kind of work. Ure and Baines, moreover, were convinced that the factory system was one of the greatest achievements ever to benefit mankind. Baines' argument that machines were the tools of men was supported by Ure, who added that "The factory system, then, instead of being detrimental to the comfort of the labouring population is its grand palladium." Belief in the value of machinery led Baines not only to oppose further factory legislation, but also to criticize acts already passed. Protesting that it would be uneconomical to educate the children of the poor and that a limitation on hours of labor would cause hardships for the working class, Baines argued that factory reformers possessed "an ill-judging humanity, which defeats its own end."²

The ideas of Baines and Dr. Ure soon provoked an acerbic response. In 1836, John Fielden published *The Curse of the Factory System*, in which he declared that the manufacturers, not poor parents, were responsible for the suffering and bad health of children. He complained that the absurd attempt of the Factory Commissioners, those "Political Economists," to separate the adult form the child in labor had nullified every act passed for the protection of children. Had not Factory Inspectors, themselves, clearly pointed out the impracticality of legislating for children alone? What was needed, Fielden urged, was either a ten hours bill or effective enforcement of the Act of 1833. Mechanical improvements, he charged, had led masters to make unreasonable demands of workers and hence lay a curse upon them. Children

pp. 463, 465-466, 460, 480. (But Baines stressed that the working class suffered from a lack of information and needed better education, 502.); Andre Ure, M.D., *The Philosophy of Manufactures* (London: Charles Knight, 1835), pp. 376-329, 281. (Ure states, however, that factory machines could suffer from inactivity in the humid climate.); J. R. McCullough, "Philosophy of Manufactures," *Edinburgh Review*, LXI (July, 1835), 453-472. (In a review of the above works of Baines and Dr. Ure, the Edinburgh Review took a position favorable to the authors, stating that factory life taught children regular, orderly and industrious habits.); Sir George Head, *A Home Tour through the Manufacturing Districts of England in the Summer of 1835*, ed., W. H. Chaloner (2nd. ed.; New York: Augustus M. Kelley, 1968). The first edition of this work appeared in 1836 in London. Head agrees with Baines and Dr. Ure, stating that "expressions of morbid sympathy have, on the contrary, never ceased to paint the situation of the operatives far darker than it is in reality . . ." (p. 189). Later, he asserted: "[In my travels,] I saw around me, wherever I moved, on every side, a crowd of apparently happy beings . . ." (p. 190).
and adults were overworked to the point that they were carrying perhaps twice the workload they had thirty years earlier. Fielden's indictment of the factory system was supported by James Philip Kay, M.D., who claimed that workers were "engaged in an employment which absorbs their attention and unremittingly employs their physical energies."³

Fielden also rejected Dr. Ure's argument that Britain's political and social structure would crumble at the feet of foreign competition, if the laboring class did not work long hours. On the contrary, he claimed that England unwisely was imposing her system of long hours on other countries, including the American Republic. To support this conclusion, Fielden cited a pamphlet published in New York in 1833, entitled "State of Education, with Particular Reference to the Effect of Manufacturing on the Health and Happiness of the Poor." This essay criticized the factory system in America and denounced the notion that overwork could create prosperity. In the cause of justice, Fielden argued, Britain should enact a ten-hours bill for the rest of the world to copy.⁴

Peter Gaskell also joined the growing debate in 1836, when he published Artisians and Machinery, an attack upon


⁴Fielden, Curse of the Factory System, pp. 70-72.
the long factory workday as a threat to health. He contended that the moral and social deficiencies of the factory environment had led the working population to neglect its own physical well-being. Factory workers may live longer than those in the country, but theirs was a life of "one long disease, and death the result of physical exhaustion."^5

That same year (1836), the anti-reform forces counter-attacked in an attempt to regain lost ground. Charles Poulet Thompson, Tory M.P. for East Cumberland, urged the repeal of the provision of the Factory Act of 1833 which reduced the labor of twelve-year-olds to eight hours a day. This action met with a degree of success, getting a second reading on May 9, 1836, but only by a two-vote margin. Thompson ruefully concluded that his assault had been ill-timed and withdrew his motion. Fielden, nonetheless, attacked Thompson for attempting to weaken Lord John Althorp's Act by denying state protection to children under thirteen. The attempt to re-impose twelve hours on them clearly indicated that the Melbourne Ministry had decided to overwork children rather than underwork adults. Dr. Charles Wing of the Royal Metropolitan Hospital for Children, who also held this view, declared in 1837 that the Act of 1833 was inadequate and

called for a ten hours bill. The newly founded *Northern Star* of Leeds, a Chartist organ, energetically seconded this demand in April, 1838, while protesting that efforts to weaken the Act of 1833 proved that the "Many headed monster, capital, was about to try again to seize his victim." The *Northern Star*, moreover, denounced the Associated Millowners for attempting to abolish the national inspection system in order to make things easier for the manufacturers. The paper warned that "not one single portion of the protection now afforded to suffering infancy must be given up."\(^6\)

Factory owners, of course, disagreed. Robert Greg, a manufacturer and advocate of *laissez-faire* economics, objected to giving inspectors additional powers and charged that these little men constituted a menace to the morally superior millowners. He stoutly contended that no evils

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existed which positively could be attributed to the factory system. The idea of ten hours, moreover, was incompatible with Britain's advantages of cheap money and a low interest rate.7

Contemporary economic thought led most British intellectuals to rally around the *laissez-faire* standard. Prominent in this group was Nassau Senior of Oxford, "the leading apostle of economic liberalism in the 1830's." Senior insisted that the long factory workday resulted from the greater use of "fixed" over "circulating" capital—at a rate of four to one—and from the extraordinary lightness of the labor. From this hypothesis, he concluded that a factory's net profit was earned in the last hour of operation. If, for example, one invested £100,000 in an industry, 80 percent would go for the building and machinery, and the rest for raw materials and capital. The estimated gross profits of this venture would be £115,000. Senior then figured that the typical factory operated an average of 11 1/2 hours a day; i.e., of 12 hours labor Monday through Friday and 9 on Saturday or 69 hours divided by 6. If the average day were divided into twenty-three equal parts, each representing a half-hour, the first twenty units would be required to recover the original investment, and another 1/23 (£5,000) to offset the depreciation of the physical plant. Only one hour—2/23

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of the workday--remained in which the owner could earn a net profit. Senior also assumed that reduced hours would mean reduced production, which in turn would lead to increased prices. He, therefore, opposed any reduction of labor, for such inevitably would eliminate all profit. Senior's assumptions, of course, are arbitrary and questionable. He assumes, for example, that the rate of productivity will remain constant throughout the workday. But regardless of its merit, his theory is significant, because it became a major factor in the factory debates of the 1840's.8

On April 9, 1838, Fox Maule and Henry Lobouchere proposed the Factories Regulations Bill to tighten the clauses on children's ages and establish a uniform series of regulations. The Bradford short-time reformers opposed this measure and insisted on the adoption of a ten-hours clause. Lord Ashley supported their position, and on June 22 moved for the second reading of the bill, intending to attach a ten-hours amendment to it when it was returned to Committee. His charge that violations of the Factory Act of 1833 had gone unnoticed was denied by Lord John Russell, Home Secretary and Leader of the House, among others. The Conservative Sir Robert Peel, a recent convert to the cause of factory reform, warned that failure to pass the bill would inflict serious injury upon the body politique of the realm, but the argument

8Ibid., p. 146; Senior, Letters on the Factory Act (1837), cited by Ibid., pp. 147-151.
that the real issue was limited hours for adult workers persuaded the Commons to defeat it.⁹

The House's refusal to come to grips with the factory problem aroused the ire of many Britons. G. White, at a meeting in Leeds called to discuss this issue on June 20, 1838, asked: Is it right that the capitalist should use his wealth "to the detriment of every working man in the Kingdom?" At this same gathering, moreover, William Rider, Secretary of the Leeds Short Time Committee, denounced all who refused to fight under the factory reform banner and lamented that the factory children had so few powerful advocates.¹⁰

The Times was very outspoken on this issue. On June 25, 1838, it criticized the Commons for defeating the Factories Regulations Bill and remarked that "laws of their own making have been left unenforced, and the unfortunate children unprotected. . . ." To this was added a condemnation of the Act of 1833, which The Times viewed as "a thorough relaxation of the law in every respect--an imprudent fraud practiced upon Parliament and the country."¹¹

The factory system debates of 1838 also evoked harsh appraisals of those who claimed to speak for the workers.

⁹Parl. Debates, XLIII (1838), 968, 970, 975, 978, 979. The vote on Ashley's motion of June 28, 1838, was 119 against to 111 for; Ward, Factory Movement, pp. 203-204.

¹⁰Northern Star, June 28, 1838, p. 8; Ward, Factory Movement, p. 100.

¹¹The Times (London), June 25, 1838, p. 4; ibid., June 12, 1838, p. 4.
Whiggish Manchester Guardian, for example, complained that the Tory Standard was infested with jealousy toward the growing strength of the millowners. In a political footnote, the Guardian argued that the Tories really were after the Ministry and would sacrifice the millowners to reach their goal. 12

During 1839-1843, the position of both sides became more specific and set the stage for the final debate which began in 1844. As usual, there was no shortage of charges and countercharges. The Northern Star consistently harangued Whig inaction and the attempts of the millowners to elude Factory Act regulations. The Manchester Guardian, of course, warned the manufacturers of the dire consequences of a Conservative Parliamentary victory, since the Tory press regarded them as torturers of infants. 13

Throughout this period, factory reform continued to receive the attention of a small group of M.P.'s. Despite the agitation of Chartists, their action resulted in only one major piece of legislation: the Mines Act of 1842. Their speeches and exposes, nonetheless, kept the issue of child exploitation alive in the Commons. In 1839, fear that lack

12 Manchester Guardian, July 25, 1838.

13 Northern Star, Mar. 2, 1839; Apr. 20, 1839. Commenting on Whig inaction, the Northern Star stated on March 2, 1839: "In no proportion of their legislative handicraft has their imbecility or rascality been always more conspicuously apparent than in the pretended mantle of protection which they have thrown around helpless infant poverty, . . ."; Manchester Guardian, June 9, 1841.
of education would be harmful to children led Joseph Brother-ton, Liberal M.P. for Salford and one time Manchester cotton manufacturer, to protest that long, confined labor rendered cultivation of the mind next to impossible. Lord Ashley issued a similar charge in August 1840, avowing that when factory children became adults they would be "turned upon the world without moral, without professional education. . . ."
The advocates of factory reform had one question on their minds: What effect did the factory system have on those involved in it? To answer it, they studied the evidence which Factory Inspectors in 1840 gave to the Select Committee. Inspectors Bury and Robert Saunders found that in the lace mills children from ten to fifteen had to remain within the confines of the mills for the duration of their operation, usually running twenty or more hours a day. This revelation enraged factory reformers. Ashley commented in the Quarterly Review that public avarice had created such evils, since the demand for cheapness resulted solely from the desire for lavish goods. Equally appalled, Richard Oastler appealed to every Christian to look at the evidence and then determine if he should "unite in aiding Lord Ashley in his benevolent attempt to relieve the children from that unnatural pressure which the present manufacturing system imposes upon them."
These complaints again were countered by the Whig demand for the repeal of the Corn Laws, for, as William Ewart of Wigan
alleged, cheaper food was the quickest route to shorter hours. 14

By 1840 the factory reform issues had become one which touched Englishmen of all walks of life, from workman and manufacturers to clergymen and the intelligentsia. Joseph Raynor Stephens, an independent preacher, declared in a sermon at Charleston in January 1839: "The question is whether God shall reign in England, or whether Satan shall domineer." Later that year, he was convicted for sedition in Hyde Park and given an eighteen-months' sentence. Frances Trollope, the mother of Anthony, in The Life and Adventures of Michael Armstrong, The Factory Boy (1840), gives a horrifying description of the young worker, with "lean and distorted limbs," and "a look of premature old age." Leonard Horner, a Factory Commissioner who had supported the Factory Act of 1833, had by 1840 come to see that additional legislation was necessary. The Act of 1833, he now asserted, was unworkable and indeed had been railroaded through the Parliament by the millowners. What were needed, he argued, were laws to halt the further employment of children for cheap production. 15


15 Ward, Factory System, II, 118; sermon delivered at Charleston, Jan. 6, 1839, cited by ibid., pp. 118-119; Francis
Still others raised their voices as it became more common for workers to spend their spare time at public meetings, wrestling with the problems of factory conditions. William Walker, a Tory reformer, at a meeting in Bradford in April 1840, noted that in the Spring of 1839 a ten-hours-ordinance had become law in Prussia and suggested that it would not contradict the coldest political principles for the legislature to show a little compassion for the young factory worker, nor would such action interfere with parental authority. George Alexander Fleming, another factory reformer, insisted disease, vice, immorality, all stemmed from abuses within the factory system. For this reason, he rejected the idea that machinery could be a boon to society.16

In 1841 William Dodd published A Narrative of the Experience and Sufferings of William Dodd, Factory Operative. The next year, he came out with The Factory System, a study of factory conditions throughout Great Britain, arranged in the form of letters from himself to Lord Ashley. In his second work, Dodd reveals his own reaction to the factory system, as well as that of others. On the problem of deformities, for example, he cites the opinion of Dr. Samuel Smith, surgeon

Trollope, The Life and Adventures of Michael Armstrong, the Factory Boy (1840), cited by ibid., pp. 60-61; Leonard Horner, On the Employment of Children in Factories and Other Works in the United Kingdom, and in Some Foreign Countries (1840), quoted in ibid., p. 126.

of the Leeds Infirmary, that the constant strain of factory work could lead to "splay foot" and a severe bending of the legs which in turn could cause the victim to lose as much as a foot in height. Only factory children and chimney-sweepers suffered from these deformities.  

