

R E P O R T

FROM THE

SELECT COMMITTEE

ON

**MASTERS AND OPERATIVES;**

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

APPENDIX AND INDEX.

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*Ordered, by The House of Commons, to be Printed,  
15 May 1860.*

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*Jovis, 1° die Martii, 1860.*

*Ordered, THAT a Select Committee be appointed to take into consideration the means of settling Disputes between Masters and Operatives.*

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*Jovis, 15° die Martii, 1860.*

Committee nominated of—

Mr. Mackinnon.	Mr. Pollard-Urquhart.
Mr. Hutt.	Mr. Buxton.
Lord Robert Montagu.	Sir Joseph Paxton.
Sir Morton Peto.	Mr. Ayrton.
Mr. Trefusis.	Mr. Slaney.
Mr. William Ewart.	Mr. Baillie Cochrane.
Mr. Ingham.	Sir James Fergusson.
Mr. Walter.	

*Ordered, THAT the Committee have power to send for Persons, Papers and Records.*

*Ordered, THAT Five be the Quorum of the Committee.*

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*Mercurii, 28° die Martii, 1860.*

*Ordered, THAT Mr. William Ewart and Mr. Walter be discharged from further attendance on the Committee; and that Mr. William Cubitt and Mr. Edward Egerton be added thereto.*

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*Mercurii, 25° die Aprilis, 1860.*

*Ordered, THAT the Masters and Operatives Bill be read a second time and committed to the Committee.*

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*Lunæ, 14° die Maii, 1860.*

*Ordered, THAT the Report (8 July 1856) from the Select Committee on Masters and Operatives, be referred to the Committee.*

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*Martis, 15° die Maii, 1860.*

*Ordered, THAT the Committee have power to report their Observations, together with the Minutes of Evidence taken before them, to The House.*

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## R E P O R T.

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**THE SELECT COMMITTEE** appointed to take into consideration the best Means of settling Disputes between **MASTERS** and **OPERATIVES**, and to whom the **MASTERS** and **OPERATIVES** **BILL** was referred;—**HAVE** considered the matters to them referred, and agreed to the following **REPORT**:—

**FROM** the Evidence taken before them, in which both masters and operatives were examined, and also after referring to the Evidence taken before the Committee appointed in 1856, Your Committee have come to the unanimous opinion that the voluntary formation of Equitable Councils of Conciliation would tend to promote a more friendly understanding between the employers and employed, to soften any irritation that might arise, and in most cases to prevent the growth of such a spirit of antagonism as too often leads to a strike.

Your Committee concur in the opinion expressed in the Report of 1856, that “From the evidence before them, they cannot but arrive at the conclusion that the formation of Courts of Conciliation in the country, more especially in manufacturing, commercial, and mining districts, would be beneficial; that by these means, both the masters and operatives would be enabled, each from their own class or calling, to appoint referees, an equal number by each party, having the power to elect a chairman.”

Your Committee have considered the Bill which has been referred to them by The House, and are unanimously of opinion that if the Bill passes into a law, it will promote the welfare and good understanding between masters and operatives, and be advantageous to the country.

Your Committee, in conclusion, add, that there is nothing in the Bill that gives power to any Council to regulate the rate of wages in any prospective manner whatever.

15 *May* 1860.

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PROCEEDINGS OF THE COMMITTEE.

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*Lunæ, 19<sup>o</sup> die Martii, 1860.*

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MEMBERS PRESENT :

Mr. Mackinnon.	Lord Robert Montagu.
Mr. Ewart.	Mr. Pollard-Urquhart.
Sir J. Paxton.	Mr. Ingham.
Sir Morton Peto.	Mr. Trefusis.
Mr. Slaney.	Mr. Baillie Cochrane.

Motion made and question, "That Mr. Mackinnon do take the chair" (Mr. *Slaney*) put, and agreed to.

Mr. *Mackinnon* in the chair.

Committee deliberated.

[Adjourned till To-morrow, at Twelve o'clock.]

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*Martis, 20<sup>o</sup> die Martii, 1860.*

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MEMBERS PRESENT :

Mr. MACKINNON in the Chair.

Mr. Ingham.	Lord Robert Montagu.
Mr. Slaney.	Mr. Baillie Cochrane.
Sir Morton Peto.	Mr. Buxton.
Sir Joseph Paxton.	Sir James Fergusson.
Mr. Pollard-Urquhart.	Mr. Ayrton.
Mr. Trefusis.	

Mr. *Edward Humphries* examined.

[Adjourned till Friday next, at Twelve o'clock.]

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*Veneris, 23<sup>o</sup> die Martii, 1860.*

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MEMBERS PRESENT :

Mr. MACKINNON in the Chair.

Mr. Buxton.	Mr. Slaney.
Sir Morton Peto.	Mr. Ingham.
Mr. Pollard-Urquhart.	Sir Joseph Paxton.
Mr. Trefusis.	Mr. Baillie Cochrane.
Lord Robert Montagu.	

Mr. *Thomas Winters*, Mr. *William Vickers*, and Mr. *Richard Perry*, severally examined.

[Adjourned till Tuesday, till Twelve o'clock.]

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ON MASTERS AND OPERATIVES.

*Martis, 27<sup>o</sup> die Martii, 1860.*

MEMBERS PRESENT:

Mr. MACKINNON in the Chair.

Mr. Buxton.  
Lord Robert Montagu.  
Mr. Pollard-Urquhart.  
Mr. Slaney.

Mr. Trefusis.  
Mr. Baillie Cochrane.  
Sir Morton Peto.

Mr. Slaney, a Member of the Committee, examined.

[Adjourned till Friday, at Twelve o'clock.]

*Veneris, 30<sup>o</sup> die Martii, 1860.*

MEMBERS PRESENT:

Mr. MACKINNON in the Chair.

Lord Robert Montagu.  
Mr. Trefusis.  
Mr. Pollard-Urquhart.  
Sir Joseph Paxton.  
Mr. Slaney.

Sir Morton Peto.  
Mr. Ayrton.  
Mr. Egerton.  
Mr. Cubitt.

Mr. John Buckmaster, Mr. Richard Mitchell, and Mr. John Atkins, severally examined.

[Adjourned till Friday, the 20th of April.]

*Veneris, 20<sup>o</sup> die Aprilis, 1860.*

MEMBERS PRESENT:

Mr. MACKINNON in the Chair.

Sir Morton Peto.  
Mr. Pollard-Urquhart.  
Sir Joseph Paxton.  
Mr. Slaney.  
Mr. Buxton.

Lord Robert Montagu.  
Mr. Ayrton.  
Mr. Egerton.  
Mr. Baillie Cochrane.  
Mr. Cubitt.

Mr. George Potter and Mr. Spencer Northouse, examined.

The Committee deliberated.

Motion made and question, "That the Chairman be instructed to move the House that the Masters and Operatives Bill be referred to the Select Committee on Masters and Operatives" (Mr. Ayrton), put, and agreed to.

[Adjourned till Tuesday, 24th April, at 12 o'clock.]

## PROCEEDINGS OF THE SELECT COMMITTEE

*Martis, 24<sup>o</sup> die Aprilis, 1860.*

## MEMBERS PRESENT:

Mr. MACKINNON in the Chair.

Lord Robert Montagu.  
Sir Morton Peto.  
Sir Joseph Paxton.  
Mr. Pollard-Urquhart.  
Mr. Slaney.

Mr. Baillie Cochrane.  
Mr. Alderman Cubitt.  
Mr. Ayrton.  
Mr. Egerton.

Mr. *Thomas Piper*, Mr. *Thomas Butler*, and Mr. *Henry Fawcett*, severally examined.

Sir *Joseph Paxton*, a Member of the Committee, examined.

Committee deliberated.

[Adjourned till Monday next. at 12 o'clock.

*Lunæ, 30<sup>o</sup> die Aprilis, 1860.*

## MEMBERS PRESENT:

Mr. MACKINNON in the Chair.

Mr. Alderman Cubitt.  
Mr. Egerton.  
Mr. Ayrton.  
Mr. Hutt.  
Mr. Pollard-Urquhart.

Mr. Buxton.  
Mr. Slaney.  
Mr. Baillie Cochrane.  
Sir Morton Peto.

Order of the House of the 25th April, referring the Masters and Operatives Bill to the Select Committee, read.

Preamble read and postponed.

Clause 1 read. Amendment made.

Amendment proposed, at the end of the clause to add the following words: "Provided always, that in case the aforesaid Councils of Conciliation shall be unable to agree among themselves on the person to fill the office of chairman, they may apply to the Board of Trade to appoint a person to fill the aforesaid office (Mr. *Pollard-Urquhart*). Question put, "That those words be there added." The Committee divided:

Ayes, 2.  
Mr. Pollard-Urquhart.  
Mr. Alderman Cubitt.

Noes, 5.  
Mr. Hutt.  
Mr. Slaney.  
Mr. Buxton.  
Mr. Ayrton.  
Mr. Egerton.

Clause 1, as amended, agreed to.

Clauses 2 to 9, inclusive, read, amended, and agreed to.

Clause 10 read, and negatived.

Clauses 11, 12, and 13 read, amended, and agreed to.

Clause 14 read, and negatived.

The remaining clauses of the Bill were severally read, amended, and agreed to.

[Adjourned till Friday, at Three o'clock.

*Veneris, 4<sup>o</sup> die Maii, 1860.*

## MEMBERS PRESENT:

Mr. MACKINNON in the Chair.

Mr. Pollard-Urquhart.  
Sir Morton Peto.  
Mr. Slaney.

Mr. Ayrton.  
Sir James Fergusson.

Bill further considered.

Preamble read.

Question, "That this be the Preamble of the Bill," put, and agreed to.

[Adjourned till Tuesday, at Three o'clock.

*Martis, 8<sup>o</sup> die Maii, 1860.*

## MEMBERS PRESENT:

Mr. MACKINNON in the Chair.

Sir James Fergusson.  
Mr. Pollard-Urquhart.

Sir Joseph Paxton.  
Mr. Alderman Cubitt.

Draft Report, proposed by the Chairman, read 1<sup>o</sup>, as follows:—

"The Committee appointed to take into consideration the best Means of settling Disputes between Masters and Operatives, and also, by a subsequent Order of The House, to consider the Bill now before Parliament to establish Equitable Councils of Conciliation, after considering the two points to them referred;—Have agreed to the following Report:

"FROM the Evidence taken before them, in which both masters and operatives were examined, and also after referring to the Evidence taken before a former Committee of July 1856, have come to the unanimous opinion that the voluntary formation of Equitable Councils of Conciliation would very much promote a more friendly understanding between the employers and employed, soften any irritation that might arise, and in most cases prevent such a feeling as might end in a strike.

"Your Committee approve also of the sentence in the Report of 1856, which states, that 'From the evidence before them, they cannot but arrive at the conclusion that the formation of Courts of Conciliation in the country, more especially in manufacturing, commercial, and mining districts, would be beneficial; that by these means, both the masters and operatives would be enabled, each from their own class or calling, to appoint referees, an equal number by each party, having the power to elect a chairman unconnected with either party, and having a casting vote.'