For the edification of those who thought it impossible for an industrialist to be benevolent, Dodd described the factories of William Wood and William Walker of Bradford, where the workday never exceeded eleven hours, and management granted workers thirty minutes for breakfast, an hour for lunch, and another thirty minutes in the afternoon for tea. Mealtime, moreover, was devoted entirely to eating, not to cleaning the machinery. To avoid deformities, children were provided with seats or "Oastlers" on which to rest, and those under thirteen were required to attend school at least two hours a day. Walker professed a strong desire to reduce the hours of operation to ten, if only the other manufacturers would follow suit. He feared that if corrective legislation did not come soon, humanitarian capitalists would be forced out of business. Unfortunately, the typical factory opened at 5 A.M., closed at 7:45 P.M., and allowed no time for meals.

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17 R. Inchbold, On Mills and Factories, cited by William Dodd, The Factory System Illustrated (2nd. ed.; New York: Augustus M. Kelley, 1968), pp. 8, 9-10 (According to Smith, "splay-foot is the result of the elasticity of the foot giving way to constant pressure thus causing the inside of the sole to touch the ground."). The first edition of this work appeared in 1842; ibid., p. 117 (William Finlow had been a factory worker from age eleven to eighteen. Although he stood 4'10", his arms extended to 5'8").
This situation stemmed in part from the threat of unemployment, for the manufacturers, whenever possible, preferred to replace adult workers with cheaper teenage laborers. Women seemed to suffer most from these pernicious conditions. So surrounded by vice and wickedness were they, that even their former employers would not hire them as domestic servants, if they were dismissed. Dodd affirmed in retrospect that there were "some things to approve, and many to condemn" in the factory system. Eight of ten millowners started from humble origins and wanted above all else to become rich. The factory system destroyed home life. Wives neglected their domestic duties, and their husbands frequented bars. Workers, moreover, were often injured due to the foolish practice of cleaning machines while they were in operation. 18

To Dodd, the remedy for most of these ills was, of course, ten hours. He urged those who questioned the economic wisdom of such a measure to take the advice of Walker and Rand, who scoffed at the idea that foreign competition could beat Britain into submission. After all, cotton cost thirty to forty percent more in France than in England. In any case, the average workday had not exceeded ten hours since the mid-1830's; the

18 Ibid., pp. 41-45, 48-49, 100, 102, 104-105, 217-219 (Richard Oastler suggested having seats in the factories). Dodd protested in particular against the practice of fining workers for being late, a circumstance often caused by the manufacturers, themselves. A profit of L3 a week could be made by keeping a group of workers "a few minutes at the gate twice a-day. . . ." Ibid., pp. 223-224, 226.
cost of production, therefore, would not be affected by such legislation.19

These arguments, however, failed to move the protagonists of laissez-faire. The Manchester Guardian admitted that textile districts did have a high mortality rate in comparison to the national average, but asserted it was lower than that of heavy industry districts. The Liberal organ cited Dr. Johns, superintendent of the Manchester district, who found that the mortality quotient in Manchester was no worse than that of Birmingham. While eleven per cent of those between the ages of six and twenty-one died annually in Birmingham, the rate in Manchester, he estimated, was only nine-and-a-half per cent. His testimony, however, is contradicted by amazing data which shows that 55.8 per cent of the annual deaths in Manchester were of children under five, while in Birmingham the ratio was 50.23 per cent. For the very young, in sum, survival was a greater problem in Manchester than it was in Birmingham; perhaps children developed greater resistance to disease as they grew older. The Guardian recognized the high childhood death rate in Manchester, but accepted Dr. Johns' explanation that it stemmed from the bad care the young received from their mothers during the prenatal stage. Thus, the factory system was not directly responsible for this

situation. It should be emphasized, nonetheless, that the overall mortality rate of Manchester was indeed higher than that of Birmingham. In 1841, the rate per thousand was 30.2 in Manchester, versus 26.5 in Birmingham, for one of the highest death rates in England. Neither the Guardian nor Dr. Johns indeed denied the fact, but they tried to place the blame outside the factory system.\textsuperscript{20}

The Liberal (Whig) Edinburgh Review attributed the physical suffering of workers to "restrictive laws by which freedom of trade is checked and depressed." The factory system, far from causing social evils, could be the agency which redressed them. The Edinburgh Review blamed Britain's high mortality rate on the neglect of municipal authorities and cited the efforts of Edwin Chadwick, Secretary to the Poor Law Commission, to show the advantages of improved drainage, better sewage disposal, and purer water.\textsuperscript{21}

Court decisions in the 1840's usually supported manufacturers in litigation. A boiler explosion at Elce and Company of Manchester on October 13, 1841, which killed eight

\textsuperscript{20} Manchester Guardian, Mar. 7, 1840; Great Britain, First Report of the Commissioners on the State of Large Towns and Populous Districts (1844), App., p. 2. During 1840-1842, the mortality rate in Manchester was 3.2 per cent, and in Birmingham it was 2.7 per cent; Great Britain, Second Annual Abstracts of the Registrar-General of Births, Deaths, and Marriages, (1840), p. 32.

men between the ages of eighteen and twenty-five, created a
case in point. At the inquest the next day, Elce assured the
court that the boiler had been in good running order, but the
father of Iram Brown, an engineer who died in the accident,
swore he had warned Elce that the boiler could not stand the
pressure to which it was normally subjected. John Roberts,
engineer and machinist, supported this opinion. Nonetheless,
the jury ruled that it was a case of "Accidental Death," and
not the fault of Elce and Company. The only action taken
against Elce was to criticize him for employing a boiler
attendant who was only seventeen. 22

Labor conditions in mines also attracted the attention
of Parliament in the early 1840's. To investigate charges of
exploitation and brutality in coal mines, the government ap-
pointed a Royal Commission, which published a report in 1842.
On the basis of its findings, Lord Ashley pushed for legis-
lation to end work by women and children in the mines. The
opposition, repeating arguments used earlier against factory
legislation, predicted economic ruin for the nation if the
measure passed. Graham, however, engineered a compromise;
the Mines and Colleries Act of 1842 which prohibited the
employment of all females, allowed boys ten years and older
to work in mines, and established an inspection system. 23

23 Parl. Debates, LXIV (1842), 1009; John Wesley Derry,
Reaction and Reform (London, Blandford Press, 1963), pp. 144-
145.
In March 1844, the factory issue again became the focus of national interest. The Times sounded the keynote on the 9th when it condemned the concept of freedom of wealth. "We are not sorry," the paper confessed, "that the public attention should be forcibly called from wealth to labour." Leading factory reformers also became more vocal. Four days later, short-time advocates Oastler, Benjamin Jowett, and Joseph Gregory addressed the residents of Manchester and Salford at a general rally in support of ten hours for all over thirteen. The opposition quickly accepted the challenge; passage of a ten-hour bill, the Manchester Guardian declared on March 20, "will prevent the manufacture of a mass of commodities which now sell for probably no less than fifteen or twenty million sterling." This rash experiment, it warned, can only lead to wage struggles and rising prices.  

On February 8, 1844, Graham introduced a factories bill which limited children nine to thirteen, to six and a half hours labor per day and forbade those thirteen to eighteen to work more than twelve hours. These provisions meant a twelve-hour bill which factory reformers opposed. In Committee, therefore, Lord Ashley on March 15, proposed that the working day for those thirteen to eighteen be restricted to the hours between 6 A.M. and 6 P.M., with two hours allowed for meals. On the 18th, his amendment, which called for a ten-hour workday

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24 The Times (London), Mar. 9, 1844, p. 6; ibid., Mar. 15, 1844, p. 3; Manchester Guardian, Mar. 20, 1844.
passed in Committee by a vote of 161-153. Due to this turn of events, on March 25, Graham pronounced that the Factories Bill was in "inextricable confusion" and asked the Commons to allow him to withdraw it for the purpose of introducing a new one at a later date. That same day, the forces of reform were dealt a sudden setback when Ashley agreed not to oppose the Government's request. The Times observed with amazement and chagrin that one day the House favored ten hours, but four days later allowed twelve. The vacillation of the Commons appeared "undignified and dangerous." On March 30, The Times asked how Lord Ashley's impetus could have been exhausted so quickly. Would he ever be able to force a Parliamentary decision on the factory issue?  

The Manchester Guardian, of course, saw the situation in a different light. The country gentlemen who voted with Ashley, it alleged, did so with no real knowledge of, or concern for, industrial reform. Their only aim was "to show their resentment against the manufacturers on account of the anti-Corn Law Legislation." The Guardian, moreover, was quite upset over the growing amount of misinformation that was being published. True, factory labor was not as conducive to health as leisure activities, but the "whole population cannot be ladies and gentlemen, and soldiers"; somebody had to work.

25 Parl. Debates, LXXII (1844), 277; ibid., LXXII (1844), 1073, 1263-1264, 1483, 1485, 1588; The Times (London), Mar. 26, 1844, p. 5; ibid., Mar. 30, 1844, p. 5.

26 Manchester Guardian, Mar. 27 and 30, 1844.
In Bradford, delegates at another meeting on factory legislation strongly condemned the House's inaction. Chairman J. Pollard, a magistrate for the West Riding of Yorkshire, argued that the Commons actually favored ten hours but followed the lead of Sir James Graham, Home Secretary in Peel's second cabinet, who opposed it. Reverend Doctor William Scoresby, Vicar of Bradford, moved a resolution which called for ten hours on weekdays, but eight on Saturday, a motion which received the overwhelming endorsement of his colleagues.27

In Paris, meanwhile, the *National*, a liberal newspaper, arrived at conclusions similar to those of the men of Bradford, observing that the "late debate in the House of Commons of Lord Ashley's amendment" has demonstrated "to all rational men . . . that under the existing constitution of England not the slightest amelioration in the condition of the operative classes can be effected."28

On March 29, Graham introduced the Ministry's new Factories Bill which provided that children be limited to a six and a half hour workday, or to ten hours on alternate days in factories that operated only ten hours a day. The bill also stipulated that surgeons should certify whether or not a child was employable, and that women could not work

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28Ibid., Mar. 29, 1844, p. 3.
more than twelve hours. "The advantages which had been
gained on a former evening had been wholly lost," lamented
Thomas Duncombe, Liberal M.P. for the Metropolitan district
of Finsbury. This measure would be another twelve-hours bill,
notwithstanding that thrice before the Commons had assured
the people that ten hours was enough labor for women and
children under eighteen. Joseph Hume, Liberal M.P. for
Montrose, Scotland, on the other hand, warned against the
dire consequences of interfering with adult labor and asserted
that those who favored ten hours had been deceived into
thinking a shorter workday would be good for them.²⁹

As the Commons divided to debate this bill, periodicals
and the public took sides in an attempt to establish a national
consensus. The Northern Star complained that the Ministry
was trying to stop the trend towards factory legislation for
women and children, and blamed organs like the free trade
Leeds Mercury for spreading misrepresentations about the
factory issue. Henry Ashworth, who represented more than two
hundred textile manufacturers and millowners, of course saw
things in an entirely different light. He protested that
Lord Ashley was wrong in estimating that workers walked
twenty-one miles per day; the distance, he affirmed, was nine
miles or less. Ashworth asserted, moreover, that no surplus
of adult labor existed, and that the evidence did not justi-
ify legislation.³⁰

²⁹Parl. Debates, LXXIII (1844), 1666-1667, 1668, 1669.
³⁰Northern Star, Mar. 30, 1844; Letter from Henry
Ashworth, London, Mar. 28, The Times (London), Apr. 8, 1844, p. 3.
Throughout April numerous public meetings were held to discuss the factory issue and to influence the collective mind of Parliament. On April 16 at Bolton, 2,000 people heard John Moor, a surgeon, declare that continuation of the present long workday would condemn practically all to deformity. Two days later, a crowd of nearly 4,000 listened to Reverend C. D. Wray, Sub-Dean of Manchester, compare urban to agricultural workers, who seldom had distorted bodies. At this same Manchester meeting, Richard Oastler declared that while in prison he had learned

The only way . . . to procure any amelioration of the condition of the working classes was for them to unite together on the spirit of harmony and love for the promotion of the Ten Hours Bill.

In Bury on April 24, T. R. Kay, a cotton manufacturer with twenty-five years' experience, claimed that for years he had steadily reduced hours in his mills and believed that such was the trend of the future. In Leeds, Bradford, Huddersfield, and Halifax other assemblies debated the issue of shorter hours for women and children.31

According to the Manchester Guardian, profit, not humanity, was the driving force behind the advocates of factory regulation. After all, before the steam engine had come into general use, the typical work day was fourteen hours. Surely

Fielden, Oastler, and Busefield Ferrand of Knaresborough, who preached so loudly the doctrine of ten hours, knew that "amongst the inhabitants of the towns they visit, no respectable parties would be likely to take the lead in the matter." The Guardian charged, moreover, that factory reformers ignored evidence which contradicted their so-called facts.32

Joining the fray in May, 1844, Fraser's Magazine denounced the Ministry's Factory Bill as being too protective of "monied men and dead capital" and the doctrine "that the legislature ought never to interfere between the employer and the employed." In defense of ten hours, Fraser's asked if women and children did not deserve the same protection given horses. Observing that horses worked eight hours at a slow pace and two at fast, Senex, a pseudonymous letter writer to The Times, exclaimed "Yet you will fix women and children at four times as much! God help 'em, for men will not."33

Public debate also focused on the effect which a long workday had on women. On April 29, at a Rochdale meeting to discuss factory conditions, Thomas Wilde, a churchwarden, 32 Manchester Guardian, April 17 and 20, 1844. According to the London Tradesman (1757), of 220 trades, 32 were worked 14 hours, 19 were worked 13 hours, and 29 were worked 12 hours. 33 "The Factory Bill," Fraser's Magazine, XXIX (May, 1844), 621, 624; The Times (London), May 10, 1844, p. 6.
argued that existing conditions were especially injurious to females, because improvements in machinery which should have lightened human labor, actually tended to increase it. The Times declared that the factory system did not depend on women for its success or failure; since women were "the merest joints and cranks" of the system, the restriction of their hours could "no more stop the system than it could the rotation of the Earth." Others, like John Roebuck, Liberal M.P. for Bath, opposed legislating for women, despite his admission in June, 1838, that working conditions for women and children in a Glasgow cotton mill were "a sight that froze my blood." In the Commons on May 3, 1844, Roebuck asserted that the House should refrain from interfering with the rights of adult workers freely to contract their labor, and that the factory worker was, in fact, much better off than his agricultural counterpart. With this in mind, he asked rhetorically: "Is the labouring woman in the factory worse off than she would be if she were not in the factory?" Roebuck contended that women were, in fact, better fit than men for the warm, comfortable, indoor work of the factories.34

Fraser's impassioned plea for government intervention, seconded by Lord Ashley, received wide support, for most

34Report on the factory meeting in Rochdale, ibid., May 1, 1844, p. 6; ibid., May 6, 1844, p. 4; ibid., Apr. 20, 1844, p. 4; Hutchins and Harrison, Factory Legislation, p. 91.
Englishmen believed that a moral right could not be a political wrong and thought that machinery should be used to shorten the hours of labor. Those who dissented from this view stressed the tenets of economic liberalism (laissez-faire) and the danger of creating unemployment. Lord Henry Brougham, speaking in the House of Lords on June 3, 1844, affirmed that society needed "natural spontaneous progress" and that interference would only hurt this development. A petition from South Staffordshire, signed by eighty master manufacturers, who claimed to represent the general will of the working man, requested their Lordships not to permit "any legislative interference with the right of the poor to dispose of their labor as they saw fit." Sir Francis Bond Head, a contributor to the Quarterly, declared that England would remain strong only so long as property was property was protected; Lord Ashley, he warned, was trying to deprive the poor of their property. A man had the right to breathe foul air if he wanted to. After 1844 the issue of interference steadily assumed greater importance in the debates on factory reform.35

The struggle for ten hours no longer was a conflict just between worker and employer; but 1844, it had become a social

35 Parl. Debates, LXXV (1844), 135-138; "Petition from Master Manufacturers of South Staffordshire," cited by Lord Hatherton, ibid., LXXIV (1844), 200; The Times (London), May 11, 1844, p. 6; ibid., May 2, 1844, p. 6; DNB, IX, 324-25.
revolution. Recognizing this development, the Reverend R. Ruthensen declared at Bolton on April 16, that the ten-hours struggle was not a political issue, but one of morality and religion. Lord James Archibald Whancliffe, Lord President of the Council, on June 3, 1844, observed that in earlier times the country had been much happier, but that factories had demoralized women and thus undermined the stability of the home and family. This argument became the theme of those interested on the effect of the factory system on people outside the mills. On April 25, 1844, John Brewer warned at Chorley that factory labor deprived women of the ability and energy necessary to maintain a decent, comfortable home. Fraser's Magazine took up this tune and affirmed that workers were willing to accept less pay for shorter hours as the sacrifice necessary for comfortable homes and healthy, well-mannered children. 36

The 1844 campaign for factory reform reached a crucial stage in May, during the debates on the third reading of Graham's Factory Bill. On the 10th, Lord Ashley moved in the Commons that an eleven-hour day be established for young persons and women by October 1844, and a ten-hour day by October, 1847. He rejected the argument of the Manchester Petition that ten hours would result in a one-seventh reduction

36 Parl. Debates, LXXIV (1844), 144; The Times (London), Apr. 18, 1844, p. 6; ibid., Apr. 29, 1844, p. 6; "A Few Words Anent the Labouring Classes," Fraser's Magazine, XXX (Nov. 1844), 624.
on production and derided Nassau Senior's assertion that the last two hours of production were the most important in a factory. In rebuttal he cited the view of "A Bolton Cotton Spinner," a letter writer to the Bolton Free Press known by the editor Thompson to be a respected millowner, that the last hour of operation was least productive in quantity and quality. 37

Sir James Graham, of course, opposed Ashley's motion and declared that he would resign from the Cabinet if it passed. He charged, moreover, that Parliament was carrying its remedies too far and that the passage of Ashley's amendment would bring financial ruin to the working man. His rhetoric apparently was persuasive, for when the House voted on Ashley's amendment on May 13, it decisively defeated the measure, 297 to 159. Later, that same day, Sir James Graham's Factory Bill passed by a division of 137 to 7. This law, known as the "Children's Half-Time Act," provided that (1) children under thirteen could not work more than six and a half hours a day, or ten hours on alternate days in factories operating only ten hours a day and must attend school daily; (2) young persons (those under eighteen) and women of all ages could not work more than twelve hours between 5:30 A.M. and 8:00 P.M.; and (3) all machinery must be fenced off and not in

operation while it is cleaned. Despite its limitations, the Factory Act of 1844 marked a substantial gain for the depressed classes of Britain. True, the dream of ten hours remained unfulfilled, but a majority of Englishmen—including ministers, magistrates, millowners, and workers—had come to accept the principle of state responsibility for the redress of social grievances. Perhaps the clearest evidence of this acceptance was cross-voting: Russell, Macaulay, and Palmerston, all prominent Whigs, voted for ten hours in 1844.38

Satisfaction with Graham's Factory Act was, of course, only temporary, for the ardent supporters of ten hours were unwilling to accept less. Sporadic public debate on factory reform ensued from 1844 to 1847. In 1845 Parliament passed the Calico Print Works Act which extended the protection of the 1844 law to women and children who worked in such mills. With the repeal of the Corn Laws (June 6, 1846), the advocates of ten hours seized the initiative, for their opponents no longer possessed an important weapon: the argument that repeal of the Corn Laws was necessary to pave the way for shorter hours. The Ten-hour debates of 1846 and 1847 were imbued with a sense of finality, that the campaign must be

won now or never. They were intense on content and participation, but of greater significance was the fact that they got away from the generalities which had characterized earlier debates and emphasized the specific problems involved.
Dissatisfaction with Sir James Graham's Factory Act of 1844 became manifest in the fall of the following year, when Lord Ashley renewed the crusade for ten hours. To fulfill promises made at Manchester and Bradford, he, supported by Sir George Strickland, a Liberal for Preston, presented to the Commons on January 29, 1846, a petition. On this occasion, Ashley reminded his colleagues that twice before they had approved ten hours and that thirty-three of the forty-two representatives of manufacturing and commercial districts had voted for ten hours. He also attacked his opponents' contention that if twelve hours were good enough for Lowell, Massachusetts—the allegedly ideal manufacturing community—the same workday was good enough for Britain. At Lowell, Ashley observed, children under fifteen spent only nine months at work and the rest of the year at study. They began at an older age and remained in the factories for an average of five years. Thus Lowell did not have the problem of a permanent factory population.1

Sir James Graham rejoined that the Ministry had no objections to a ten-hours bill, but feared that Parliament

would carry too far its interference with capital and labor. The Home Secretary intoned the familiar refrain that the question of the Corn Laws must be settled before factory legislation could be discussed. Strickland replied that the imminent repeal of the Corn Laws made factory reform even more necessary than in the past, since repeal—by stimulating industrial production—would increase the demand for labor.²

During the debates on Ashley's bill, the opponents of ten hours assumed the role of defenders of the working class. On January 29, 1846, the day of Ashley's motion, Bickham Sweet Escott, Conservative for Winchester, demanded that the workingman be given back the right to control his life and that the Government cease its harmful interference in his affairs. In support of this laissez-faire principle, the Whig John Arthur Roebuck declared, on January 29: "The best way to protect labour is to allow it to protect itself." On the same day, Philip Henry Howard, Liberal M.P. for the textile manufacturing borough of Carlisle, argued that the proper procedure for reducing the workday to ten hours would be to establish a consensus for such action among manufacturers, not to resort to legislative interference. In response to their pleas in behalf of the working class, John Fielden agreed that workers, indeed, did not control their labor.

Thus, Parliament, by withholding its protection, "suffered . . . the laborer to be destroyed by the capitalist."  

The initial reaction of The Times and the Manchester Guardian to the renewal of the ten-hours' debate in the Commons was predictable. The London newspaper applauded Lord Ashley's action and observed that more and more millowners were moving toward his position. The primary problem, however, was to determine how far the principle of governmental interference could be pushed before it became counter-productive. The Guardian, of course, opposed any tampering with the natural flow of things and seconded the Liberal John Bright's contention that prosperity soon would lead to an eleven-hour workday.  

On February 7, 1846, the Northern Star declared the ten-hours issue had reached the crisis stage and warned that the longer its passage was delayed, the more restrictions workers would demand. The question was one of protected masters versus slaves; whatever was bad for the millowners must be good for the workers. The Northern Star, therefore, urged the passage of the Ten Hours Bill in order to "place

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4 The Times, Jan. 31, 1846, p. 4; Manchester Guardian, Jan. 31, 1846, p. 7.
LABOUR, the PARENT, and CAPITAL, the CHILD, in their just, ... proper, and legitimate relationship" to each other.  

From April 29 to May 22, 1846, the Commons debated the second reading of the Ten Hours Bill in three separate meetings. By this time, John Fielden had taken over the stewardship of ten hours, since Lord Ashley had resigned from the House. Fielden on April 29 declared that Parliament would show a disregard for an important period of a person's life, if it refused to legislate adequate protection for those thirteen to eighteen. Due to the young worker's long workday, the only day he had to himself was Sunday. Thus, competition ensued between his need for religious education and the desire to improve his physical and social environment. The working class concern over social conditions was emphasized by Peter Ainsworth, the Radical M.P. for Bolton-Le-Moors, a heavily industrialized borough northwest of Manchester, who asserted: "It was no use to lay out parks for the working classes, unless there were some alteration in the hours of labour."  

The parallel conflict between economic and social needs soon surfaced in these debates. The Liberal Joseph Hume of

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6 *Parl. Debates*, LXXXV (1846), 1222-25, 1223; *Dod, Electoral Facts*, pp. 89 and 48. In February, 1846, Lord Ashley accepted the Chiltern Hundreds (Crown lands and manors in Oxfordshire and Buckinghamshire) and thus had to resign from the Commons. Bath, however, returned him to the House in the general elections of 1847.
Montrose, Scotland, readily admitted on April 29 that the working class wanted to shorten the workday, but argued that such action would hurt the economy, damage "the best interests of the country," and encourage a demand for eight hours. Graham agreed and questioned the validity of the factory reformers' assertion that ten hours would improve the welfare of the masses. Convinced that a reduction of hours and wages would corrupt morals, he urged that for the good of the workingman, Parliament should refrain from shortening the workday. This argument was rebutted by John Campbell Colquhourn, Conservative for the manufacturing borough of Newcastle-under-Lyme, who declared that a moderate salary with moderate labor was better than high wages alone. He warned that resentment was growing in the ranks of the workers, who needed more time for rest, recreation, and the improvement of their minds and morals.7

Some opponents of ten hours defended what they considered the natural order of things. Henry Labouchere, Liberal for Taunton—a small borough in West Somerset specializing in lace and silk—argued on May 13 that the working class was the most important element of society and that God meant for most men to work hard. From these assumptions, he concluded that ten hours would be dangerous "to the permanent

7 Parl. Debates LXXXV, 1234-37, 1246-47; ibid., LXXXVI (1846), 472-73.
interest of that great body of the people." When strikes occurred, he observed, they were always in the name of higher wages, not shorter hours. William Francis Cowper, a Whig M.P. for Hertford, rejoined, however, that operatives did not dare strike for fear of the consequences. 8