"Your Committee also, as directed by The House, have gone through the Bill, which has been read a second time, on the formation of Equitable Councils of Conciliation; they have gone through every clause of the Bill, have struck out two clauses, have altered some others, and are unanimously of opinion that if the said Bill passes into a law, it will promote the welfare and good understanding between masters and operatives, and promote the welfare of the country.

"Your Committee will only add, that there is nothing in the said Bill that gives power to any Council to regulate the rate of wages in any prospective manner whatever. In conclusion, your Committee will only add, that as by the Bill no such Councils can be established without the permission of the Crown, it was necessary to apply to the Home Secretary for the acquiescence of the Crown, which has been obtained."

The Committee deliberated.

[Adjourned till Thursday, at Three o'clock.

*Jovis, 11° die Maii 1860.*

## MEMBERS PRESENT:

Mr. MACKINNON in the Chair.

Mr. Trefusis.

Mr. Pollard Urquhart.

Mr. Egerton.

Mr. Ayrton.

Report proposed by Chairman. Read 2<sup>d</sup>, and considered paragraph by paragraph.

Paragraph 1; read, amended, and agreed to.

Paragraph 2; read, amended, and agreed to.

Paragraph 3; read, amended, and agreed to.

Paragraph 4; read, amended, and agreed to.

Question, "That this Report as amended be the Report to the House;" put, and agreed to.

Question, "That the Minutes of Evidence and Appendix be reported to the House," put, and agreed to.

*Ordered to Report.*

## EXPENSES OF WITNESSES.

NAME of WITNESS.	Profession or Condition.	From whence Summoned.	Number of Days absent from Home, under Orders of Committee.	Expenses of Journey to London and back.	Allowance during Absence from Home.	TOTAL Expenses allowed to Witness.
John Atkins -	Manufacturer	Hinckley, Leice- tershire.	2	£. s. d. 2 - -	£. s. d. 2 2 -	£. s. d. 4 2 -
Richard Mitchell -	Secretary to Miners So- ciety.	Barnsley - -	2	2 13 -	2 2 -	4 15 -
Daniel Butler -	Secretary to Silk Weavers Association.	Coventry - -	3	1 10 -	1 10 -	3 - -
					£.	11 17 -



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MINUTES OF EVIDENCE.

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LIST OF WITNESSES.

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## MINUTES OF EVIDENCE.

*Martis, 20<sup>o</sup> die Martii, 1860.*

### MEMBERS PRESENT.

Mr. Ayrton.	Lord Robert Montagu.
Mr. Buxton.	Sir Joseph Paxton.
Mr. Baillie Cochrane.	Sir Morton Peto.
Sir James Ferguson.	Mr. Pollard Urquhart.
Mr. Ingham.	Mr. Slaney.
Mr. Mackinnon.	Mr. Trefusis.

W. A. MACKINNON, Esq., IN THE CHAIR.

*Mr. Edward Humphries, called in; and Examined.*

1. *Chairman.*] WHAT situation do you hold?—I am at present Financial Secretary to the National Association of United Trades. *Mr. E. Humphries.*

2. Have you directed your attention to the question of the differences between masters and operatives?—It is a question that, in our capacity, has very frequently come under our notice; and we have found, during a very lengthy experience of something like 13 or 14 years of active co-operation with the trades, as a committee appointed by them to superintend their affairs, that in all our interviews, wherever we have been called to adjust matters in dispute, either by the workmen themselves or by the employers (who have called us in in some instances), we have invariably succeeded in effecting an amicable arrangement of the disputes existing. We have found in those cases a very great difficulty, from this cause: if the workmen have called upon us, we have found that the employers have objected to our interference, under the plea that such interference was on their part uncalled for, and therefore it was dictation. When the employers have solicited our interference there has not been that objection; but, in both instances, we have invariably succeeded in bringing the parties together, and effecting an adjustment of the dispute; sometimes by a sort of compromise, at other times obtaining for the men what they solicited, and at other times advising the men to submit to the requirements of the employers; knowing that the circumstances in which the demand was made for the reduction of wages, or an increase in the hours of labour, or whatever it might be, justified our advising the men to submit to the employers, and they have done so. Upon the whole, we have found, as far as our experience goes, that whenever the employers and the workmen can be brought together, it is almost positive that the thing will be settled without a strike; but if once a strike is permitted to take place, it is then not a matter of negotiation, but is really a question as to which party is the strongest.

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3. You think that both parties then get inflamed and excited?—Yes; they always commence these hostile operations under a state of great excitement, and when allowed to come to a strike, there is no chance of settling it till the feeling has had time to subside, and a more healthful feeling has taken its place; and when one party has suffered, then it is that they are willing that some mediatorial interposition should take place in order to settle the differences.

4. This does not occur till the passions of both parties have cooled?—They must cool; as I say, when a strike is suffered to take place under the influence of excitement and bitter feelings, there is no power scarcely that will then bring them together; as long as that feeling exists, every attempt to reconcile them is positively futile; it is before that feeling has attained to that extent, that by a

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timely interference you can prevent the occurrence of a strike. Strikes arise from various causes; it is not always a question of wages, because if it was merely a question of wages, I, for one, should hesitate before I took any steps to obtain the formation of equitable courts of conciliation; but there are a variety of disputes arising from the material supplied to the workmen, disputes arising from the hours of work, from deductions in wages made under various pretexts, and in my own trade particularly (which is that of a potter) disputes arise from work alleged to be imperfectly executed, not as to the price of the work, but whether the workman should be paid at all for the particular work which is alleged to be bad. A system now obtains in the potteries, and has for many years, called "good from the oven." Probably some honourable Members of the Committee have seen that the work in its clay state is put into an oven and fired; during that process it may become spoilt, not from any defect in the work itself, or from any neglect of the workman, but through the fireman who has charge of it; when the work comes out, and is examined and found to be bad, the employer may refuse to pay the workman; that then becomes a subject for arbitration, and the employers with the workmen have mutually arranged that such a court of arbitration shall be adopted; and under an agreement which they have mutually signed, it is provided, "that if any dispute arises between the said parties, or any of them, as to the prices or wages to be paid to the said workmen, or any of them, by virtue of this agreement, such dispute shall, on the request in writing of either of the parties in dispute, within 14 days after the question shall have arisen, be referred to the decision of six arbitrators, three of whom shall be manufacturers, who shall be chosen by the said potter or potters," (that is the manufacturers), "and the remaining three arbitrators shall be working potters, and shall be chosen by the workman or workmen with whom the question shall have arisen; such arbitrators to appoint some impartial and competent person as umpire, and the decision of such arbitrators and umpire, or the majority of them, shall be final and conclusive on both parties."

5. Perhaps you had better confine yourself to that particular trade with which you are conversant yourself?—I can speak more positively upon matters relating to my own trade; yet there are matters connected with other trades, of which I have a general knowledge, from being brought into contact with them. In the potteries, under this agreement, disputes have been frequently adjusted by arbitration, and it has given great satisfaction.

6. The tenor of your evidence comes to this, that in the potteries the system of arbitration is very desirable, and has been approved of?—It is not only desirable, but it has been carried out to a very large extent successfully. There is one point which I would mention with regard to the existing Act, the 4th of George 4, chapter 96. In the potteries, there is no reference made to that Act, and they never avail themselves of it, and the objections I have heard against it are, first, that the workmen find that if they take their employer before a magistrate, it has too much of a criminal appearance on the face of it, and not only has it a criminal appearance, but if a workman does take his employer before a magistrate, it is almost sure to obtain for him dismissal from employment, and it prevents his getting employment again. In the next place, if the workmen go before a magistrate, the nomination of the arbitrators is entirely in the hands of the magistrate, and not in the hands of the workmen, and not being allowed to appoint their own referees, they are averse to submitting any case in dispute to their settlement. But supposing those objections are borne with, and the magistrate nominates three individuals, out of whom the workman elects one to act as his arbitrator; if he submits to that, the person so elected may not act at all; he is not bound to act, and therefore he is thrown again upon the resources of the magistrate. When the person so elected in the first place refuses to fulfil the duties of his position, the magistrate has then the power to appoint another in his place, without the consent of the aggrieved party, which the workmen consider a very great grievance, because if a person who is appointed refuses to act, they should have the choice, if they think proper, of making another election; in the second instance, the magistrate acts, but even in this case the person elected a second time may also refuse to act, and therefore the matter comes to the magistrate for adjudication; but if he consents willingly to this second nomination, or rather election, this one also may refuse to act in that capacity, as the magistrate has no power to compel him. Where such is the case, the referee elected by the employer

employer may himself proceed alone to hear and determine the case in dispute, and the workman is thrown out of court without a representative, through those to whom he is restricted in his election, refusing to act on his behalf. Where the arbitrators meet and cannot come to a decision, then the justice may become the sole arbitrator, which is the more objectionable, first, because his social circumstances and connexion with the employers may tend to bias his mind against the workmen, at least the workmen would imagine so, and therefore would have no confidence in his award; and, if left to themselves, they would not go before him; but, secondly, where the arbitrators fail to decide the points in dispute, having a practical knowledge of the business, it is not likely that the magistrate, who has no such knowledge, could decide the matter, and therefore there is an objection on that ground. Again, there is a great delay, even apart from all those objections, attending the matter, which operates very materially in preventing workmen from availing themselves of the advantages of the present Act, even supposing that it were advantageous to them; and those delays may extend to 13 days, exclusive of Sundays, from the want of power on the part of the magistrate to compel the arbitrators to meet in the first place. When they have met, there is a certain time allowed them to come to a decision, and if within three days they do not make an award, the magistrate can take the question up, and make an award himself, which makes the whole delay that the workman may be subject to 13 days. If the workman waits 13 days out of employment, in order to have the dispute settled, it is very likely he will not avail himself of the privileges given him by the Act, and rather than go before the magistrate and suffer this loss, he will put up with the wrong. That has been invariably the case, and it is an accumulation of wrongs which ultimately drives the workmen to strikes.

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7. You think that the objection of the workmen to the present Act, with reference to arbitration before a magistrate, arises from three causes, first, that they do not meet with justice because it is a partial tribunal; in the next place, because there is a delay of 13 days, and, in the last place, because the parties so appointed know nothing about the business?—Yes, and also because it has the appearance of being a criminal proceeding, which the men object to, and therefore they decline going, because such a proceeding invariably leads to dismissal from employment, and they become proscribed throughout the whole trade.

8. Is it the fact that this Act is quite inoperative?—I believe it to be totally impracticable.

9. It is never made use of?—Very rarely; never in my own experience have I known workmen, or even employers, avail themselves of the Act.

10. If this voluntary arbitration in the potteries has answered, could not that sort of voluntary arrangement be entered into by all parties at all times, or would it be necessary to have an Act of Parliament to establish equitable councils of conciliation?—Employers and workmen wish for an Act of Parliament for this reason: though they voluntarily meet together and agree to submit their case to arbitration, either party, from the absence of authority on the part of the referees, may repudiate the award made by the referees or arbitrators, and therefore they want some recognised and constituted authority that shall have the power of enforcing their awards.

11. Which ought to be established, ought it not, previously to disputes arising?—It ought to be established previously, because if the board or the arbitrators are left to be appointed when a dispute arises, it is then too late; the bad feeling and bitterness have set in, and though you might bring them together, it would only perhaps be to aggravate the sores already existing. If there were a board of arbitration already established whom both parties would recognise, they would apply to that board of arbitration, and, before the division had become too wide between them, they would have a chance of settling the dispute satisfactorily.