Another M.P. who passed judgment on the entire working class was the Liberal John Salisbury Trelawny of Tavistock, who warned that the ten-hours debate contained many exaggerations about the evils of factories. Most of the problems which vexed British urban workers, he declared, stemmed from unsanitary conditions in densely populated towns, not from the factory environment. The Ten Hours Bill, therefore, made a "mockery of the sufferings of the working classes," who opposed regulations intended to promote cleanliness and health. Thomas Babington Macaulay, the historian and Liberal M.P. for Edinburgh, scoffed at this assertion. If the working people really had become used to such conditions, he argued, it was only proof that the government had carried its toleration of "hogstyes" to the point that now there was a "danger the population would become like hogs." 9

All of the above arguments are general in nature and can be traced back to the beginning of the campaign for ten hours. The debates of April and May, 1846, however, focused on

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8 Ibid., pp. 475, 486.
9 Ibid., pp. 505-7, 1033.
political and economic principles, though social and moral considerations still played a minor role. Uppermost in the minds of many M.P.'s was the question of legislative interference with privately owned industries. The opponents of ten hours stressed the dilemma of regulating labor in the factories, while equally strenuous labor in other parts of England went unfettered. Labouchere, on May 13, brought up the problem of young children who worked in fustian-cutting shops. Evidence, he alleged, had been given which revealed that the horrors of these shops were at least equal to those of other textile factories; already the fustian-cutters of Manchester had requested to be put under Factory Regulations. Therefore, if factories were to be regulated, fustian-cutting shops should be included. But the hypothesis did not stop here, for according to the Taunton Liberal, fields of labor deserving protection were so numerous that eventually one-third of all Englishmen would be turned into commissioners watching over the other two-thirds. Trelawny supported Labouchere's argument and asked why the government did not interfere with other forms of labor. The Liberal, Joseph Brotherton of Manchester replied that factory labor was in a class by itself, its drudgery ruled by the speed of machinery. Factories and fustian-cutting shops, indeed, were considered quite different. Fustian-cutting was a very minor industry, carried on in small workshops and even as a home industry. The Tory George Banks of the coastal borough of
Dorset joined Brotherton in rebutting those who argued that factories should be left alone because the government had not interfered on behalf of fustian-cutters. Taking a humanitarian stance, he pleaded on May 22 that Parliament should not fail to help one, because it could not help the other. 10

The opponents of ten hours fell into two factions: one, moderate, which resisted unwarranted extension of governmental interference, and the other, radical, entirely opposed to the doctrine. Henry George Ward, Liberal of Sheffield, a Yorkshire city famous for its cutlery, belonged to the first group. He urged that women be allowed to work long hours, since a ten hours bill would surely bring about minimum wages for maximum work. Ward reminded his colleagues that Robespierre had tried a similar program in 1793, and it resulted in poverty, helplessness, and starvation. The Conservative Lord George Bentinck of King's Lynn, a fishing and shipping community on the Norfolk coast, countered that the aim of interference was to protect workers from exploitation by management, not to place limits on their ability to prosper. Unfortunately, there always would be venal employers more interested in

10 Ibid., pp. 477, 504, 507, 524, 1001; Hutchins and Harrison, Factory Legislation, pp. 154, 170. Fustian is a strong cloth woven of cotton and flax fibres. Regulation of fustian-cutting shops had to await the passage of the Factory Act of 1864, which redefined a factory as "any place in which persons work for hire in any of the trades specified."
profits than in people and their problems whose greed would impell them to overwork children.  

The main attack on the doctrine of state responsibility was mounted by those totally opposed to it. Prime Minister Sir Robert Peel warned on May 22 that only unrestricted labor could produce progress. It would be fine, he argued, if all women could stay at home to attend to their domestic affairs, "but are not large wages more conducive to the comfort of a family?" On the same day, the Liberal Richard Cobden of Stockport, a textile borough just south of Manchester, stood with Peel and refused to support any measure designed to interfere with adult labor. He urged the Commons to endorse the principle of noninterference with labor.

The advocates of ten hours were quick to take up the gauntlet. The Liberal Thomas Wakley of the metropolitan borough of Finsbury defended interference as natural, since "the whole system of social polity in this country was founded on interference." Macaulay, who took a similar position, asserted that the real question was whether or not the House should legislate. Which was worse, a meddling government or a careless one? Does the principle of noninterference apply when the health of the community is concerned? The state,

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he affirmed, should be the guardian of the young, the protector of their health, strength, and skills. If the present situation continues, Macaulay warned, England soon would suffer from "its baneful effects."

Russell agreed that more than political economy was at stake and questioned Peel's assertion that ten hours would adversely affect the established principles of labor. Of greater importance to Russell were such questions as these: Was this measure necessary to safeguard the welfare of factory workers? In the long run, would it hurt the economic interests of the parties concerned--master and worker? For Russell the answer to the first question was yes, and to the second, no. Though he thought workers should not get the same wages, if hours were reduced, he was willing to leave that issue to future negotiations between labor and management. "Whether wages shall be reduced or not," he declared, "is a question which must depend, not on a ten-hour bill, but on the demand for labor at the time." The repeal of the Corn Laws, he believed, would create a greater demand for labor and thus increase wages.

Among the opponents of ten hours, many regarded state interference in a free society as an unhealthy paradox. Two such people were Graham, who had warned on April 29 that the

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13 Ibid., 1029-30, 1035, 1040.
14 Ibid., pp. 1070, 1071, 1074-75.
bill would hurt foreign trade and the industry of half a million people, and Labouchere, who on May 13 placed commercial and financial interests above social and moral ones. In rebuttal, Lord John Manners observed that master manufacturers had asked for free trade; now they had to pay for it. It was ironic to Manners that the government could help agriculture adjust to the problems of free trade, but was unwilling to reduce factory hours, unless Europe did likewise. Macaulay agreed with Manners, but wondered how far Parliament should carry its principle of non-interference. "Is there a single gentleman," he asked on May 22, "so zealous for the principle of free trade that he would not accept restrictions on his business activities, when higher and other considerations were involved?"

The Ten Hours Bill, of course, evoked the question: What effect will this measure have on British production? As expected, reaction ranged from frenzied fear that ten hours would destroy England's industrial capacity to quiet confidence that such legislation would not endanger her commercial position. Both sides cited figures to support their arguments. John Fielden observed that despite factory reforms, consumption of cotton had increased from 109,000,000 pounds in 1819 to 532,000,000 pounds in 1845. These figures, he asserted,

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15 Parl. Debates, LXXXV, 1243; ibid., LXXXVI, 474, 500-1, 1031.
proved that the regulation of labor conditions had not adversely affected the productivity of Britain's textile industry.  

Opponents of ten hours, of course, questioned this conclusion. Mark Philips, Liberal M.P. for Manchester, did not see how it was possible that what previously had required twelve hours to do now could be done in ten. John Bright concurred; since the rate of production depended on the speed of machinery, no machine could produce as much in ten hours as it did in twelve. Moreover, had not Leonard Horner, a factory inspector, demonstrated that a reduction to eleven hours would cause production to fall 13 per cent, and that ten hours would mean a decline of 25 per cent? The supporters of ten hours, however, argued that the rate of production depended on more than just the hours of operation. Colquhoun cited a Mr. Waddington, cotton manufacturer of Rouen, France, who, perhaps motivated by a national bias, argued that a French worker could not do in fourteen hours what an Englishman did in ten. Macaulay agreed with Colquhoun, and on the specific matter of German competition stated:

If ever the English nation is deprived of its commercial prosperity, it will be by no such race of dwarfs as these; it will be by some finer people than the English population—if ever such a people should arise.  

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16 Parl. Debates, LXXXV, 1227. The cotton consumption for this period was 166,000,000 lbs. in 1825, 262,000,000 in 1831, 287,000,000 lbs. in 1833, and 490,000,000 lbs. in 1844.

17 Ibid., p. 1243; ibid., LXXXVI, 469, 1012, 1043, 1055.
Not content with recourse to statistics alone, the opponents of ten hours attacked Fielden personally, despite his long career as a cotton manufacturer. Bright, indeed, declared that a man can do something for a long time "and yet be profoundly ignorant of matters immediately pertaining to his own business." This attack offended several M.P.'s, who thought it ungentlemanly to question Fielden's integrity, and Wakley reminded his colleagues that Fielden had employed thousands of people over a fifty-year period, a service which made him the prime expert on the subject at hand.\(^\text{18}\)

The debate over the second reading of Fielden's Ten Hours Bill ended on May 22, when the House divided on the issue, 203 against to 193 for. This victory did not mean the end of ten hours, but only a six-month delay before it could be reconsidered by Parliament. In the country, meanwhile, the ten-hours issue was kept alive by its supporters, which included Sir George Grey, Lord Palmerston, Lord Russell, and Macaulay, and by a continuing debate in the press. The Times of May 23, indeed, assured its readers: "The Debate last night may be conclusive as to the final, if not early, success of the Factory Bill." Even the Manchester Guardian, though less optimistic than the Tory Press, admitted that the bill probably would be re-introduced the next year. The Guardian

\(^{18}\) Ibid., pp. 1047, 1052-53.
denied the claims of Rochdale's William Sharman Crawford, and Finsbury's Wakley that factories had created unhealthy conditions. Citing Edwin Chadwick, Secretary of the Poor Law Commission, the Guardian asserted that unsanitary conditions in large towns stemmed from controllable causes which had nothing to do with production, not from working conditions.19

By the fall of 1846, public opinion demanded that Parliament reopen the ten-hours issue. On November 9, two thousand people at Huddersfield heard Busefield Ferrand of Knaresborough, Fielden, and Oastler, three of the biggest names in the Ten-Hour Movement, proclaim that Englishmen favored ten hours, and that its passage posed no threat to the economy. The Times concurred in their optimistic views, observing that each passing year added new converts to the ten-hours cause. A fundamental change, indeed, had occurred in British attitudes toward laissez-faire principles as "Bishops and manufacturers, rhetorical peers and scientific commoners . . . vied with one another for the honour of bathing and scouring the nation." In London and other cities, moreover, the demand grew to shorten the workday in order to prevent overproduction.20

Advocates of ten hours regarded the fear of foreign competition as baseless. Oastler refused to believe that England's

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19Ibid., pp. 1080, 1083; London Sun, May 25, 1846; The Times, May 23, 1846, pp. 5-6; Manchester Guardian, May 27, 1846.

20The Times, Nov. 12, 1846, pp. 6-7; ibid., Nov. 13, 1846, p. 4.
commercial supremacy depended on long hours of labor. If it did, he declared, it would be best to "let the trade . . . perish . . ., rather than build it on the groans and blood of women and children." Oastler's opponents rejoined that he was out of touch with the public. In truth, however, he had attended about five hundred meetings and had yet to see five hands raised against ten hours at any of them. Even the Reverend George Stringer Bull, who had opposed this reform, now supported it.21

At a meeting in Edinburgh, where Oastler defended his actions, J. Cummings, a workingman, presented the following resolution:

That a reduction in the hours of factory labour is necessary from the fact that the seeds of disease and premature decay are engendered and the human condition destroyed by the present long hour system.22

Similar appeals were approved at factory meetings throughout Britain during the latter part of 1846 and early 1847. In response, John Fielden on January 26, 1847, introduced a bill to amend the laws regulating factories. He proposed that a sixty-three hour week for protected workers (eleven on weekdays and eight on Saturday) be enforced until May 1, 1848, after which a fifty-eight hour week (ten on weekdays and eight on Saturday) would become the law. With eloquence and

21 Ibid., Dec. 23, 1846, p. 7. Oastler spoke at a Ten-Hours meeting in Old Low Church at Paisley.

and conviction, he declared:

It is a question which involves the very existence of thousands who are . . . sacrificed annually for the want of those due and sufficient regulations without which . . . our improved machinery . . . will become our bitterest curse.\(^{23}\)

Fielden again compared the mortality rates of a rural area (Surrey) to a manufacturing center (Manchester) to show the debilitating effects of the factory environment. In 1841 the population of Surrey was 187,868, and that of the Manchester suburbs was 163,856. Yet between 1838 and 1841, 39,992 died in the Manchester area, while only 23,777 passed away in Surrey, statistics which supported evidence already introduced by Oastler, Lord Ashley, and the late Michael Sadler. Its implication was manifest and irrefutable. In answer to those who accused him of attempting to interfere with the political economy, Fielden stated that in his view "a leading principle of political economy is the care of the lives, the health, and the morals of the people. . . ."\(^{24}\)

With only slight opposition, the House gave Fielden's Ten Hours Bill its first reading and scheduled its second for mid-February. The Press in general applauded this action which it regarded as timely and necessary. The new battle cry of the ten-hours advocates was "The Bill, the whole Bill,

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\(^{23}\)Parl. Debates, LXXXIX (1847), 487.

\(^{24}\)Ibid., LXXXIX, 488, 489, 491.
and nothing less than the Bill." The Northern Star urged the public to demonstrate for it so that Prime Minister Russell could not mistake their determination. The London Sun declared that the time had come for ten hours, for "a measure so obviously advantageous to the workman cannot and will not be found injurious to the master." Did not the tenets of political economy, the Sun asked, aim at creating the greatest good for the greatest number, not the amassing of wealth by any privileged class.25

There emerged at this time, however, a new and vocal opponent of ten hours: the Economist, the leading free-trade journal. It not only opposed Fielden's bill, but also questioned whether existing factory legislation was really helpful. The Economist charged in February, 1847, that government imposed restrictions, had impeded factories, degraded masters and workers alike, and had kept both "in a state of conflict and mutual exasperation." Claiming that ten hours would lead Britain down the road to ruin, the Economist chided Parliament and ministers, asserting: "Not satisfied with the glory they gather in Ireland, they seem anxious to have labourers thrown destitute on their hands."26

The Commons debated the second reading of Fielden's bill on February 10 and 17. Liberal Ralph Bernal of Weymouth, a

25Ibid., pp. 493-94, 498; Northern Star, Feb. 6, 1847; London Sun, Feb. 11, 1847.