12. Mr. Baillie Cochrane.] You mean a permanent board?—It should be elected annually; it should not be a board sitting for ever, but it should be elected annually.

13. Mr. Ingham.] You would have this authority constituted antecedently to the dispute arising?—Exactly so.

14. Chairman.] One great advantage in such a board would be this, would it

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not; that, supposing the master and workmen met together at this board of conciliation, whatever might be arranged between them would soften the feeling of both parties when the delegates on each side went to their constituencies and explained the arrangements made?—No doubt it would; we have found in our own experience that where there has been a difficulty in bringing the masters and the workmen together, we have always failed in effecting a reconciliation; in some establishments employers delegate their authority to their foreman, who is a sort of middle man; in many cases the middle men are more harsh, oppressive, and tyrannical than the employer himself; the men want access to the employer, but this tyrannical go-between, whom the master has raised up not knowing his qualities, prevents a meeting with the employer, and a strike takes place, which you cannot prevent, as there is no means of obtaining an interview between employer and workmen. If you could bring the masters and workmen together, I am quite certain that the fact of bringing them together, even if it did not succeed in stopping the dispute, would soften their asperities, and partially reconcile them, if they were allowed to enter into an argument (for I do not believe that the working classes of this country are so unthoughtful and so unprincipled as not to be open to reason), and the employers could show them that any demand which they made, either for a reduction of wages or for an increase in the number of hours of work, was reasonable, and if reasons were shown and explained to the men, they would submit; but if the employers take a high course, and refuse explanation, and demand, without notice scarcely, submission to such requests, it at once produces amongst the workmen a determination to resist: I feel some difficulty in stating the case as I should wish, not being prepared to be examined; but there is another point to which I should wish to call the attention of the Committee, because it has occupied some considerable attention both in the House of Commons and on the part of the public, and that is with regard to the constitution of the Courts of Conciliation, and the mode of electing the councils.

15. Before you proceed to that, supposing a Board of Conciliation were established, should there be a board, in your opinion, for each trade, or one general board for every trade which chose to apply to it?—I conceive that it must be a board for each special trade; in some trades there are branches, and for those branches one board might act for the whole; but take the case of the shoemakers, they have no affinity with, or knowledge of the trade of the mason or the bricklayer or the mechanic, and to put a shoemaker on a committee to arbitrate on a dispute arising from an alleged defect in a machine would be absurd, because he would have no more knowledge than an engineer would have of whether a shoe were well made or not; therefore I think each trade should have its own board.

16. Mr. Baillie Cochrane.] You mean one board for each trade?—Yes; in the Potteries a board composed of potters should be elected, who should hear and determine all cases between the manufacturers and the operative potters, but they should not interfere with any disputes between the shoemakers and their men, or the builders and their men.

17. Chairman.] Each calling should have its separate Council of Conciliation?—Yes; the constitution of the councils of conciliation should consist of an equal number of employers and workmen in any trade, occupation or calling; the exact number to be determined by the trades desiring the establishment of such courts; the chairman of these courts to be elected by the members thereof by ballot; the employers to nominate one or more, the workmen an equal number; these names to be placed in an urn, and one drawn out; the one so drawn to be the duly elected chairman; no one, however, should be put in nomination or elected who is either directly or indirectly interested in the trade or business. The subjects of dispute to be submitted to the adjudication of councils of conciliation should be such as are defined in the 5th of George the 4th, cap. 96, which of course excludes all settlement of wages. I should never propose that these councils should take up the question of wages, and settle it for the future, but they should decide upon those defined by the Act.

18. You would not allow them to act prospectively?—No; then with regard to the Bill, the machinery has been objected to; but I should propose that, in the election of the councils, the employers should themselves meet, and select their portion of the Board. With them there would be but little difficulty, because, from their paucity of numbers, they could easily be brought together; but

but with the workmen there would be more difficulty, inasmuch as they live wider apart; they are more numerous, and therefore there would be more trouble in ascertaining whether they belonged to the trade or not; but I should propose, instead of having any registration, or the excitement, and annoyance, and agitation of voting, that they should be elected, either in a public meeting assembled by any particular trade for that purpose, or that we should recognize the existence, so far as the election of arbitrators was concerned, of trade societies. I do not see that there could be much objection to this myself, because trade societies are not altogether established for the protection of wages, but for a number of philanthropic and benevolent purposes; and I believe that if their authority was so far, and only so far as recognized by law, the election of the arbitrators, it would tend to increase the benevolent operations of these societies.

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19. How would it be possible in this selection of delegates from the workmen to define who was a workman and who was not a workman?—In London there might be a considerable difficulty, but in the provinces the workpeople generally know each other; they are brought more together at various meetings, meetings of friendly societies, and meetings of trade societies, and meetings in the same places of worship.

20. That is not a definition of who could be styled a workman, and who could not; there appears to be a great difficulty in settling who should be deemed a workman?—Some trades recognize that a person should have served an apprenticeship to his trade; but a workman may be a very good workman who has never served an apprenticeship to his trade. I think that some specified time for him to have worked at his trade should be set down, whether he had served an apprenticeship or not. If he has been earning his living at that particular trade, and has done so for a certain time, he should be regarded as a workman, and as such he should be entitled to vote in the election of arbitrators.

21. There appears to be a considerable difficulty in defining how a man should be qualified to give a vote for his brother workman to be elected; what qualification should you suggest?—I think the only qualification would be that he is a workman following that occupation, and earning his livelihood by it; he may be an inferior or he may be a skilful workman, but in either case it is his only means of obtaining a livelihood, and I think, therefore, that that fact of itself should constitute him a workman, so as to give him a vote. In the Potteries the workmen meet together, though sometimes the arbitrators are elected by the committees; sometimes they call a meeting, and by that means elect their arbitrators; they know each other, they know who is working in the trade; but the arbitrators are generally selected from the particular branch. Supposing a dispute arises with the flat pressers, they nominate a flat presser to meet the employer, and settle the dispute. In the Potteries we serve an apprenticeship to the trade; every one who works at the trade and earns his living should be considered a workman, and should have a vote at these councils of conciliation. There is another method by which the arbitrators might be elected, and that is, as at present, by the Justices of the Peace nominating a certain number, or the workmen nominating them, and the justices electing the workmen's portion of the council; but this I consider would give great dissatisfaction to the workmen; I have heard that plan suggested, but I know that such a method of electing the Board would give great dissatisfaction to the workmen, and they would never consent to it.

22. Do you think that those delegates so elected would ever have influence with their body?—Not at all; they would not recognize any such authority; I merely mention that plan because it has been set up; I think the most unobjectionable way of electing these boards would be to call a special meeting of the workmen, and for them at that particular meeting to elect their portion of the Board of Arbitrators, and such delegates being so elected I believe would give great satisfaction, because if it were confined to trade societies, it would not work so well, because the whole of the workmen are not connected with trade societies, and you would exclude a portion of the trade from voting. While if there was a meeting, and due notice was given of it, everyone connected with the trade would have an opportunity of attending and exercising his right, and that would prevent the excitement and angry feeling arising upon a contested election. That is the way in which, I think, the Board should be elected; and I believe

*Mr. E. Humphries.* that it would be satisfactory. Then with regard to the expenses of those boards, it is quite evident that they could not be conducted without some considerable expense; and I must confess it is the manner in which those expenses should be raised, that presents to my mind difficulties of a very formidable character. I think sometimes that as a township or a county is materially benefited by any strikes and turn-outs being prevented, it would be for the interest of the county if the expenses attending those courts were paid out of the county rate. And, taking it in a national sense, as the nation suffers through those strikes, the nation might well be called upon to pay for the prevention; and it would be less expense than effecting a cure, but that is a difficulty which presents itself to my mind. I cannot see my way at present clearly to suggesting a practical course.

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23. The charging it upon the county would be an indefinite sort of expense, would it not?—I feel considerable difficulty in meeting the question, how to raise the necessary expenses, in order to obtain the efficient working of the board; they would have power to make charges on each case, but I do not think that these fees would be sufficient to meet the expenses.

24. *Lord Robert Montagu.*] You are a potter by trade, and you are the treasurer of the Association of United Trades?—I am financial secretary.

25. How many trades does that association comprise?—I can scarcely answer that.

26. Could you name them?—I could not name them without the papers, which I have not with me.

27. Do you know anything relating to the different trades except that in which you work?—Yes; I have been connected with various trades in settling different disputes.

28. How many members does your union comprise?—From 5,000 to 6,000.

29. Has it increased of late years?—No, we remain stationary; we do not agitate the question; we do not care much about it now.

30. You said that those councils of arbitration which you propose are not to act prospectively, they are not to settle what the future wages ought to be?—Exactly so.

31. But they are to prevent strikes, by settling the questions which cause those strikes to arise; is that the case?—Yes; they are to settle disputes arising out of existing contracts, and it is those disputes, not prospective disputes, that originate strikes, and in settling those they would naturally prevent strikes.

32. I think that you mentioned, as some of the causes of strikes, the question whether or not the work has been imperfectly done, the question of time, the question of materials, and also the question of reduction of wages?—Yes; those are among the causes of strikes; but I suppose there are 50, if you could enumerate them.

33. If the Board of Arbitrators are to determine the question of reduction of wages, would not that be acting prospectively?—If they were going to fix the rate of wages for the future they would; but when I speak of deductions I mean this: a workman takes an article to his employer; say he is a silk weaver, and has woven a dozen silk handkerchiefs; he takes them in to his employer, and his employer alleges that there is a defect in them; and says, for that I will deduct so much from your wages; in that case the Board of Arbitrators would say whether the defect arose from any unskilfulness on the part of the workman, or whether the fault lay in the material, and if the fault did not rest with him, he would get his wages.

34. Is this deduction at present arbitrarily determined by the master, or is there any one to settle how much shall be deducted?—It is arbitrarily done by the employer or his foreman; the thing is imposed upon the workman, and he is obliged to submit to it.

35. *Mr. Ingham.*] He may go to the magistrate, may he not?—That is the alternative.

36. *Lord Robert Montagu.*] Were you speaking of the general feeling of workmen, or were you merely mentioning your own opinion with reference to the Act of George the Fourth, and with reference to councils of arbitration?—I was mentioning the general feeling of the men, because we have had correspondence with almost every trade in the country, though we have not had answers from



from all, and there has only been one trade which has ever raised an objection to the establishment of these councils of conciliation; all the others with whom we have had correspondence are favourable to their establishment.

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37. You stated that the delay at present occasioned in settling disputes by the Act, makes the workman rather put up with a wrong than submit to a decision under that Act?—Yes; that is one powerful objection which we have to going before magistrates, the delay that may arise.

38. It is an accumulation of those things which the workman puts up with, till at last it occasions a strike?—That is so.

39. Has the ill-will between the masters and operatives increased within the last four years, since 1856?—I would hardly say that it has; it increases and decreases just as strikes and uneasy feelings arise. I do not think that it is different from what it was.

40. Have you known any disputes that have been settled amicably by councils of arbitration?—Only within the last four years; in the Potteries where such a Board still exists, many cases have been settled by that Board. There was a Board appointed by the carpet weavers; but I am not aware whether it still exists; and another by the compositors in London; who have had a case or two, but which they did not exactly settle, as there was an objection raised to the decision of the arbitrator, and there was an appeal to a superior court, and the award of the arbitrator was set aside.

41. Are you aware of the case of the Britannia-metal smiths at Birmingham?—No; the workmen always propose these arbitrations; but there are no recognised Boards, with the exception of one in the Potteries, and one amongst the carpet weavers in the north; and the compositors have a Board of that sort, recognised both by the employers and workmen; but beyond those, I am not aware of any.

42. Mr. Slaney.] Are they recognised by the masters?—They are.

43. Lord Robert Montagu.] Numerous cases were mentioned before the Committee in 1856 of the settlement of disputes by arbitration; has the number of those settlements increased since the year 1856, or not?—They would be in the same ratio; you may take them at the same per-centage. Failures arise as often from the obstinacy on the part of the men as on the part of the employers; where we have failed, we have found that the men have been determined to carry their points, whether right or wrong; we had a case some time ago, amongst the Birmingham iron wire-drawers; the men in that case went to a strike, contrary to reason and everything else, to enforce a demand which we ourselves, being impartial as we considered, condemned. We had an interview with the employers, at one of the principal hotels, at which meeting nearly all the employers were present, and we submitted certain propositions which, if the men had acceded to them, would have been highly advantageous; the men refused, and the strike commenced; but a fortnight after the strike commenced, we succeeded in settling it by arbitration.

44. Do you think that the organization of the trades' unions would tend to influence the men, and make them submit to the arbitration?—Yes, I believe it would where they were organized; it is only where the trade is partly organized that this obstinacy occurs; when men are organized they are more open to conviction; they meet and discuss their grievances, and if the masters met them in that way, I believe that it would obviate ill feeling, and prevent strikes altogether, or nearly so.

45. You stated that the practice of having middlemen was a great cause of strikes, because it prevented the employer meeting his men face to face; do you include the contractors under the term middlemen?—In some trades they are almost contractors, as they take out a large portion of work from the employer in one lot, and give it out to the men in different parts; but I was speaking generally of factories where they are not contractors, but superintendents rather; they may be found under various denominations, but I mean the superintendents of the establishments.

46. Where the masters would, as you consider, treat the men with fairness, you find that the middlemen treat them with harshness?—We have found that in our experience.

47. You look upon it as one of the chief benefits of these Boards of Arbitration,

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48. Are the masters generally hostile to trades' unions?—Generally they are, because they consider them an antagonistic power raised up against them; no doubt many of them would put them down if they could.

49. Do they consider that the trades' unions foment disputes?—They allege so.

50. Is that the case?—No, I do not think it is. So far as my experience goes, they do not foment disputes. It is one of the objects of combination, if circumstances occur to justify them in getting an advance of wages or shortening the hours of labour, to take advantage of those improved circumstances to obtain their object.

51. Have you ever known a trades' union recommend a strike?—I have known them to recommend strikes to obtain such objects as I have spoken of.

52. What strikes have they ever recommended?—Almost all the strikes that emanate from the workmen demanding an advance of wages or a reduction in the hours of labour, do so in this way, viz., they first try to see the employers, and try to get their object first by peaceable means, that is, by deputations, and so on. If the masters refuse, believing that the circumstances of the trade justify them, they then resolve to have a strike to get it, but the advance solicited may be simply the recovery of what had been taken from them during a time of bad trade.

53. In those cases you say that the trades' unions have initiated a strike?—Yes.

54. Did they take any part in the Yorkshire coal strike in 1858?—The miners organized themselves; they are not connected with our society.

55. Your society did not take part in it?—No.

56. Do you know whether any trades' union took part in that strike?—No, not beyond the general sympathy which one trade feels for another.

57. Or the flint glass makers' strike?—No; the trades supported the flint glass makers' strike, because they considered them ill-used, and therefore they voluntarily subscribed to assist them.

58. With regard to the Northampton bootmakers, did they assist them with money also?—The other trades did; they sent deputations to other societies, who laid before them a statement of their case, and, of course, the other trades assisted them. With the permission of the Committee, I would make a remark on that strike. That strike amongst the shoemakers, at Northampton, appeared to me to be most absurd and ridiculous; it was so in the estimation of a large number of working men, and therefore they got little support. It arose from opposition on the part of the workmen to the introduction of machinery; they came to London to see some of the trades to enable them to resist this machinery, and one trade that they visited actually supported them, and voted a sum of money, and who at the same time were themselves making the machines. I merely mention this to show that workmen do not always take a right and consistent view of matters; that strike was very absurd and ridiculous; as the machines instead of being used there, were perhaps taken to Kettering or brought to London; and, in fact, the shoemakers in London, who were supporting their brother operatives in Northampton, were working similar machines in London.

59. Did the trades' unions assist in settling the Padiham weavers' strike last year?—They did it themselves; their own society of operative spinners and weavers.

60. Was it settled by arbitration?—I think it was ultimately settled by arbitration.

61. Did the trades' union in London take any part in the building strike last year?—We did not as a committee, we had nothing to do with it.

62. Did you express your disapprobation of that strike?—We did express it twelve months ago? last August, in a letter to Lord Kinnaird, signed by our chairman, we expressed our disapprobation of it, not that we did not think that the men should obtain, if possible, a reduction in the hours of labour, but that the strike was ill-timed and ill-advised, and that their demands might be obtained in a more reasonable way, inasmuch as public feeling was more and more setting towards the shortening of the hours of labour, especially for the Saturday half-holiday,

63. Are

63. Are you taking any part in the movement of the journeymen bakers in London?—No; we have not been solicited to join in it. Mr. E. Humphries.

64. You stated that hardship was exercised by those middlemen; can you give any particular instances of hardship exercised by those contractors or middlemen?—To take my own trade, hardships are frequently experienced there, from the foreman causing to be deducted the man's wages for alleged defective work, which does not arise from the man's fault. 20 March 1860

65. Do you think that the men in general show much forbearance, and conduct themselves well, during a strike, as a general rule?—Generally they do, and especially where the trades are organized.

66. Wherever there is any organization?—Yes; I think the late strike amongst the operatives in the building trades afford an illustration that may be taken as a sample; indeed, those who watch these affairs know that almost every week, in different parts of the country, strikes are going on; some for a few weeks, and some for a longer time, and we rarely hear of a breach of the peace or rioting.

67. Do you think that the direct effect of this organization is to make the men more orderly?—I would not say that it was the effect of organization; no doubt it has a considerable influence upon their conduct.

68. Mr. *Trefusis*.] You have stated that you thought that the expenses of the arbitration should be charged on the county rate?—I say that that is one means.

69. Have you any other means to suggest?—It might be paid from the Consolidated Fund, because strikes are national injuries, and the public sustain great loss from them; and therefore if any means could be adopted to prevent strikes the public would be gainers by paying the expenses. I believe if trade societies organizations were recognized, so far as the appointment of arbitrators were concerned, the trade societies would pay the expenses, but if they are not so recognized it is not a matter for them to consider. The compositors pay their expenses, that is to say, the workmen pay their proportion, and the employers pay their proportion; and the same in the Potteries.

70. Mr. *Pollard Urquhart*.] You said that disputes had arisen about the hours of work, and that you had assisted in settling those disputes, can you mention any specific instances of that sort?—Cases of that sort in which we ourselves individually were concerned we gave in evidence when the Committee sat a few years ago.

71. Mr. *Ingham*.] You were examined before that Committee yourself?—Yes, I could mention those cases if I referred to the book; they are particularized in that blue book.

72. Mr. *Pollard Urquhart*.] Are the men generally aware that asking for a reduction of the hours of labour is tantamount to asking for an increase of wages?—No doubt of it, it is equivalent to an increase of wages; but it is a great question whether a man working at hard labour for eight hours would not do as much in eight hours as in nine, because when he was not so fatigued he would do more work, but when he is tired out, he slinks away his time, he can do no more.

73. When the men ask for a reduction of the hours of work do you think that they do it with a covert hope that they may get more wages if they work the whole time, or is it merely that their strength will not enable them to keep at work the longer time?—Perhaps both these points operate upon the parties, some may wish to get an advance of wages. The general desire on the part of the workman is, that in shortening the hours of labour they would have more time for relaxation and instruction than they now have. I believe that to be the general feeling of the most intelligent portion of the operatives.

74. Do you think that the masters are of opinion that the men would do more work in proportion to the hours they were employed, if the hours were shortened?—The employers have been asked to shorten the hours of labour, but have refused, and therefore they do not seem to think so, because they resisted the demand in the late attempt to shorten the hours. But I cannot speak to the general feeling of employers.

75. When disputes arise relative to wages, are not the workmen generally amenable to reason, if you can show them that the profits of trade have not been on the increase?—I have known many cases where the employers without entering into the particulars of their own commercial operations, have explained to the men that the circumstances would not justify them in acceding

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to their demand, and that they could not do it; and with those reasons the men have been satisfied, and have withdrawn, if it has been on their part that the terms were demanded, or if on the part of the employers they have yielded to them. We have had several cases of that sort.

76. Almost all the trades' unions are more or less connected with friendly or savings societies, are they not?—They are not connected with them, but the objects of friendly societies form an element of each society; they are not connected with others. They have all more or less of these benevolent objects, that is to allow the members so much during sickness, or in case of accident.

77. Is it not the fact that belonging to the trades' unions does tend to promote economy and self-respect among the workmen, inasmuch as they subscribe to the funds of the trades' society?—Yes, those composing the trades' union are the most respectable portion of the trade, the most thoughtful and sober.

78. The subscription which they pay to the trades' society would probably be wasted in a public-house if they did not belong to the trades' society?—No doubt of it, and a great deal more.

79. Do most of the trades' societies make use of violence to prevent other men working when they themselves have struck?—I do not think that any violence is used; violence positively is not used.

80. Is there any petty annoyance used?—It depends upon what is considered petty annoyance; some men do not like being spoken to; if you reason with a man he may consider that he is being annoyed in attempting to persuade him; but in all cases where a strike occurs there is no doubt that every peaceable means are used to persuade those who go into work not to do so.

81. If a man left a trades' union in consequence of going to work, would he then forfeit all his claim upon the benefit society?—If he left it.

82. Would he be compelled to leave it supposing he worked when others would not work?—His fellow-workmen would not like to associate with him.

83. Would he be compelled to leave it, and forfeit the advantages which he would otherwise have had from having subscribed to the society?—No doubt he would forfeit those advantages if he were compelled to leave it. I have never seen any rules of a trade society which would expel him; but if a man did that he would necessarily be expelled, because he departs from the decision of the trade, and, by acting contrary to them, he puts himself out of the society.

84. You think that without such societies it would be hard for the men to get from the masters the advantage to which they would be naturally entitled, from a rise of prices in the market?—It is the only means which the workmen have of doing so; a workman taken singly could never obtain an advance of wages. In some isolated cases a man of superior skill in the trade might get a higher rate of wages; but take the mass of the trades they would never individually get the advance, because they never could compel the employer to give the advance; and it is only by combining that they are enabled to present to the employer a power equal to his own.