26Economist, V, No. 181 (Feb. 13, 1847), 170-72.
coastal shipping borough, argued that, since the factories already were working shorter hours, he could find no fault in ten hours. Wages, of course, would fall some, but workers surely were willing to accept the consequences. Rochdale Liberal William Sharman Crawford, who had found great support for ten hours among his constituency, seconded Bernal's views, while Glasgow Liberal John Dennistoun stated that he could not aver that no evil would result from ten hours, but conceded that none had come from twelve. The idea of restricting engines, however, seemed absurd to him, and he warned that if Fielden's bill passed, there would be a loss of 29,000 tons of yarn—the annual consumption of Britain—and consequent reduction of £877,000 in wages.27

Sir Robert Harry Inglis, Conservative of Oxford, was primarily concerned with the inequitable distribution of work. These were hard times; indeed some mills in the Manchester area operated only four days a week, and others only three. Inglis thought that the equality brought by a ten-hours act would help workers and manufacturers alike. Trelawny, however, was not worried about the worker, compelled by the economic situation to work short hours, but with the worker who would be stripped of part of his property (labor) by being denied the right to work longer hours, a distinction

also raised by Henry Marsland, Liberal of Stockport, who opposed government interference and argued that changes would come through improvements in machinery.\(^{28}\)

Bickham Escott attempted to postpone action by the House by moving for adjournment, but few of his colleagues supported him. His motion was overwhelmingly defeated by a division of 282 to 7. Thereafter, the Commons passed Fielden's bill on its second reading 195 to 87, a vote applauded by the London Sun. The bill, it asserted, would make the hours of labor equitable and uniform. By this time, even the Manchester Guardian had come to accept the ultimate victory of ten hours. Having come to this conclusion, the Guardian urged that a temporary eleven-hour provision be deleted, and ten hours established immediately.\(^{29}\)

Opposition to the Ten Hours Bill, however, had not completely disappeared in Parliament. On March 3, 1847, Escott questioned Fielden's motives and argued that passage of his bill would cripple the energy and industry of the people in a time of need. In a desperate attempt to achieve a stalemate, Escott moved for a six-month delay in the proceedings. A similar maneuver had saved the anti-ten-hour forces a year earlier, and by this time, even Escott was willing to accept an eleven-hour compromise. But now he could not get the

\(^{28}\)Ibid., pp. 168, 171-73.

\(^{29}\)Ibid., p. 173; London Sun, Feb. 18, 1847; Manchester Guardian, Feb. 20, 1847.
support of Ward, who feared that in the depressed economy, eleven hours' wages would be inadequate. Escott's motion for delay, therefore, was summarily defeated 190 to 100, and Fielden's bill was sent to a committee. Both the London Sun and the Manchester Guardian considered this vote to be decisive; the enactment of ten hours now appeared to them only a question of time. The Economist, however, still clung to the hope that ten hours could be defeated. It agreed with Escott's warning that the bill would affect not only factory workers but also workers outside the factories. But public criticism had so undermined the bill, the paper claimed, that it now seemed doubtful the House would pass it.30

By the middle of March, it was clear that Fielden's bill soon would receive its third reading. When the Commons went into a "Committee of the Whole" on the 17th, Dennistoun of Glasgow, who proposed a fortnight delay so that he could prepare an amendment, asserted that this colleagues had little understanding of the attitude of manufacturers toward ten hours, or of all the factors involved in the issue. Factory legislation, he charged, already had done great injury to the economy. Glasgow was a case in point: Here, unemployed children thronged the streets. If Parliament made ten hours law, Dennistoun declared, it would give Britain's competitors

30 Parl. Debates, XC, 749, 758, 760, 762, 819; London Sun, Mar. 4, 1847; Manchester Guardian, Mar. 6, 1847; Economist, V, No. 184 (Mar. 6, 1847), 268.
the advantage of thirty per cent more working time. For these reasons, he wanted to present a compromise proposal. Assuming that the important factor was not how many hours one worked in a day, but the total hours of labor per week, he suggested a second shift composed entirely of young persons and women which would work eight hours one day and twelve the next. On Saturday, of course, all workers—regardless of age or sex—would be limited to nine hours. Thus, the factories could operate twelve hours a day on weekdays, and young persons and women would have a fifty-seven-hour week. 31

Dennistoun's colleagues did not receive his declarations with equanimity. They either attacked his views with vigor or supported them with equal enthusiasm. The advocates of ten hours were adamantly opposed to postponement. George Finch, Protectionist of Rutlandshire, answered Dennistoun's complaint that children were wandering aimlessly through Glasgow by suggesting that what really was needed was an adequate educational system. He could not understand those who thought that if children were neglected by their parents, "they must be employed at labour to an extent that it was injurious to their health." Henry A. Aglionby, Liberal of Cockermouth, and Lord John Russell also joined Finsh in opposing postponement. For the Prime Minister, the bill's

31 Parl. Debates, XCI (1847), 109-12, 113.
fate had been settled with the House's approval of its second reading.32

Opponents of ten hours, of course, favored postponement. Fox Maule, a Perth Liberal, regarded Dennistoun's proposal as the brainchild of well-meaning cotton manufacturers who had sincerely tried to carry out the provisions of earlier factory acts. He hoped that workers would not be cajoled into accepting something not in their best interests and warned the Commons that if the measure were "forced down the throats of the masters, continued disputes and hearthburnings would be the consequences."33

The proponents of free trade thus were divided on the issue of factory regulation. William Brown, Liberal M.P. for the populous manufacturing area of South Lancashire, was amazed that so many of his fellow freetraders were supporters of Fielden's measure. Brotherton's "kindness and benevolence of heart," he thought, had "perverted his Judgment." Would not the passage of a ten hours place a yoke on British commerce similar to that inflicted upon French trade and industry by Louis XIV's revocation of the Edict of Nantees (1685)? In the struggle for economic dominance, Brown warned, "a half penny or a farthing per pound turned the scale in favor of one country or the other."34

The Liberal Charles Hindley of the Lancashire borough of Ashton-under-Lyne, took offense at Brown's assertion that

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34Brown in Commons, Mar. 17, ibid., pp. 120-21.
freetraders who supported factory legislation lacked common sense. Hindley admitted that a few enlightened manufacturers like Robert Greg of Cheshire operated their factories on an eleven-hour workday, but others unfortunately had failed to reduce hours, when repeal of the Corn Laws gave them the opportunity to do so.35

John Bright, one of the more outspoken opponents of ten hours, asserted on March 17 that passage of this measure would vex the owners of capital, causing them to form a coalition so strong that the Commons could not successfully legislate against it. Even the operatives, Bright declared, had begun to have doubts about the advantages of a ten-hour workday, for experience had shown them that for every reduction of hours, there was a corresponding decrease in wages.36

Turning from the bill to the Prime Minister, Bright took Russell to task for not having clearly explained his reasons for supporting Fielden's measure. Before the Prime Minister could reply, Dennistoun withdrew his motion for postponement. Russell then declared that he would have spoken sooner, if there had been enough time, but Bright often got carried away with his own rhetoric. Now that Dennistoun had withdrawn his motion, there was time. In Russell's opinion, it was perfectly proper for the House to limit the labour of young persons to

35Hindley in Commons, Mar. 17, ibid., pp. 126-27.
36Bright in Commons, Mar. 17, ibid., p. 125.
what their bodies could bear. In answer to the argument that the measure would indirectly affect adult workers, he observed hypothetically a railroad from London to a port town would, of course, indirectly influence the coastal trade. Any action, in sum, would have indirect effects.\(^{37}\)

Russell's main arguments, however, focused on economics. He did not think that the predicted loss of £377,000,000 in commodity exports was realistic, since the production of many articles intended for export already was restricted to eleven hours a day. There were, moreover, a variety of factors which had to be taken into account when one attempted to analyze a highly industrialized economy. In the textile industry, for example, there were (1) the original price of the raw material, (2) freight costs, (3) the merchant's costs, (4) the cost of production, and (5) the cost of delivering the product to the market. Decreased production, he predicted, would result in the loss of £100,000 in fixed capital, but the amount of wear and tear on the physical plant also would decrease. The opponents of factory reform, Russell alleged, had erred, too, in assuming that all mills worked a constant twelve-hour day. Sir Charles Wood, Chancellor of the Exchequer, had stated publicly that many of the mills in Lancashire either were closed or operating short-time. An eleven-hour act, the Prime Minister affirmed, would create

\(^{37}\text{Ibid.}, \text{pp. 123, 132-33, 134.}\)
regular and equal employment over a longer period than existing laws permitted. Thus Russell, by advocating eleven hours over ten, steered a middle course in the debate. The important point, however, is not the degree to which he was willing to see regulations carried, but the fact that he came out clearly in favor of the concept of regulation.38

After the Prime Minister had finished his speech, the House divided on the two provisions. Clause I, which established eleven hours on May 1, 1847, was quickly approved. Fielden then requested that implementation of ten hours, as called for by the second clause, be postponed from 1848 to 1849, to satisfy some manufacturing interests. Fielden, however, soon did an about-face. Heeding the advice of his associates, he dropped the request for delay and urged the Commons to pass Clause II in its original language. On March 17, the House, sitting as a Committee of the Whole, approved both provisions by a vote of 144 to 66.39

This action marked the beginning of Fielden's third and last battle for ten hours. Though his opponents fought long and desperately to prevent its passage, Parliament soundly defeated all their proposals for adjournment and amendment. The Ten Hours Bill finally passed its third reading in the Commons by a vote of 151 to 88 on May 3, 1847, a day the

38Ibid., pp. 135-37, 138, 139.
39Ibid., pp. 142, 143-46.
London Sun applauded as "one of the high festivals of philanthropy." The Northern Star concurred in this view and predicted the House of Lords would follow suit. The prophecy came true on June 1, 1847, when the upper house approved ten hours. On June 8, the measure received the royal assent. With obvious delight the Northern Star commented "There are more things . . . in heaven and earth than are dreamt of in the merely commercial philosophy of Adam Smith and his disciples."

For sixteen years (1831-1847), the issue of ten hours had been debated throughout Britain—in Parliament, in the Press, and in the streets of factory towns. Advocates and opponents both presented their positions with vigor as they weighed economic interests against the rights of humanity. In 1847, Parliament finally gave its approval to the Ten Hours Bill and the principle of government protection of workers.

There were, however, indications that the final struggle over ten hours and the larger problem of the role and status of workers within the factory system was yet to come. On July 24, 1847, the Economist gave the following appraisal of the Ten Hours Act:

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Ibid., p. 1122, XCII (1847), 313, 1363; London Sun, May 4, 1847; Northern Star, May 8, 1847; ibid., May 22, 1847; Manchester Guardian, June 12, 1847.
All that the Legislature ever meant was, to prevent any such persons (young and women) working more than eleven hours within the prescribed time, but it never was contemplated to prevent mills from working longer, employing such persons the whole time, provided it was so arranged, that no such persons actually worked more than eleven hours.

Within three years, the inability of British management and labor to agree on the intent of the Ten Hours Act re-opened the issue. On the one hand, there were those who, like the Economist, argued the manufacturer had the right to maneuver his workers as he pleased. Others, however, staunchly maintained that the Ten Hours Act not only had limited the working hours of women and young persons, but had emancipated them from the pseudoslavery of factory owners. Until this question was settled, the final verdict on ten hours could not be given. 41

41 Economist, V, No. 204 (July 24, 1847), 858.
CHAPTER III
THE LAST BATTLE, 1848-1853

The supporters of the Ten Hours' Act of 1847 hoped it would relieve women and teenagers of many of the burdens of the factory system, but their expectations did not materialize. Many factories employed a system of shifts and relays, instead of a straight ten-hour workday. Under this system the protected workers labored only ten hours a day, but the hours were staggered so that in many cases they were tied to the mills for fifteen hours a day. Advocates of this practice explained that the law indeed limited the work of certain employees to ten hours per day, but masters could determine when they worked. This logic enabled millowners to operate at full speed for the fifteen hours maximum allowed daily. Some enlightened manufacturers, however, rejected this approach and permitted operatives to work a uniform and continuous ten-hour shift, which allowed them to have evening hours to themselves.¹

By 1850, it had become obvious that a judicial decision on the intent of the Ten Hours' Act was needed. Accordingly, on February 8, 1850, Baron James Parke, judge of the Court of the Exchequer, ruled that shifts and relays were legal, since

they had not been explicitly outlawed by the 1847 act. The press received this ruling with a mixed reaction. The Manchester Guardian of February 9, thought that it probably would "increase the time of adult male labor in factories to an extent which has been almost unknown for several years past."\(^2\) The paper questioned, too, the sincerity of short-time workers who allegedly wanted to obtain twelve hours' pay for ten hours labor. The real question, of course, was: What was the position of women and teenagers in factories which operated in accordance with the Parke ruling? The Guardian failed to comment on this issue, but The Times of February 11 charged that the Court had nullified the 1847 act by subjecting workers to the whims of their masters from 5:30 A.M. to 8:30 P.M. Not only did the Court's decision rest upon "a legal quibble," but it would do great harm to the "moral, intellectual, and bodily soundness of the rising generation throughout the factory districts."\(^3\)

Again reformers looked to Parliament to redress the situation. The radical Northern Star of February 16 sounded the call. Ten hours, it declared, had been openly debated in 1847 with "no deception, reserve, or equivocation. . . ." At the time of the Act's passage, Parliament and manufacturers

\(^2\)Manchester Guardian, Feb. 19, 1840.