85. Are the men, practically, generally aware that the rate paid for labour depends upon the supply in the labour market?—That is the principle that will always regulate wages, and I think that it is not so universally known as it ought to be; but if we had councils of conciliation, where employers and workmen could be brought together, that would be a point in which the men would become better instructed, and it would therefore tend to withdraw obstacles to the adjustment of disputes; but when they are totally ignorant of that fact, and the employers refuse to hear them speak, of course it drives the workman often to precipitate action.

86. You think that those councils of conciliation would be the best way of putting before the men in a fair manner the principles that do regulate wages?—Yes.

87. At the same time the equitable councils would be an advantageous way of putting before the men, that the circumstances did not justify the men in demanding a higher rate of wages?—Yes, though the Board would have no power to enforce a higher rate of wages, or to lay down any rule to enforce it, I believe the moral influence of the employers and workmen being brought together would have inevitably that tendency; on the one hand it would enable the men to yield to a reduction when trade was bad and the demand limited, and on the other hand the employers would be induced to concede an advance of wages when trade was brisk.

88. Have

88. Have you not known such an adjustment take place by the intervention of one or two sensible people, showing the operatives, on the one hand, that trade was bad, and that they could not expect a high rate of wages, and, on the other hand, showing the employers, when trade was rising, that they could afford to give more to the men; have you known of such an instance in Wales, some years ago?—Cases have come under my own observation in the salt trade, in Cheshire, on several occasions; by our advice and intercession, wages have fallen during a certain time when work has been scarce, and when the trade has revived we have seen the employers, and they have returned to their original rate without having a recourse to a strike, or spending a single sixpence.

89. Do you think that your intercession was the means of preventing a strike?—Yes; during the last 14 years, 75 per cent. of such cases have been settled without strikes, by that means.

90. *Sir Joseph Paxton.*] You stated one instance in which, in potters' work, a difficulty would arise between the masters and the operatives; you said that the work would be put in the oven that it might come out defective, and that the workman would have to bear the loss?—Yes, that has often been the case.

91. Does that always fall upon the man?—Before the establishment of those courts it invariably did.

92. They have these courts in the Potteries?—Yes.

93. Were you brought up in Staffordshire?—Yes; in Staffordshire the masters and workmen have mutually established these arbitrations.

94. You propose that the court of arbitration should consist of three masters and three men?—I would not limit it; because in some cases you could not get three; it should be according to the number in the trade, and according to the extent of the district over which the court presided; in some cases two would be sufficient, in others six would be necessary.

95. So that in the case, we will say, of a very large town they would want a larger number?—Yes.

96. Would there not be in the case of a large town where they met pretty often, any difficulty in choosing masters and men who would be willing to sit; for instance, supposing two masters were chosen for a year, to serve in this court, and they had to meet very often, would not it be rather an onerous duty for them to perform, if the trade was a very large one; on the other hand, supposing in a very large town where disputes very often arose, a dozen masters and a dozen men were appointed who would sit alternately, according to circumstances, would not their duty be much lighter than in the other case?—Too many on the Board would defeat the object; and if the arrangement was that the members should meet alternately every two months, at the end of two months they would be completely out of it, and they would have to go through another few weeks' experience before they could get into the operation of the council; a limited number of continuous sittings would be more advantageous; but supposing they met weekly or monthly, or as often as the Board should determine, according to circumstances, they might depute, say one member of each class to meet oftener than the general Board, and those two should endeavour to conciliate any differences between the employers and the workmen during the interim, and if they were unable to settle them then they would be referred to the Board; many cases of that sort will frequently arise; and as a general rule, would be settled without having recourse to the arbitrators.

97. Do you propose that there should be a daily sitting in large towns?—I do not propose any fixed time for sitting, that should be left to the Boards themselves; it would depend upon what work they had to do.

98. Is not every question that is brought up, a different one from the last?—A question might be standing over, but no doubt in trades there would be a great similitude between the questions; I do not think, supposing my reasoning is unsound, that the trades would be willing to have those alternate meetings.

99. I know that in the country the masters themselves have made it a difficulty, that they would have to attend those courts so much that it would occupy a great deal of their time; if you elected a man once a year, to sit all the year round, would not he try to get out of that obligation?—We have had that difficulty presented to our minds from the commencement. A manufacturer is often compelled to be away on his business for weeks and sometimes for months together; my employer had frequently to go to America, but in those cases I think that recourse might be had to the provisions of the present Act, with the

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consent of the other portion of the Court, namely, that the master might be represented by his agent or foreman. But supposing that you had six of each class, or three of each class, it would not be necessary that all should be there at every sitting, a certain number would form a quorum, and transact the business in the absence of any one.

100. Do not you think it would be better to have a smaller number and compel them to attend?—If you had a smaller number to do business they would be prevented at times from attending, because the employers could not always do so; but if you had six of each in large towns, and other numbers in proportion to the size of the towns, you would always succeed in getting a fair attendance.

101. You propose to have three masters and three men, do you not?—I am speaking rather of the equality of the representation, I would not say three of each side or six of each side, that I should leave open; but the numbers on each side should always be equal.

102. Supposing there were a general meeting once a year, to select 10 or a dozen men for the year, and 10 or a dozen masters, who should agree to sit month and month about, perhaps, twice or three times a week, how would that work?—Alternate meetings are a phase of the affair which have not struck my mind. I never contemplated anything of the sort. I should like to have more time to think of that subject before I gave an opinion; but I should fancy that there would be an objection to it.

103. You propose that all the different trades should each have a separate Board; suppose, for instance, there was a dispute with the watchmakers, they would be all watchmakers on the Board, who would understand the case at once, and who would understand it as well to-day as a week hence?—Yes; but in the construction of a watch there are various branches; some are making the watch cases, while others are making dials, who would perhaps have no knowledge of the internal work of a watch; therefore, if you had a person who was confined exclusively to making dials or making watch cases to arbitrate upon a point affecting a wheel of a watch or a spring of a watch, you would find considerable difficulty.

104. How would you guard against the difficulty of a man you elected for the year not understanding the particular branch of trade at all?—If you had three, or whatever the number may be, you may have them so elected as that there shall be a general knowledge. A person making the case of a watch may understand making another portion of it; he might have a general knowledge of it, and therefore there would be little difficulty. But if you had one only who understood but one portion of the work he would have as much difficulty in settling the dispute as a shoemaker would have if you brought him in to settle it.

105. I assume that in a large town you would require a large number to sit on the Board, and that in a small place where disputes would only occasionally occur a smaller number of persons might be elected annually. Can you point out how a plan could be devised by which the masters would readily act in this court?—In the Potteries they are only elected for the specific dispute; if the masters have to be away attending to their own business, and could not attend the court, the only way would be to have a representative there to act for them.

106. You say that no one should be connected with trade who is on the Board?—I referred to the chairman.

107. What sort of person would you have as chairman?—I should leave it to the court to elect their own chairman, but he should not be connected with the trade or have any direct interest in it. There are plenty of gentlemen in almost all districts that would be eligible, and who would accept the office.

108. Would you object to having a retired tradesman as chairman?—No, I should not; but he ought not to have any beneficial interest in the trade.

109. You would rather have a retired tradesman unconnected with trade?—Yes; he would be the most competent and efficient person you could get; but I should leave it to each Board composed of workmen and masters, to elect their own chairman.

110. Suppose you had three masters and three men, how would they proceed to elect their chairman?—I should suggest that each party should nominate one or more, if they could not agree to one individual. That the men and masters should nominate, say two or three; out of these they should nominate one each,

each, and the two names should be deposited in a box, and one drawn out, which one so drawn should be the chairman. *Mr. E. Humphries.*

111. By that plan, if I happened to 'put my hand in, and drew out the one that the masters selected, the masters would have got their own man; and on the other hand, the workmen would have got theirs in the event of their man being taken out. Do you think that is a good way of providing for the important matter of the selection of the chairman?—It is the only satisfactory way, I believe; if you wish to nominate an impartial chairman, no one should be nominated who was connected with trade; supposing the masters nominated one, or attempted to get a chairman of their own class, the workmen might object to it, and say, No, we have as much right to elect a chairman as you, and accordingly, we will nominate one. Therefore, the only fair way is to nominate three each, and to ballot for them.

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112. Would there be any difficulty in the chief magistrate of the place nominating a chairman?—There have been objections raised to that, I know; but that plan is suggested in the Bill now before the House.

113. Will you state any objection which you see to it?—If he was a manufacturer as well as a magistrate, they would not like to submit the nomination of a chairman to him, and there are not stipendiary magistrates in every town.

114. He might appoint chairmen to all other trades but his own, and for that individual trade he might refer it to some other magistrate, might he not?—I should not like to refer it to magistrates at all; the less we have to do with them in all matters referring to trades' disputes the better.

115. But with respect to the constitution of an impartial Board, suppose the chief magistrate of the city or town (who must possess the confidence of the town) appointed the chairman; I agree with you that there might be some objection to the magistrate, if he belonged to a particular trade, but as to all other trades, would there be any objection in his naming a chairman to the Board for all the various trades existing in the town?—Some might not object, but I think there would be an objection on the part of workmen, to any one individual selecting a chairman. There have been various modes proposed of doing it. It has been proposed to refer it to the Government, or to the Board of Trade. The question has occupied the attention of the working classes by what means they can get a chairman to give satisfaction to both parties. If one were nominated by the workmen, very likely he would not give satisfaction to the employers, because they naturally would endeavour to get a chairman whom they would consider disposed to favour their view of the case; and no doubt it would be so on the other side. The only way I see is, that the chairman should be elected by ballot; and then neither party could have an advantage over the other.

116. If you elected the chairman by ballot, you would have 12 masters and 12 men to elect him, would you not?—No. Supposing the workmen nominated three individuals, out of which they would like to elect one as chairman, and the masters did the same, there would be six nominated. The masters having nominated three, and the workman having nominated three, those six names should be put into an urn, and the one name drawn out should be chairman.

117. Under any circumstances the master or the workman, on the one side or the other, who happened to have the cast of the die, would be the chairman, and would have the casting vote in all cases?—Yes.

118. Do you think that the operatives would be quite satisfied with the arrangement?—The question would seem to imply that the parties nominated for chairmen would be partial men, but I do not think they would; I think that any gentleman elected acting in that capacity would endeavour to be honest as far as he could; I do not think that he would intentionally decide wrongly if he had no interest in the trade, but where he has an interest there is an inducement sometimes to act otherwise.

119. You think that this Board should be most impartially constituted, do you not?—That is my object; and in the Bill it is proposed that if the workmen and the employers forming those councils cannot agree, they should refer the appointment of the chairman to a magistrate.

120. You said that you thought that the societies should act in the selection of the Board; if they were called upon to act, how could they act when you wished to elect a man at a public meeting?—I did not mean to say that you should elect them through the medium of the trade societies, and at public meetings too, but that if the law would recognise the operations of trade unions so far as the

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appointment of their portion of the Board of Arbitration would go, it would obviate the necessity of calling public meetings, save the registration of voters, and prevent the turmoil and excitement of an election; I say that that is one means by which the workmens' portion of the Board could be elected.

121. Do you think that that would be a fair and satisfactory way?—I do not think that it would give satisfaction to the employers.

122. Supposing in a town a half or a third of the men did not belong to trades' unions, how could such an arrangement be carried out there?—It would not give satisfaction to that party, and therefore the only alternative is to do it at a meeting called specially for that purpose.