\(^3\)Ibid., Jan. 16, 1850; The Times, (London), Feb. 11, 1850, p. 4; Ward, Factory Movement, pp. 371-72.
clearly understood that the ten hours were to commence when the mills opened. Through the use of a "technical quibble," the millowners had introduced the shift and relay system which kept women and teenagers in the factories for as long as fifteen hours a day. It attacked the Russell Government for failing to pass a declatory act, which stated the intent and purpose of the Factory Act of 1847, and the courts for showing judicial obscurantism, when the truth could easily be obtained from the recorded debates. The Star concluded that there was no justice or protection for workers against the wealthy and powerful. 4

The London Examiner of February 16, on the other hand, denounced the popular reaction to the Parke decision and advised that the effect of the Court's judgment had been "grossly misrepresented." The relay system had not defeated the object of the Ten Hours' Act, since women and young persons did not work more than ten hours a day. Opposition to relays stemmed only from a desire to annoy and injure the millowners. 5

The Examiner's editorial, however, pales when compared to that of the Economist, which appeared the same day. The Court, it observed with satisfaction, had

concluded that the millowners may leave off when they please, and make what arrangements they

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4 Northern Star, Feb. 16, 1850, p. 4.
5 London Examiner, II No. 194 (Feb. 16, 1850), 99.
please with their workmen and young people, as long as they do not work the restricted classes more than ten hours in one day.

The *Economist* not only opposed any further restrictions, but also called for the abolition of all existing Factory Acts. It based its position on the assumption that the relation of employer to worker was one of superior intelligence to manual dexterity, and this relationship was a natural one, not the result of statutes.⁶

The advocates of a shorter workday were extremely upset by this reaction. In a letter to *The Times*, published on February 18, 1850, Samuel Fielden, son of John, attacked the shift and relay system, arguing that an hour or two off in the middle of the day was of no benefit to a young worker, since he could not leave the factory area. Fielden also cited doctors and clergymen who had praised the good effects of Ten Hours, results which would be destroyed by the shift and relay system. Greedy masters, he declared, stood in contempt of Parliament by denying to workers time which the legislature clearly intended for their personal use. About the same time (February), a workers' meeting in Manchester called for an effective ten hours bill. All 220 delegates signed a resolution denouncing the Parke decision and applauded Philip Grant's plea that they hold firmly to ten hours, without shifts and relays, and "hold no communication . . . with those who

⁶*Economist* VIII, No. 338 (Feb. 16, 1850), 170-71.
... [want] to extend the duration of labor a single moment beyond the ten hours."\(^7\)

The public appeal for additional Parliamentary action achieved its goal on March 15, when Lord Ashley introduced in the Commons a bill to amend existing Factory Acts. He dismissed the charges of economic calamity by asserting the volume of cotton goods exported since the enactment of the 1847 measure had increased twelve per cent. Wages, moreover, either had stayed steady or had risen, while prices had remained stable. He affirmed, moreover, that the Factory Acts had led to marvelous social and moral improvements and cited the Reverend Sharples of Blackburn, Lancashire, who attributed the construction of new "reading rooms and schools" directly to "the passage of the Ten Hours Bill."\(^8\)

Later in the same debate, Henry Edwards, Liberal-Tory for Halifax, in seconding Lord Ashley's motion, argued that machinery, operating at a higher speed, would offset the loss of workhours. Secondly, foreign markets were so glutted with British cotton fabrics that most mills already were operating for shorter hours. Finally, he assured his colleagues that he had no desire to restrict adult labor. For the supporters of factory legislation, the "Battle of 1850" was as difficult

\(^7\)The Times, (London), Feb. 18, 1850, p. 5; Manchester Guardian, Feb. 20, 1850.

\(^8\)Parl. Debates, CIX (1850), 883, 888-89, 895.
as any they had fought in the past. Even Sir George Grey, the Home Secretary, opposed Ashley's amendment, describing it on March 15 as inconsistent "with the main objects for which restrictions were imposed on the labour of women and children employed in factories." As a compromise, Grey proposed a system of continuous shifts which would not require daylong factory attendance by women and children.9

The debate of 1850 soon revealed how wide disagreement really was among M.P.'s on the intent and meaning of the Factory Acts. The division did not follow party lines as much as it did tenets of economic philosophy. Milner Gibson, a laissez-faire Liberal for Manchester, argued that clause 26 of the Twelve Hours' Act of 1844 had been "imported without due consideration into a Ten Hours' Bill"; the provision for continuous labor in the 1844 measure, he declared, was unfeasible in the 1847 act. Gibson challenged his colleagues to clean up the mess they had created and stop maligning the manufacturers and millowners who were innocent of a deliberate attempt to evade the law. He affirmed, moreover, that changes in the commercial system, not the Factory Acts, had brought about working-class improvements. Finally, Gibson warned that Ashley's speech "was on the whole marked by what might be called a socialist and sentimental tone."10

9Ibid., cols. 898-900, 902-3.

Feargus O'Connor, Chartist for Nottingham and publisher of the Northern Star, ignored, of course, Gibson's plea that M.P.'s cease their attacks upon factory owners. He called upon the House to put its own construction on the Factory Act of 1847 "and so promote the amelioration of the people." In radical Chartist fashion, he insisted that the tyranny of manufacturers had kept hidden deplorable working-class conditions. Convinced that factory workers were economically worse off than farm laborers, he, unlike Ashley, advocated ten hours for adult male factory workers. O'Connor concluded his attack on the opponents of factory reform, especially manufacturers, by denouncing them as the enemies of mankind: "No body of tyrants," he declared, "has existed in any country which can compare to the manufacturers of England."11

The debate focused on the benefits, if any, of ten hours. It will be recalled that Gibson had questioned the salutary effect of a shorter workday and had placed his faith in "the cheapness of articles and the free-trade tenets of the Manchester School. . . ." John Bright, of course, concurred. Parliament, he declared, should have made sure that whatever factory legislation it enacted was acceptable to both employers and employees. Ten hours did not meet this condition, and as a result, many workers now suffered from the enmity of the capitalist class. Given this state of affairs, no improvement for workers or the economy was possible under ten

11 Ibid., cols. 915-17.
hours. Thus ten hours was bad for Britain, and Commons should correct the mistake it had made in 1847. Sir Robert H. Inglis, Protectionist for Oxford University, dissented and cited workers' good use of leisure time made possible by factory reforms.\textsuperscript{12}

Henry A. Aglionby, Liberal for Cockermouth, Cumberland, thought Bright's argument—that the issue of factory legislation should be treated as one of business, not humanity—possessed merit, but he found unacceptable any compromise on the workday which would lead only to bitterness. Workers, he declared, would not give up gains which they had struggled so long and hard to win.\textsuperscript{13}

Lord John Manners, Tory for Newark, Nottingham, challenged Bright's assertion that Lord Ashley "had proven a great deal too much" and insisted that the factory reformer had drawn his conclusions from statistical information provided by inspectors, clergymen, and savings-bank inspectors. Nonetheless, W. J. Fox, Liberal for Oldham, remained skeptical; Ashley, he thought, did indeed ask his colleagues to believe too much. According to the factory inspector, Leonard Horner, most factory workers preferred twelve hours, if denied ten, though the vast majority preferred ten hours to all other choices. Fox, himself, did not question the general aims

\textsuperscript{12} Ibid., cols. 917-22.

\textsuperscript{13} Ibid., cols. 922-23.
expressed by the sponsors of ten hours, but he feared public agitation would grow until it became "much worse than a political struggle, because it struck deeper into the social system, and inflicted more serious wounds on the interests of society."\textsuperscript{14}

As the March 15 debate on factory legislation drew to a close, Lord Ashley repeated his desire to amend the Act of 1847 so that the ten-hour labor of women and teenagers would be continuous. The House of Commons responded by granting him permission to introduce such a measure and then deferred further action until June. Important events occurred meanwhile which greatly changed the character of the factory reform issue in Britain.\textsuperscript{15}

The Times, Manchester Guardian, Economist, and Northern Star, as expected, were divided over Lord Ashley's action. The Times of March 15, recognized the need to clarify the intent of the Factory Act of 1847, supported Lord Ashley, but did not regard the issue as a moral crusade, like the Northern Star. On the contrary, The Times took the position that the question was primarily economic and emphasized the recent increase in the volume of cotton exports. In 1845-46, Britain had exported 2,157,146,658 yards of cotton cloth, and in 1847-48, this trade had risen to 2,432,406,574 yards, an

\textsuperscript{14} Ibid., cols. 923-26.

\textsuperscript{15} Ibid., col. 934.
increase of twelve per cent. The Times also accepted Lord Ashley's claim that wages had not suffered as grievously under Ten Hours as some had feared.\textsuperscript{16}

The Manchester Guardian of March 16 assumed an attitude of caution and moderation: Shifts and relays should be outlawed, for not the slightest doubt existed this was the intent of the law of 1847. But Ashley's proposed amendment could lead to the restriction of adult male labor. It would be a grave mistake, as Sir James Graham had warned, to place a ten-hour limit on the operation of machinery in the factories.\textsuperscript{17}

The Economist, a protagonist of free trade, did not bother with such qualifications and insisted that Lord Ashley was out to shackle the operation of machinery. On March 16, it called for the defeat of Lord Ashley's amendment and the repeal of the Ten Hours' Act. The Economist charged that Ten Hours had indeed hurt wages and cited the operatives of Messrs. Ecroyd as an example. Those who worked ten hours got 10 shillings, 9 pence, while those who worked twelve hours got 12 shillings, 10 and 3-quarter pence.\textsuperscript{18}

The Northern Star of March 30 praised Lord Ashley's humanitarianism and declared he had given ample evidence of

\textsuperscript{16}The Times, (London), Mar. 15, 1850, p. 4.

\textsuperscript{17}Parl. Debates, CIX, 285-86; Manchester Guardian, Mar. 16, 1850.

\textsuperscript{18}Economist, VIII, No. 342 (Mar. 16, 1850), 285-86.
the benefits of Ten Hours. No other measure had been "so manifestly and so speedily productive of physical, intellectual, and moral advantages, as this law [1847] for which the people had struggled hard..." The Star accused the Political Economists of erroneous logic, and charged that the real results of factory legislation were exactly the reverse of their predictions of hard times. It warned, moreover, that motives of repression and selfishness influenced many factory owners, who, if not restrained, could lead Britain down the road toward revolution.19

At a workers' meeting in London on March 16, Richard Oastler delivered an oration on the "Rights of Labour" in which he declared:

Our business tonight, is, if possible, to find out why, amidst so much industry and such immense masses of accumulated wealth, there should exist such boundless shoals of rapidly increasing misery.

The factory system, he asserted, had eroded the welfare of the worker by giving to women and children "work assigned by God to men;" it had destroyed the workingman's home, and--perhaps most grievous of all--it had demoralized the adult male worker and turned him into a useless criminal. Oastler blamed the teachings of Adam Smith for these troubles and argued that the sorry state of the factory worker was the

19 Northern Star, Mar. 30, 1850, p. 4
natural result of *laissez-faire* philosophy, which allows men, under the guise of private enterprise, to tear asunder the fabric of society.\(^2^0\)

Oastler castigated the Political Economists' emphasis upon cheapness above all else and insisted that machines which displaced humans not be introduced until a means for offsetting that displacement had been devised. He declared, moreover, that all methods for increasing production which undermined the health and happiness of workers should be tabled until that cost could be negated. Oastler believed that state control of capitalism was the only solution. The advocates of *laissez-faire*, he admitted, considered such action as an infringement of man's right to work as long as he wanted, but regulation of industry, he insisted, would end the practice of one man robbing another "of his right to labour" and also should save a young man from the fate of a premature retirement.\(^2^1\)

Declaring that "the first duty of the government was to protect the health and strength of the people," Oastler challenged his countrymen to examine closely the *laissez-faire* system before deciding whether they opposed or favored creation of local boards to regulate production to compensate

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\(^2^1\) Ibid., pp. 6-7.
each worker according to the true value of his labor. Oastler, moreover, warned opponents of governmental regulation that the workers were restless and determined to safeguard the "interests of all, by establishing the rights of British industry, secure alike from the cursing power of the . . . domestic capitalist and of the foreign competitor." If Oastler's rhetoric indeed reflected the fervency of the working class in England, British workers had become adamant. By mid-century, they insisted on nothing less than what they thought was rightfully theirs. This militant mood became more apparent during the spring of 1850 as the course of events aroused dissension within the ranks of factory reformers.22

The crisis came at the end of April and was touched off by a letter to The Times, allegedly the composition of "A Manufacturer," but probably a ministerial trial balloon. It suggested that Parliament should pass an act limiting women and young persons to ten and one-half hours of labor on weekdays, between the hours of 6 A.M. and 6 P.M. This renewal of Grey's proposal appalled the factory reformers, and on April 29, John Avison, secretary of the Lancashire Central Committee for the Protection of the Ten-Hours Factory Act, responded through the same medium. Workers, he warned, regarded attempts to increase the workday of women and teenagers as a breach of faith. Passage of such a measure would destroy

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22 Ibid., p. 7.
their confidence in Parliament. Discontent within the working class quickly surfaced as interested parties met to discuss the proposal put forward in The Times. The delegates at a Manchester factory reform meeting on April 28, had voiced total opposition to such a compromise and resolved never to accept any plan which required more than a ten-hour workday. They petitioned Lord Ashley "to introduce the clauses . . . or any other matter that will stop the relay and shift system, and give to the women and young persons an efficient ten hours bill." On May 4, the Lancashire Central Short Time Committee followed suit.

The faith which Ten Hours' supporters had in Lord Ashley unfortunately was misplaced at this juncture. On May 7, he urged the Short Time Committees of Lancashire and Yorkshire to accept what had come to be called the Government Compromise. It was only fair, he argued, that workers should yield on the issue of the two extra hours of labor, if masters conceded on the relay and shift system. Workers, he thought, should compromise, for they would get the better of the bargain. Ashley, however, qualified his acceptance of the proposal by insisting that operatives under thirteen be protected from the horrors of night work by being brought under the aegis of the factory

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24 Manchester Guardian, Apr. 27, 1850; Letter from Avison, Apr. 29, 1850, The Times (London), May 1, 1850; ibid., May 8, 1850, p. 3; London Examiner, II, No. 205 (May 11, 1850), 282.
bill. The Ministry's adoption of this stipulation was the sine qua non to his approval of the compromise.\textsuperscript{25}

Sir George Grey's factory plan and Lord Ashley's qualified support of it received a mixed reaction in the press. The Manchester Guardian and The Times applauded the compromise and Ashley's position. The Guardian even declared that placing children under the protection of the bill was a decided improvement, which Grey, no doubt, would accept as a friendly amendment. The Northern Star, however, complained that this last-minute compromise was another example of Ashley's lack of courage which indicated "he is too much of a drawing-room, rose-water reformer, to encounter rough work..."\textsuperscript{26} The Star admitted that the Government's plan possessed some merit, but complained it was vaguely worded: Would it regulate only the labor of women and teenagers between 6 A.M. and 6 P.M., or would it apply to the total operation of the mills and factories? The ten-and-one-half-hour plan, moreover, would require women and teenagers to work extra hours between 1 P.M. and 6 P.M. without stopping. The Star denounced this provision as unnatural, since "human beings are not like the machines they tend"; the need rest to regain their strength.\textsuperscript{27}

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\textsuperscript{25}Parl. Debates, CX (1850), 1133; London Examiner, II, No. 206 (May 11, 1850), 297. Sir George Grey announced that the Government favored a bill that would limit women and young persons to ten-and-a-half hours work between 6 A.M. and 6 P.M.

\textsuperscript{26}Northern Star, May 11, 1850, p. 4.

\textsuperscript{27}The Times (London), May 10, 1850, p. 5; Manchester Guardian, May 11, 1850; Northern Star, May 11, 1850, p. 4.
The Economist, of course, took a different stand. While agreeing with the Northern Star that Sir George Grey's proposal would indeed limit production to ten-and-one-half hours a day, the Economist argued this restriction would hurt, not help, the factory worker. It called for a law which would achieve the real object of the Ten Hours' Act by limiting "physical labor in the factory to ten hours, within the specified limit of the day. . . ." The Economist suggested a ten-hour limit on the labor of women and young persons between 5:30 A.M. and 8:30 P.M., with at least three continuous hours leisure devoted to "education, recreation, or household duties." The Economist apparently thought three hours off in the middle of the workday would be as fruitful as three or more off at the end.

Lord Ashley's acceptance of the Government Compromise did not sit well with the factory reformers. On May 9, Oastler charged that Ashley had betrayed those who had "believed and loved him to the last." Oastler, however, did speak for the vast majority of factory workers. Three days later, on May 12, the Central Committee of Manchester Short-Time Association resolved not to oppose the Government's bill, but announced it would push for ten hours at a more appropriate time. The same day, however, a new Central

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29 Ibid., pp. 505-6.
Committee had declared its support of ten hours and of Lord John Manners, who planned to amend the Grey Bill to make it a ten-hour bill. Similar sentiments were voiced at meetings held in West Riding (May 11), Dukinfield (May 19), and Manchester again (May 25). Delegates at the Dukinfield convention pledged to resist any infringements of John Fielden's Ten Hours and denounced "the base and treacherous conduct of Lord Ashley, in betraying the factory worker in general, and more particularly the women and children. . . ."30

On May 30, The Times criticized Oastler for his attack upon Ashley and accused him of despotic behavior in rejecting the compromise. As aforementioned, the Northern Star opposed the Grey Compromise and warned the Government and factory owners to redress worker grievances. The alternative to reform, the Star predicted, was "a war of opposing principles" over the regulation of labor and machinery. The Chartist journal doubted that an unreformed factory system could provide for the increasing needs of the community.31

On June 6, 1850, the House of Commons, sitting as a committee of the whole, resumed the debate on amending the

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30 Letter: Oastler to the Morning Herald, May 9, 1850; Northern Star, May 18, 1850; ibid., May 18, 1850, p. 7; ibid., May 25, 1850, p. 7; ibid., June 1, 1850, p. 8; The Times (London), May 14, 1850, p. 8; London Examiner, II, No. 207 (May 18, 1850), 313.

31 The Times (London), May 30, 1850, p. 5; Northern Star, June 1, 1850, pp. 4-5.
factory laws. Liberal J. E. Elliot of Rothbergshire, Scotland, opened the debate and argued that the abrupt ending of shifts and relays would cost one-third of the workers their jobs; thus an amendment was necessary to legalize them. Whatever problems existed in factories, he insisted, did not stem from the relay system, but from working conditions. To solve the problem, Elliot proposed that women and young persons should work ten hours by means of relays between 5:30 A.M. and 8:30 P.M., with at least a three-hour break. After all, the protected classes of his district were allowed three to three-and-a-half consecutive hours of free time, and everyone, including factory inspector James Stuart, was satisfied with the situation. Sir George Grey opposed this amendment, since it would seriously curtail free time in the evening. Ashley concurred and observed that Elliot's amendment would entrench a practice that "all experience has shown to be unequal and oppressive to the working classes. . . ."32

Lord Ashley's decision to accept conditionally the Government's factory measure evoked criticism within Parliament as it did in the press. When Edwards chided him for letting the workers down, Ashley replied that he was not their champion, but only a friend, who had tried to do his best. He also reminded his colleague that Glasgow factory workers were convinced of his sincerity. Rising to support Ashley, Edward

B. Denison, Conservative for the West Riding of York and representative of the largest number of operatives in England, declared that workers had been grateful to Lord Ashley in the past and would remain so in the future. Joseph Brotherton also spoke in behalf of Ashley and warned Edwards that his stubborn defense of the Ten Hours' Act would defeat his own intentions. Brotherton explained that he would support the Ten-and-one-half Hour Bill, because he believed it would give greater benefits to workers.\(^3\)

In support of Elliot's amendment, W. Brown of Manchester, an opponent of all restrictions on adult labor, contended that "any injury sustained by the masters must eventually fall on the men by the reduction of wages." Again, as in 1847, he scoffed at the notion that benefits had accrued from Ten Hours; the advantages the operatives had gained, he argued, came from cheap food and good wages. Government interference, Brown declared, was robbery of the poor, and "the spirit of factory legislation, . . . nothing but socialism and communism enforced by act of Parliament."\(^4\)

John Bright insisted that the real issue was not whether women and teenagers would be limited to a ten-and-a-half hour workday, but whether all adults and machinery would be so regulated. Why not, he asked, submit the question of relays

\(^3\)Ibid., cols. 831-33, 841.

\(^4\)Ibid., cols. 834, 837.
to a select committee which could sift through all arguments, pro and con, and make a recommendation? This proposal notwithstanding, he forthwith introduced evidence in support of relays: The proprietors of the Malcomson Factory, which represented an investment of more than £100,000, had complained they would lose money, if they did not use relays. With caustic wit, Bright charged that the Ministry's proposal originated "in the ignorant sentimentalism of the party who advocate the other side."\textsuperscript{35}

On March 15, Fox had supported Bright's position, but since then he had changed sides. Now he criticized the call for a select committee by declaring the issue of relays had long since been settled. Factory inspectors already had discovered the relay system made it impossible to detect evasions of the law. Fox, therefore, urged the House "to reject the present amendment which would nullify all previous legislation on the subject." Later that day, (June 6) the Commons concurred and also defeated by a margin of 246 to 45 Elliot's motion to legalize relays.\textsuperscript{36}

The House, still sitting as a Committee, now turned to the Government Factory Bill. To make it applicable to all under eighteen, Ashley proposed that it specifically mention children. Grey emphasized, however, that the bill made no

\textsuperscript{35}Ibid., cols. 842-44.

\textsuperscript{36}Ibid., cols. 844-45.
references to children, because earlier legislation adequately protected them. Their inclusion, he thought, would contradict "the object and spirit of the Bill. . . ." Ashley rejected this argument; "public opinion," he asserted, "condemned the coercion of children to labour at hours when adults were free." Several other M.P.'s also criticized Grey's refusal to accept Ashley's amendment. Aglionby, who had thought the omission accidental, regretted that it was intentional, and Edwards predicted that if Parliament passed the bill in its present form, young children would end up doing the work of young women.37

Bright, of course, opposed Ashley's amendment, though he posed as the champion of children and focused on the question of hours. Under existing laws, he observed, children under thirteen could work six-and-a-half hours a day, but Ashley's proposal would limit them to five-and-a-quarter hours. Thus the proponents of this amendment did not really wish to improve the lot of children, but to reduce the labor of adults by shortening their workday. George Frederick Muntz, Liberal M.P. for Birmingham, however, denounced those "vile misanthropes who worked children to death before they were half grown." To the charge that he favored child pauperism, he responded that England could survive poor children easier than she could poor adults.38

38Ibid., cols. 848-49, 851-52.
Later that day, June 6, when the House defeated Ashley's amendment by a vote of 102 to 72, he announced that henceforth he was free of any obligation to support the Government's Factory Bill and at the first opportunity would again raise the issue of better protection for factory children. This opportunity arrived only eight days later, on June 14, when the Commons again sat in plenary session. True to his word, Ashley presented an amendment to include children within the purview of the Government Factory Bill, and Sir George Grey again argued that they already had adequate protection.39

The tenor of this debate paralleled that of the past week. Aglionby and Sharman Crawford supported the amendment; the latter charged that "a Bill which required children to leave their beds at half-past four did not protect them." Bright again criticized Ashley's proposal and predicted its passage would create mass unemployment for children. He conceded, however, that if all workers were put on a ten-hour schedule, there would be less inconvenience and more mercy. Liberal W. Thomas Egerton of Cheshire and Elliot also argued that Ashley's amendment would indirectly affect production and limit adult employment.40

After both sides had made opening statements, the debate focused on whether the amendment would disrupt the free labor market in Britain. Joseph Hume insisted that since Britain

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39Ibid., cols. 855, 1234-35.
40Ibid., cols. 1236-38.
was primarily a manufacturing country, it would be folly to curtail labor. In his opinion, workers would profit the most under a system that allowed them free and individual reign over their personal right to work. To this view, Fox responded that workers could make gains only by acting as "a great general movement" in favor of shorter hours. He wished to see the abolition of child labor, but until that day dawned, he would be satisfied to

let them not be torn from their beds in the morning at an unsuitable hour, and again in the evening kept back from school by being compelled to labour in a heated factory.\footnote{Ibid., cols. 1238-40.}

By the razor-thin margin of one vote (160 to 159), the Commons on June 14, 1850, killed Ashley's amendment, a decision which meant that the Government Factory Bill would apply only to women and teenagers. Having cleared this hurdle, the House turned to consider the bill's second reading. At this juncture (the 14th), Lord John Manners assumed leadership of the factory reform movement in the Commons, due to Ashley's failure to get his amendment passed. Scoffing at the Ministry's alleged compromise, he asserted that it really offered workers very little, since most women and teenagers already worked from 6 A.M. to 6 P.M. Now the latter were being given the boon of an extra half-hour's work. Outraged, Manners charged that if Parliament passed the Government's bill, Englishmen
would regard M.P.'s as "the defrauders of the working classes," and that its plan would serve only to give credence to the arguments of Socialists and Chartists. Manners, therefore, proposed that quitting-time be moved from 6 P.M. to 5:30 P.M., thus creating a ten-hour workday. Sir George Grey, of course, opposed this amendment, arguing that it was based on ignorance of the facts. The Government's bill, he affirmed, was consistent with the spirit of the Factory Act of 1847 and would be accepted by most operatives. True, some radical workers might clamor for eight hours, but most knew that Parliament was giving careful consideration to their needs and desires.42