123. In what way could this court act so as to prevent those disagreeable strikes that have occurred; will you particularize the way in which you think they would act?—I propose that they should act in this way: assume that the Board already exists, and a dispute arises between the workmen and the employers, which they cannot settle themselves; they should then bring it before the Board; the Board would examine the material or work, or whatever is in dispute, because it is more frequently a dispute arising from defective work or the nature of the material than from any other cause, especially in the textile trades; the Board, I say, should then proceed to an examination of those alleged disputes of defective work, or whatever it may be, and give their award. At present, under the act, all that a man can do is to go to the magistrate, if he chooses, and represent his case there; and where it refers to bad warp, if it is not done away with in 48 hours, the master is summoned before the magistrate; and in the case of the Board the man should act in the same way; the Board should sit at a certain time, and the man would apply to it, instead of to a magistrate.

124. Do you propose that this board should interfere with the question of the price of labour, for instance, between the master and the men?—Not for the future.

125. Those courts would in fact settle from day to day and from week to week, all the differences that arose with regard to individual operations of the workmen as they went on?—Exactly.

126. *Chairman.*] They would not act unless there was a difference of opinion?—Exactly so.

127. *Sir Joseph Paxton.*] What would be the operation of those courts so as to prevent strikes; you stated that you thought they would have a tendency that way?—I will give you a practical illustration from the method adopted in the potting trade. Here is a man who makes plates, say that he is making a 9-inch plate; the master brings out a plate that is larger, which may be 10 to 12 inches; but if the master only pays for the 12-inch the price that he paid for the 9-inch plate, that is equivalent to a reduction of wages to the workman; if the workman suffers that to go by, it soon becomes the standard; another employer adopts the same thing, and it so spreads. If there was a Board existing, and if an employer attempts to do such a thing the man brings him before the Board; that would be settled, and therefore there would be no accumulation of wrongs; being stopped in their infancy, as it were, strikes would be obviated, because unfortunately, as has been the case in the Potteries, even with regard to sizes, within the last few months strikes have arisen in consequence of those sizes being permitted gradually to grow till a pint jug has become large enough to hold a quart, and the men only get paid for making the pint jug; this has gone on to such an extent that strikes have become necessary to put it down. If these things were settled as they arose, they would not accumulate; and therefore by that means strikes would be prevented.

128. You do propose to interfere, to a certain extent, with what is called the question of wages?—I would do so only under existing contracts; every trade has a certain recognised tariff of wages, whether by the day or by the piece; as long as that is recognised, the workman goes and gets work under that tariff, and the master is bound to pay it; and if the master reduces the prices the workman can now, either take him before a magistrate, or recover his wages in the County Court. I do not advise investing the Board with any new power to enable it to interfere with wages; but where it is agreed that certain prices should be paid, during that agreement I apprehend it would be proper for this Board, if a case came before them to make an award upon it; but they should not sit down deliberately and make out a list of prices to be paid in future.

129. In fact you think that it would be fair that the masters should adhere to



to any arrangement they made with the men, and that those courts might interfere supposing the masters or the men deviated from the course they had agreed to, so as to endeavour to settle it?—Just so.

130. And that you think would obviate, to a certain extent, the strikes which now take place?—It would, to a very large extent, in my opinion.

131. You entertain a strong opinion that those courts would be of very great value?—I do indeed, and the more I see of them, even on the voluntary principle, the more I am convinced that properly constituted courts of conciliation, such as are proposed in this Bill, would be of immense service to the country.

132. As financial secretary to the United Association, you hardly know of any dispute in any trade or calling that might not be brought before such tribunal?—I do not know of any case, with the exception of the fixing of wages, as I believe all disputes are susceptible of being (if taken at once) easily adjusted.

133. Mr. *Buxton*.] You alluded to the voluntary principle; would you leave it optional to the masters and the men to bring their disputes before this court, or would that be enforced upon them?—I propose that the establishment of those courts in the first place, in a district, should be voluntary, but that after their establishment, either the employers or the workmen should be enabled to bring their dispute before the court. They have now the power of taking each other before a magistrate. I should simply transfer that power to these Boards; so far it would be compulsory, but the master or the men should not be compelled to come if they could settle the case themselves.

134. Supposing the masters refused to submit to the award of the council, how would you force them to obey?—In the present instance, under this Act, the magistrate has the power of enforcing his award by levying a distress by warrant, and so on; I should transfer that power to the Board of Arbitration.

135. You would enforce the award of the council upon the employer by levying distress?—Yes, as it is set forth in the Act. I would transfer the powers now vested in the justices to the Board of Arbitration.

136. That power has never actually been exercised, has it?—I do not know of any cases where they have been called upon to do it, inasmuch as the awards made in such cases have been complied with.

137. Do you think that public opinion would support the decisions of the tribunal which you propose?—I think it would; the moral influence of those courts upon the employers and the workmen would be sufficient to induce them to yield; public opinion would be so strong in favour of such a decision, that neither masters nor workmen could resist it.

138. Supposing, on the other hand, that the men refused to submit to the award, how would you compel them to submit?—In cases of contract you have the power of imprisonment; and various powers are given to you after a man enters into a contract, whether written or verbal. The Act makes a verbal contract equally binding with a written one, but when the contract ended, whether by a week's notice or a month's notice, the men or the employer would have the option of terminating or not renewing it. For instance, if the decision was against the master, the man would say, "Well, I am compelled to do so for the present, I will fulfil my contract, but I will not do any more, and when this is up I will have done with it."

139. You would confine the action of the court to enforcing contracts, would you?—No, not entirely to enforcing contracts; but the disputes arising out of existing contracts; all disputes arising out of those contracts they should have power to settle. I should limit the action of the courts to disputes arising out of existing contracts, in contradistinction to future ones. Where they refused to carry out the award, public opinion would compel the men to do so, and the same way with respect to the employers.

140. You would not attempt to enforce the award of the council if it had no reference to disputes about an existing contract, would you?—Yes; for instance, this contract which I hold in my hand is entered into on the 11th of November every year, and it terminates on the 11th of November following; it is a year's contract. During that year it is binding upon the employers and the workmen, each reserving a certain power of terminating it during the 12 months; except where the whole is complied with by the employer, the workmen cannot end it, though the employer can. Any disputes arising upon the work set forth here, or upon the prices, are referred to the Board. In the schedule the prices

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are stated, and, of course, are bound to be paid. In the potting trade, there are many thousand articles, and as many shapes and patterns as there are diversity of articles, every one of which is separately priced, and the list, of course, is very great. Here you have a list of prices settled for the year; you have an agreement binding the employer to give those prices, and the workman to ask no more, and of course he will take no less; the thing therefore is settled. If on the one hand the master refuses to conform to this contract, then the workman should have power to enforce it, as he has now; and on the other hand, the master should have the power to compel the workmen to fulfil his contract.

141. Already, as I understand, the law gives the magistrate the same power which you would give to the council of settling such disputes?—Just so.

142. But the men shrink from that, you say, because they do not like to bring the masters before the tribunal, that they would be afraid that they might afterwards suffer for it?—Yes.

143. Would not they have the same feeling with regard to the Board?—No; I do not think they would, because the council of conciliation would be a Board voluntarily formed between them, and therefore there could not be any objection to going before it; but supposing a master took advantage of a workman because he had brought a complaint before the Board against him, he might reckon accurately what would be the estimation he would be held in by the public. Cases of that sort might indirectly occur at times, but you cannot legislate for all cases.

144. On questions like that which caused the strike of the builders this year, as to diminishing the hours of labour, and questions of that sort, you would not give the councils any legal power of enforcing their decision?—No; I do not think that Boards of that sort could interfere, except by advice; and I believe that had the employers and the workmen had a chance of coming together, and talking the matter over, that strike would, to a very great extent, have been prevented. I was not mixed up in it, and therefore I cannot go into the particulars of it.

145. You think it essential that there should be a council for each trade separately?—Yes.

146. Would not it be also requisite that there should be a council for each trade in each district?—Yes; you must have them in every town.

147. So that it would involve an immense multitude of those councils?—Yes; I do not think they would be operative unless you had a great number of them. You could not have a council in London to arbitrate a case occurring in Liverpool or Manchester.

148. *Chairman.*] By satisfying the workmen do not you think it would prevent the recurrence of strikes?—Yes.

149. *Sir Morton Peto.*] You have stated that you yourself are a potter, and that the experience which you have in reference to those councils of conciliation was connected with that particular trade?—Yes.

150. Can you name to the Committee any other trade in which you have known of their being formed?—Yes, they have been formed in a variety of trades. The silk weavers of Macclesfield, in 1848, had a court of this sort voluntarily formed between them and their employers; that court, as was stated in evidence when the Committee sat before, existed for four years, and during that time not a single strike took place in Macclesfield. The Board was broken up at the end of that period, by an employer refusing to abide by the award; no sooner was the Board broken up than strikes commenced, and continued; and when I was in Macclesfield, last year, there were strikes going on, one at one mill and then at another; the failure of the Board arose because it was founded on the voluntary principle, and had no authority to enforce its awards; and I could mention other cases where they failed from the same cause.

151. In those cases to which you refer, the operatives were always under what is termed piece-work, were not they?—It is not always piece-work, though I think in those trades, that is, the weavers and the compositors, it is piece-work.

152. Will you describe to the Committee how those councils would work in the case of disputes in very large trades in which there is no piece-work?—You cannot apply the principles of piece-work to all trades, but in trades where they work by the day I apprehend that it is almost similar to piece-work; that is, as far as fixing one particular rate of wages is concerned.

153. I understood you that you would exclude the question of wages from the Councils?—

Councils?—No; I have explained that as long as any agreed rate of wages subsisted the Board should compel the payment of the wages. Mr. E. Humphries.

154. Suppose I engage 500 men at an average rate of wages of 5 s., why should I give a man only 5 s., who is worth 6 s.; and why should I give 5 s. to a man who is only worth 4 s.?—You do not pay men generally in that way, because if a man is only worth 5 s. and another is worth 10 s., and you give both of them 5 s. 6 d. or 6 s., you have the best of the bargain; you do not give one 10 s. 6 d. and the other 3 s. 6 d.

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155. Suppose I had 100 masons, and those men differ as they naturally would in their work, why should I give one uniform rate to the whole of these men?—I apprehend that you could not give them 100 different rates: who is to test the individual value of each man?

156. Supposing I have a foreman who makes a report to me of the quantity of Yorkshire paving each man squares up in a week, why should I give the same rate to a man who squares up 400 feet, as to a man who only squares up 300?—That does not seem right; but I contend that the employers and the men, in fixing wages, are generally guided by the average ability and skill of the workmen, and if the employer loses in one man, he probably gains in two others; and in fact wherever he has a chance, he always discharges the inferior workman, and keeps the best.

157. Suppose I took you to a joiner's shop in the metropolis where each man's work was carefully tested, and where each man was paid in proportion to his work, would not you think that that was a fairer and more equitable mode of adjustment than that which places all men on a level?—Carpenters are not on a level, nor do the men recognise an equality; in some shops they are paid 5 s. 6 d. a day; in others they are only paid 5 s.; that is recognised by the men. I do not know whether in one shop there is not the same difference existing. I know in the trade there are two rates of wages. But even in the carpentering trade, or any other trade where they work by the day, I think that the rate of wages is generally regulated by the average ability of the men; and I think if the principle was yielded to by working men, of making individual contracts without the power of combining to keep up a fair rate of wages, they would soon come down to pauper fare.

158. For instance, if I could point out to you a very large establishment in London where the character of the principal would preclude the possibility of his desiring the sort of thing which you infer; if I showed you that a great degree of attention was paid to the work of those men, and that the good man was paid at the rate of 6 s. and the inferior man at the rate of 5 s., would not you think that that was more just to the workmen than placing them all on one level?—It does not appear on the face of it to be right, and there are employers who would recognise that principle; but I dare say the honourable Member knows that there are other employers in every trade who are grasping and avaricious, and who take every opportunity of reducing wages; and if they had the power of making a bargain individually with the men, the most skilled men would soon be reduced, as far as wages were concerned, to the lowest level, and then the employer who wished to act fairly and keep up a fair rate of wages, would be compelled in self-defence to have recourse to the same rate of reduced wages, as he could not pay 6 s. a day for labour where his neighbour was only paying 2 s. 6 d.

159. May I take it, that your opinion is that the workmen are done more justice by when there is one uniform rate established than in the cases where the master does justice to every individual workman by paying him according to his skill?—I think it is rather that a minimum rate of wages is given than the maximum rate; generally an inferior standard is taken in fixing the rate of wages.

160. Is it the case that there is any opportunity of emulation or advancement afforded to the workmen if they are simply paid by the master the minimum rate of wages?—I do not see that any workman under any circumstances gets the maximum. I do not think the master encourages it.

161. Have you had experience of large firms in London?—Not with the large firms in London, but I have mixed with many of the operatives in London, and had a chance of getting their opinions.

162. Does this feeling with regard to placing all men on one level prevail among other unions as it does in the unions of London, who object to anything like piece-work being established?—There is an objection to piece-work among

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some trades, and in others there is not. There are many trades that have their tariff of prices; there are others where it is impossible to fix a tariff of prices, and therefore day-work is had recourse to; some trades object to piece-work, and others equally object to day-work, not merely those in trades' unions but those out of the unions.

163. You are financial secretary to the National Association of United Trades. Are not you aware that all the unions in London do practically ignore all piece-work?—No. The trades are not all under day-work; the compositors have a fixed tariff of prices, I believe they work at so much per thousand; in all trades where it is the custom to work by the piece it is recognised; but in all trades where long custom has consecrated the method of day working there is an unwillingness on the part of workmen to give up that system.

164. Supposing I were to bring a person to you who could prove that he had taken piece-work, and had benefited largely by it, and that he had earned considerably more by it than by day-work, and that he had been compelled to go to the master and state that the laws of the union would not allow him to continue at piece-work, should not you say that that man's case was a hard one?—It would depend upon how the piece-work was given out; in some cases a man takes a job by the piece to do it for so much, and he engages five or ten other men to do it, and he makes those other men work at a certain price, or by a sort of slave-driving he extracts more work from them; piece-work in that case would be very beneficial to him, no doubt; but it would be injurious to the five or ten men he employed, and I should contend that that was a case where the majority should have some voice in regulating it; there should be some respect shown for the ten's comfort as well as for the profit of the eleventh man.

165. Take a case where the whole ten men take the piece-work; they are benefited largely beyond what they could earn in ordinary day-work; do not you think that the case of those men would be an extremely hard one, when they were knocked off the piece-work by the order of another body outside?—I do not think the injury should be looked at in that way; what would be a benefit to the 10 might be an injury to 100 others, and the 100 would have as much right to be considered as the 10 individuals.

166. Is not it the case that where a master establishes piece-work, and the men are benefiting themselves by it, the trades' society orders their society men to discontinue work at that establishment, till those men have left piece-work and gone back to day-work?—They consider that that is one of their privileges, and that they have a right to regulate it.

167. What chance has a workman, under such circumstances, of getting beyond the level of the merest possible mediocrity, if the unions prohibit piece-work, and exclude masters from paying a man according to his ability?—You look at it from an employer's point of view; the workman's opinion is, that it is only by combining together that they can rise above this mediocrity; if they were left individually to go and contract with the masters to make an individual bargain they would be reduced to the lowest level; it is only by acting together that they have the slightest chance of maintaining a fair position, and I cannot see why, if the majority of the trade agree to a certain regulation, the others should not be bound by it; a majority of the House of Commons agree to a certain measure and it passes into a law, though a large number of the House may be against it; I think that majorities ought always to rule whether in trade societies or anything else.

168. If the majority of those trade societies are of opinion, that there should be a uniform and level rate for all men without reference to their comparative skill, you think that the minority should bow to the majority?—I do not think that that ever has been enforced by trade societies; they fix the minimum rate below which they consider you should not go, but if I am worth more, you may give me more; the master may have one inferior man worth only 3s. a day, and he may have two men above the average; he is then better off than if he had three ordinary men.

169. Do not you think that those restrictions, by interposing this kind of interference, have a tendency to drive the trade away from a particular locality to other localities where those restrictions do not exist?—If there were any arbitrary interference it would be so; I do not say that men do not sometimes act arbitrarily, and that many things which are reprehensible are not sometimes practised by working men; but I think those evils, which every man must deplore would

would be greatly remedied or mitigated if the employers and the workmen could be brought together, and they could talk the matter over.

170. If I pointed out to you an instance where there are 400 men at work now at a place 150 miles from London, getting much larger wages than they can get in London, because there they are out of the range of the union, and are able to do piece-work, would not you say that those men were largely benefited by being free from the influence of the union?—They may be pecuniarily benefited, but what is recognised by one trades' union in London is repudiated in the country by another. As I showed in the commencement of my evidence, in one case the shoemakers in Northampton struck against machinery; the machines were introduced in London, and the very persons who were using those machines in London were assisting those who were on strike in Northampton; that seems a very absurd thing; it is a matter which I cannot explain or approve, but I only mention it to show, that what is customary in London is not customary in some other place, and therefore they work under different rules which time has consecrated; but each practice would be maintained in its own particular locality.

171. Assuming that a large body of employers in London, resisting the interference of the unions with regard to the regulations of their employment as to piece-work, take a certain course of conduct, and employ men who are perfectly willing to work at piece-work, and to make arrangements with the masters without the interference of the unions, when such a state of things as that exists, could you in any way introduce the council of conciliation so as to be of any practical benefit to those parties?—If they would carry out their agreement there would be no necessity for the councils; I only say that where they have been tried they have worked successfully, and prevented strikes, but when they are voluntary they are not authoritative, and the men or the masters are able to repudiate them.

172. Assuming that the masters, as a body, insisted upon the liberty of dealing independently with the workmen, either by giving a different rate of wages according to the ability of the men, or by paying them by piece-work, and the unions took a stand upon a level scale of wages without diversity, how is it possible that any council of conciliation between two parties in such antagonism as that can be beneficial?—I do not know that the question has ever arisen; of course the workmen in that case would not give up their point any more than the employer, but the workmen, I should contend, have as much right to say, We will work day-work, as the employers have to say, You shall work by piece-work; and if they cannot agree to go upon the basis which custom and time have consecrated, I do not think in that case that the court could interfere, only by advice.

173. Assuming that the men do think it right to work at piece-work, and to have a varying rate of wages, and the unions do not; do you think that it would be politic that your suggestion, that the unions should nominate the delegates, should be carried out?—I only suggested, that as one means of electing the workmen's portion of the Board would be to recognise the authority of the trades' societies. But in the case you refer to, where the trades' unions were wishing for day-work, and the employers for piece-work, my proposal would act beneficially in this way: if the employers and the workmen were brought together, and the employers could show the workmen that by the system of piece-work they could earn 7 s. a day instead of 5 s. 6 d. for day-work, I think the men themselves would prefer to earn the higher rates of wages, and there would be very little difficulty in settling it.

174. If the men and the masters were perfectly agreed that such a course was actually advantageous to them, by which the men could earn 7 s. a day, under those circumstances do not you think it would be hard that the union should interfere and prevent the carrying out of that arrangement?—That has only been in isolated cases.

175. *Chairman.*] You think that a court of conciliation would tend to prevent those differences?—Yes. I do not apprehend that the courts would remove all sources of evil, and all sources of contention, but they would have a great tendency to prevent the recurrence of strikes; it would diminish the causes of difference, by bringing the masters and men together, and would create a better feeling.

176. *Sir Morton Peto.*] Assuming that, from some outside influence, a uniform rate of wages is adopted, without reference to skill, how is a man ever to rise above his position?—If no man is to be paid above a certain rate, the bad man

*Mr. E. Humphries.* and the good man would always be on the same level; but if you have a minimum rate of wages, based upon the average ability of the men, and one man turns out very superior and expeditious in his work, that man would necessarily command a much higher rate of wages, and in some trades the employers will give a man of that sort a superior scale of pay; in the building trades I have heard of its being done; he is paid extra wages; instead of 5 s. 6 d. he is paid 6 s. 6 d., in order to act as a sort of leader on a job. The more unskilful men, though they may not do the work so skilfully, must make it up in quantity.

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177. Then your principle breaks down in practice, does it not; if you give one man 5 s. 6 d. and another man 6 s. 6 d., what becomes of your uniformity?—The master voluntarily gives to the skilled workmen a higher rate of wages.

178. Then it cannot be a uniform rate?—He is not bound to give a uniform rate; all that he is bound to is not to give below a certain minimum rate; the workman may rise above that as much as he can, but you must not go below a certain rate.

179. *Mr. Ingham.*] Does not this also occur, that the demand for labour is not uniformly the same, and that a person who is a good workman would always be employed in preference to a bad workman?—Yes.

180. Therefore, at the year's end, he would find himself a more opulent man than a person who was a bad workman, because the labour of the indifferent workman had been more frequently dispensed with?—Yes; and another thing is this, that a superior man is put to superior and lighter work, while the unskilful man is put to laborious work.

181. Is it no part of the intended province of this institution, as I understand you, to regulate questions, such as whether piece-work should be adopted for future contracts, or whether all engagements shall be made at a uniform rate of wages, but merely as to the earnings under existing rates?—Yes.

182. It is a question of earnings, and not of hire, that they would have to settle?—Just so.

183. Wages already earned—they would settle a dispute as to quantum, but not the terms upon which they should contract in future?—No, you cannot interfere with the future.

184. Still you entertain an expectation that though their authority is to be confined to settling questions as to the amount of past earnings, they would gain so much influence with the parties that their suggestions would be attended to voluntarily even in the case of a more serious dispute?—Yes; I know that even on the voluntary principle suggestions of that sort made by voluntary courts have had a certain moral influence upon both parties. Wages have been raised during the time that trade has remained good.

185. You have stated that your society had mediated in many cases, and invariably with good success. Has the society interfered by a standing committee, or by any particular officer?—They have not interfered except at the solicitation of the workmen or the employers. There has been a standing committee elected yearly; and during the time of office of this committee, if any trade wish for their services to try and settle a dispute between them and the employers, they make the application.

186. You stated that your association embraces a great many distinct trades; is each particular trade represented in that standing committee?—No.

187. You have given an opinion that it would be requisite to have as many distinct Boards in a town as there are distinct occupations?—Yes.