Some of the more notable supporters of the Manners amendment were Conservative George Bankes of Dorsetshire, Protectionist J. F. Stanford of Reading, Protectionist C. N. Newdegate of North Warwick, and Fox. Bankes asserted on June 14, that Lord Ashley, in good faith, had sought a compromise, but none, indeed, was needed, since the Ten Hours' Act of 1847 was the workers' right. Stanford argued that failure to validate ten hours would tarnish the British reputation for honesty. Newdegate urged his colleagues to keep their word and not add two hours to the workday. Finally, Fox observed that the average mill already was operating less than ten hours a day; thus there was no valid reason to employ women and teenagers longer.43

42 Ibid., cols. 1243, 1250-54, 1257-58, 1261-62.
43 Ibid., cols. 1263-66, 1268-69.
Among the opponents of this amendment were Wilson Patten, Joseph Brotherton, and Lord John Russell, the Prime Minister. Patten argued that many had considered ten hours a mistake at the time of the Act's passage; now the time had come for them to raise objections. He opposed the 5:30 P.M. amendment, because masters had offered a generous compromise which "all ... enlightened operatives" had approved. Brotherton concurred and emphasized that the Government Bill was essentially a ten-hours bill. He feared, moreover, that relays would become more general if the House rejected this measure. 44

Later in the debate, the Prime Minister gave a lengthy explanation for supporting Grey's factory plan. Assuming a defensive posture, he averred that he had not wanted to change the Act of 1847, but that Lord Ashley had brought up the subject. Concerning the compromise whereby masters would give three hours and workers, two, Russell declared that the real issue before the Commons was "whether this arrangement is in general one that will benefit the operative classes ..., and they will accept." Factory reformers should not cite the Act of 1847 as a reason to defeat the present bill, which is better than previous legislation since it contains a 6 A.M. to 6 P.M. restriction. Russell warned that Manners' amendment went too far and could cause many "to rest satisfied with the Act of 1847, as interpreted by the courts of law,

44 Ibid., cols. 1269-70, 1277.
and thereby entail considerable disadvantages on the operatives." The Prime Minister, in sum, criticized the 5:30 P.M. amendment, because the Government Factory Bill, as it stood, would help the workers and not vex the millowners.45

The arguments of Grey, Russell, and others won the day, for on June 14, the Government Factory Bill passed its second reading 181 to 142. Thereafter, events moved quickly. The measure passed its third reading on June 20, received the Lords' approval on July 19, and Victoria's signature on August 15, making the Compromise of 1850 the latest in an expanding volume of factory laws. Still, the argument over the length of the workday continued, since there was still an active bloc of concerned Englishmen who favored ten-hours and would not be quieted by this action. Almost before the ink had dried voices of dissatisfaction were raised. The nation soon became divided again, this time over whether it would be better to accept the 1850 Act or to return to Fielden's Act of 1847.46

Popular discontent grew until Oastler in February, 1852 issued a call to the factory reformers to agitate for a true


46 Ibid., col. 1283; third reading in the Commons, ibid., CXII (1850), 130. There was no division list for this reading of the Factory Bill, because the opponents did not provide a second teller. Only Feargus O'Connor, who put up a last ditch stand against the bill, was available. Third reading in Lords, ibid., CXIII (1850), 7; Royal assent, ibid., col. 762; Ward, Factory Movement, p. 392.
ten-hours measure, a challenge enthusiastically accepted on February 28 by delegates to a Lancashire reform meeting. The re-establishment of the Fielden Association followed in March. By 1853, continuing agitation had divided factory reformers into two distinct camps: a group which called for strict enforcement of the 1850 Act, and another which wanted additional legislation. The Central Short-Time Committee of Yorkshire on April 13, 1853, demanded strict enforcement of the law and announced that it would not support a movement to change it. Radical reformers, consequently, organized at Manchester and on June 31, 1853, petitioned Parliament "to pass an efficient ten-hours act, with a restriction on the moving power." Under the leadership of Joshua Fielden, they also called for restricting the operation of factory machinery to ten hours on weekdays and seven-and-a-half on Saturdays.  

On July 5, 1853, the Commons began to act on the demands for further factory legislation when Oldham Liberal John M. Cobbett, son of William, introduced a bill to limit women, young persons and children to ten hours labor on weekdays and seven-and-a-half on Saturday. If passed, this bill would resurrect the Ten Hours' Act and place children under its protection. To insure that these objectives would be accomplished, Cobbett also demanded that factories operate only

47 Ibid; report on a Meeting of the Central Short-Time Committee of Yorkshire at the New Inn, Bradford, The Times (London), Apr. 18, 1853, p. 8; Manchester Guardian, July 12, 1853.
from 6 A.M. to 5:30 P.M. Notwithstanding the reduction of adult male labor which this provision would curtail, Cobbett insisted that enforcement was necessary to achieve the main objects of his bill. Viscount Palmerston, the new Home Secretary, opposed Cobbett's proposal, but announced his intention to bring factory children under the aegis of the Factory Act of 1850. Though Cobbett received permission on July 5 to introduce his bill, he later withdrew it in favor of Palmerston's proposal.48

The stage now was set for Palmerston to bring in his Employment of Children in Factories Bill. With unprecedented swiftness, the Commons, weary of this issue and resigned to the necessity of compromise, pushed this measure through its three readings within a fortnight (July 18 - August 2). No less diligent, the Lords gave their final approval on August 16, and Queen Victoria followed suit on August 20. Now children under thirteen, women and teenagers, all had a workday limited to the hours between 6 A.M. and 6 P.M. Adult male workers, moreover, were indirectly affected by this law, for only factory owners who did not employ women, young persons, or children could continue shifts of twelve hours or longer. For the rest, ten-and-a-half hours became the normal workday.49


49 Parl. Debates, CXXIX (1853), 376, 1153; third reading in Lords, ibid., col. 1752; Royal assent, ibid., col. 1824.
The factory debates of 1850 and 1853 marked the climax in the struggle between the supporters of government interference and the advocates of laissez-faire. Throughout this conflict, which lasted more than two decades, the English public and politicians weighed the benefits of a free and unfettered economy against the needs of an industrial society. After examining working conditions in textile factories, Parliament debated whether it would be better to set aside laissez-faire attitudes and establish regulations to safeguard the needs of British workers. In the end, the factory reformers gained only a partial victory, since they established the right to intervene only on behalf of women and minors. In the 1850's, most Englishmen still believed that a man's labor was his own, and thus were unwilling to regulate it, except by indirect means. Thus the Factory Act of 1853 placed restrictions of adult male labor of women and/or minors worked in the same factory. But to an observant student of the period, the course of events could be clearly determined: The advance of laissez-faire had reached high tide and now receded; the future belonged to the social democratic movement.
CHAPTER IV

A RETROSPECT

Palmerston's "Employment of Children in Factories Act" of 1853 closed the door on factory legislation in the Early Victorian era. It was bolted in 1855, when Cobbett failed in a move to introduce a bill providing for the regulation of machinery. Thus, in a little more than two decades after Lord Ashley and Michael Sadler began their work in 1832, the condition of factory labor had passed from one in which only the youngest were protected to one in which all parties except adult males were regulated. Due to the realities of the day, moreover, even the latter could expect benefits.¹

Throughout the long campaign for ten hours, a central theme appears: the attempt to reach a juste milieu between social reform and economic necessity. The forces of laissez-faire fought on the defensive, and with each battle, they lost a little of their domain. At first, their losses were minimal. The Factory Act of 1833 limited the workday of only the youngest factory workers. But the bill's debate and passage focused national attention on the fundamental dichotomy between economic liberalism and social democracy.

¹Parl. Debates, CXXXVII (1855), 592-619. On March 15, 1855, Cobbett proposed that the Commons reexamine the factory issue with the intention of adopting a ten-hour day for women and teenagers. This motion failed in its first reading by the House, 109 to 101.
During the next decade, public concern about the social evils of the Industrial Revolution grew until Englishmen of all classes concluded that further legislation was necessary to restrain the license of a hands-off economy. The result was the Factory Act of 1844, an important milestone which made women a protected class of workers, leaving adult males as the only group of operatives not directly covered by factory regulations.

The repeal of the Corn Laws in 1846 constituted a tactical defeat for the opponents of factory reform, who had argued that the workday could not be shortened until this step had been taken. With repeal, this pretext disappeared and the issue of factory legislation could be debated on its own merits. The results of the ten-hours debates of 1847 were most rewarding. The establishment of the ten-hour day dealt *laissez-faire* a serious blow. The Act of 1847 meant theoretically that management no longer could control women and teenagers up to fifteen hours a day. This act, moreover, also established government intervention as an issue belonging to Liberals (Whigs) and Conservatives (Tories), free traders and protectionists. The Commons register for the Factory Act of 1847 reveals that more Liberals voted for ten-hours (54) than against it (52). Of the 151 supporters of the measure, moreover, fifty-one had earlier voted to repeal the Corn Laws, and thus could be considered free traders. The support which
the major political parties gave to the Act of 1847 indicates how much the strength of \textit{laissez-faire} had eroded since 1833.\footnote{These figures were determined by comparing the division on the Corn Importation Bill of 1846 to that for the Ten Hours Bill of 1847. \textit{Dod's Electoral Facts} gives the party of each M.P.}

The final stage of the crusade, fought between 1850 and 1853, focused on the length of the workday, an issue not settled by the previous act. During the 1850 debates a split occurred between Conservative and Liberal advocates of factory legislation which stemmed from Ashley's failure to bring children nine to twelve under the aegis of the Factory Bill of 1850. Forty-six Liberals supported this amendment, which failed by a single vote. Later, however, when Lord John Manners proposed that the workday be shortened by a half-hour, the Liberals, almost to a man, opposed the motion, leaving the Tory factory reformers standing alone. Indeed, only fourteen Liberals supported the Manners amendment. The establishment in 1850 of a standardized workday for women and teenage factory workers, nonetheless, signaled a further weakening in the position of \textit{laissez-faire}. Some die-hards, to be sure, took small comfort in their success in excluding the youngest laborers from the measure and in increasing the workday a half-hour.\footnote{\textit{Ibid.}}

The manufacturers and their allies, the "Classical Economists," made their last stand in 1853, and the passage of Palmerston's Factory Act accomplished their decisive defeat.
By placing the youngest factory workers under the protection of the 1850 act, it insured that the adult male factory worker frequently would become the beneficiary of regulations. The Factory Act of 1853 reduced the doctrine of *laissez-faire* to an idea that might be privately defended, but which never again would become a national force. The concept of social democracy, i.e., of government intervention in behalf of the commonwealth had triumphed in Britain.
APPENDIX

A. ARTICLES II AND VIII OF THE FACTORY ACT OF 1833.

II. No Person under the Age of Eighteen Years shall be employed in any such Mill or Factory . . . more than Twelve Hours in any One Day, nor more than Sixty-nine Hours in any One Week, . . .

VIII. It shall not be lawful for any Person . . . to employ . . . for a longer Time than Forty-eight Hours in any One week, nor for a longer Time than Nine Hours in Any one Day, . . . any Child. . . .

B. ARTICLES XX, XXI, XXVI, XXX, AND XXXII OF THE FACTORY ACT OF 1844.

XX. No Child or young Person shall be allowed to clean any Part of the Mill-gearing in a Factory while the same is in motion for the Purpose of propelling and Part of the manufacturing Machinery. . . .

XXI. Every Fly-wheel directly connected with the Steam Engine or Water-wheel or other mechanical Power . . . shall be securely fenced. . . .

XXVI. The Hours of the Work of Children and young Persons in every Factory shall be reckoned from the Time when any Child or young Person shall first begin to work in the Morning in any such Factory, and shall be regulated by a public Clock. . . .

XXX. No child shall be employed in any Factory more than Six Hours and Thirty Minutes in any One Day.

XXXII. No Female above the Age of Eighteen Years shall be employed in any Factory save for the same Time and in the same Manner as young Persons may be employed in Factories. . . .

C. ARTICLES I AND II OF THE FACTORY ACT OF 1847.

I. From the First Day of July One thousand eight hundred and forty-seven no Person under the Age of Eighteen Years shall be employed in any such Mill or Factory, . . . for more than Eleven Hours in any One Day, nor for more than Sixty-three Hours in any One Week, . . .
II. From the First Day of May One thousand eight hundred and forty-eight no Person under the Age of Eighteen Years shall be employed in any such Mill or Factory, . . . for more than Ten Hours in any one Day nor more than Fifty-eight Hours in any One Week, . . . .

D. ARTICLE I OF THE FACTORY ACT OF 1850.

I. No young Person, and no Female above the Age of Eighteen Years, shall be employed in any Factory before Six of the Clock in the Morning or after Six of the Clock in the Evening of any Day. . . .

E. ARTICLE I OF THE FACTORY ACT OF 1853.

I. No child shall be employed in any Factory before Six of the Clock in the Morning or after Six of the Clock in the Evening of any Day. . . .
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