188. In your experience have you been able to mediate in trades efficiently as a standing committee, though no member upon that committee may have been conversant with the particular trade in which the dispute arose?—There has always been one or two of the men themselves who understood the question with us, to argue the matter in dispute.

189. It has been properly suggested, that it would be almost impossible to expect gentlemen to give their attention to many Boards. Suppose that in a large town the workmen of a few combined trades, glass and pottery, for instance, met together and united and elected a Board jointly of workmen and masters, would there be any difficulty in those gentlemen acting for both trades, having parties engaged in the trades before them to state their case?—I do not know that there would; but there is no affinity between the potting and the glass trade. It would be impossible for a potter to decide upon a dispute in the glass trade from his own personal knowledge, but there are trades which are affiliated, as it were,

were, where a general knowledge would be possessed, and in those cases they might be grouped. MR. E. HUMPHRIES.

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190. Supposing a person conversant with business in general were appointed, would there be any difficulty in his deciding the case if he had the case stated before him by experts in the particular trades in which the disputes arose?—Mr. Hammill, who has had as much experience as any magistrate in the country in these cases, says that he can never understand those disputes, though he has had scores of cases before him.

191. It would be requisite, in your opinion, unless trades were grouped together, to have a distinct board for each particular trade?—Yes.

192. Supposing there were three or four boards in a particular town, might not one secretary act for all the boards?—No doubt.

193. That secretary would perhaps, necessarily, from his course of attendance upon the different boards, have some information upon all the questions arising before the boards?—He would acquire a general knowledge of all.

194. Do you know that in France the cases in the proportion of 97 out of 100 are really decided without formal hearing, merely by the suggestion of the secretary or the chairman?—Yes, or by one or two of the *prud'hommes*. If the board did not sit more than once a month, one or two would in many instances, by their friendly advice, settle the case satisfactorily without coming to the board at all. The secretary might be able to do that.

195. You said that you thought the chairman ought to be a person not in the particular trade in which the disputes are to be adjudicated upon?—Yes.

196. The question was put to you whether you could suggest a person who should have the appointment of the chairman. Do you know that at Sunderland, where for three or four years there was in the shipwright's business a board of this description, they in succession chose a medical man?—I did not know the profession of the chairman. I should not restrict them in the election of a chairman. I would sooner have a medical man for chairman than one connected with the trade.

197. You said that you thought that the six masters might name one for the office of chairman, and the six workmen might also name one; and that they might then ballot for the chairman. Suppose it was in this fashion, that the six masters should choose a chairman out of the workmen, and that the six workmen should choose a chairman out of the masters, would not you then be sure that the masters would take the most temperate workman, and that the workmen would take the most considerate master; and then there would be no great difficulty in having those men to sit in succession?—In that case there might be no decision, as there might be an equality of votes. I would say that I think there is an objection to the magistrates appointing a chairman. I think if the employers were canvassed they would prefer having the election of the chairman; and as far as the workmen are concerned, so far as I have been able to ascertain, they would prefer not only to elect their own board, but their own chairman.

198. Mr. Slaney.] Without going into the rules of trades' unions, whether just or unjust, and without going into the minutiae of the mode in which the council of conciliation may be chosen, is it your distinct belief that if a council of arbitration to decide in a friendly manner the differences between masters and men was appointed, it would prevent very many disputes?—Yes.

199. Though not operative in every case, still it would have the effect of diminishing irritation and lessening bad feeling, and of promoting in very many instances, a settlement of questions which unless they are brought together, tend to strikes and hostilities?—Yes.

200. That is your firm opinion after much experience?—It is.

201. Do you think that some such council upon some such a principle would meet with favour amongst the men and the masters?—Yes, I believe it would, though I cannot speak so positively about the employers as I can with regard to the operatives; but the boards we propose could not be introduced without the mutual consent of both parties.

202. I am not speaking of compulsory powers but enabling powers, to enable them to form a council chosen from each side, who might mediate between them and bring them together?—If we could show a practical means of working this institution the employers would be agreeable to their formation, but difficulties

*Mr. E. Humphries.* present themselves to their minds, which, of course, they look at before they give their consent to the measure, and very properly.

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203. Are you aware that a great many of the employers of labour are, though they may differ in the particular mode of carrying it out, very earnestly desirous for the welfare of the men?—Yes.

204. And, therefore, if any plan could be devised which they thought not unjust towards themselves, they would not be unwilling, probably, to embrace it?—They would not.

205. *Mr. Baillie Cochrane.*] If such councils as you suggest were created, do you believe that the trades' unions would be affected by it; would the same kind of unions exist if the councils were universal?—Yes; I do not think they would break up the trades' unions.

206. What would be the object of them if the men had confidence in the councils?—Trades' unions are not to maintain wages only, but there are benevolent objects attached to them, such as relief in sickness; relief when a man is out of employment; relief when a man meets with an accident; in the event of losing a leg he gets 100*l.* or 50*l.* to set him up in business, besides a variety of other benevolent objects connected with trades' unions. These would never be given up; they might lose their trade character, but the workmen would never consent to give up the power of association.

207. They would remain as friendly societies, in fact?—Many of them are nearly so now.

208. Did I correctly understand you to say that if now, as those societies are at present constituted, if certain workmen do not join in a strike, they have to leave the union?—I do not know that they have to leave, but they are not recognised; they disobey the orders, and they may have been consenting parties to these orders. I consider if they violate their own agreements they exclude themselves. I never, in all my experience of trades' unions, remember a case where a workman has been expelled from a society by any open means, but the man himself leaves.

209. Does he forfeit all that he has paid towards that society?—He does; I know in manufactories and in establishments where the men's wages are taxed, say 6*d.* a week, and the employer forms a benevolent fund on his establishment to assist the men in sickness, if a man having been 12 months in that employment and never on the fund, leaves that employment or is dismissed, he leaves the benefits behind him, and it would be the same in a trade society.

210. If he says, I have paid so much money towards the society, by what authority is he made to leave?—The very fact of his having personally excluded himself by departing from his own agreement. I recollect a case that came before a magistrate some time ago, a man was expelled the society and his payments were refused, as the rules embracing these benevolent objects were enrolled, the magistrate ordered him to be restored to the society; where the rules are not enrolled the magistrate has no such power.

211. You think it is quite clear that if those councils were instituted they would not prevent the existence of trades' unions, forming their own rules of discipline?—No, certainly not, it would be a great evil if they were to do so.

212. *Sir James Ferguson.*] Besides establishing a minimum of wages to be paid by the employer, is not there a maximum of work to be done by the men also established?—It may be so in some cases, where the employer expects a man to do a certain quantity of work, for which he has a day's wages; in some cases it is not so, but there is no regulation that I am aware of in any trade society limiting the men to a certain quantity of work at all.

213. *Sir Joseph Paxton.*] Is not there a case about laying bricks?—I have heard that reported, but I have heard it contradicted by the workmen.

214. *Sir James Ferguson.*] Would not such a regulation as that, if it existed, have the effect referred to by Sir Morton Peto, of preventing the better class of workmen rising above their fellows?—Yes, if they were restricted to a certain amount of work.

215. You said in answer to Lord Robert Montagu, that the men are more easily satisfied when joined in unions than when acting as individuals; did you mean by that, that having confidence in the committee or union they have elected, they agree to be bound by the terms accepted by the union?—Where the trades are best organised, that is, where the larger numbers of the operatives in any trade belong to the trade society, we find that there is a greater chance of effecting



effecting the settlement of any question, and if they are unreasonable, in bringing them to reason. Mr. E. Humphries.

216. In your view, should the members of those councils, who are to be elected by the workmen, be chosen by the workmen at large, or only by the trades' unions?—I think they would be more satisfactorily chosen by the workmen in the trade at large. 20 March 1860.

217. Whether belonging to the unions or not?—Whether belonging to the unions or not; if you recognised the trade societies in the appointment of the arbitrators, the societies would then pay the expenses.

218. You would think it fairer that the trade at large should elect the members, and not merely those in the unions?—Yes.

219. Is not it a rule in certain trades' unions that their members decline to work with men who do not belong to the union?—No, it is not a rule; it may happen in isolated instances.

220. In practice, is not it the case?—Not generally in practice; it is sometimes observed; it is not a universal rule; in some trades it may be more so than in others; but it is not what I should call the practice.

221. Generally speaking, do not men belonging to unions object to work with men who do not belong to unions?—They work with them; they may object, certainly, but they do work with them; they would more willingly work with a man belonging to the union than with a man who did not belong to it; but there is no rule that I know of, nor is it understood that they should not work with a non-society man.

222. In your experience, have you not known men compelled to leave their employment on account of those belonging to unions to which they did not belong declining to work with them?—I have heard of such cases, but they are the exceptions. As a rule, society men work with non-society men.

223. Lord Robert Montagu.] You have been asked some questions by Sir Morton Peto in reference to piece-work, and as to the men being paid at one uniform rate, the good and bad indifferently, without reference to skill?—Yes.

224. If I understood you rightly, in answer to those questions, you said that the union is not only a good thing in itself, but that it is also necessary in order to enable the men to resist any unjust demand on the part of the masters?—Yes.

225. And then you say that good workmen individually consent, for the good of the union in general, to receive lower wages than they is worth?—Yes.

226. That proceeds from a good feeling, you think?—Yes; they establish a minimum rate of wages, which is agreed to by the employers, and I think in establishing that minimum rate of wages the average talent, not the talent of the most skilled, or the talent of the most unskilled and most incompetent workmen, is taken into consideration, and the rate of wages is based upon that.

227. Do you find that the best workmen generally give up their own individual opinion in deference to the general opinion of the body?—They do, because they know very well that if wages came down it would not be their talent that would raise them; they would get the price which was given to all, and instead of their maintaining a superiority, they must come down in proportion as the inferior portion of the trade came down.

228. Do you think that the same good feeling and sympathy is manifested in the benevolent operations of the trades' unions which you are speaking of, namely, giving money to a man if he meets with an accident, and so on?—That is regulated by their rules, though I think a discretion rests with the society as to the amount so given.

229. Do you think that it was a general feeling of kindness that suggested those rules?—Purely good feeling; they are not enrolled or compelled to carry out that portion of their rules.

230. You mentioned the case of the bootmakers in London who used machines, and who actually sent support to the bootmakers of Northampton who had struck on account of those machines being introduced. Did their sending of that assistance proceed from the same good feeling and desire to assist each other?—I cannot understand the reason of the workmen themselves in so acting; it seems so strange to me that they should resist the machine at Northampton while they adopted the machines in London.

231. Mr. Pollard-Urquhart.] You mentioned that the councils of conciliation which you proposed should not be allowed to fix the rate of wages, and you said

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that your association had frequently, by advising between the masters and the men, prevented strikes?—Yes; when the circumstances of the trade have been depressed and pointed out to the men, they have been induced to accept what the masters have offered them, but had no means been used to point out to the men the unfavourable circumstances of the trade, they would have resisted the attempted reduction, and of course a strike would have ensued.

232. Men when they do strike against a reduction, or for an increase, are much supported, are they not, by the contributions not only of workmen in their own trade, but other workmen in other trades' unions?—It depends upon the nature of the strike; if it is one of great magnitude, and exciting public attention, public support is more strenuously given, and they get support from other trades.

233. Do you think, under the proposed plan, if those workmen were to strike, either to get an increase which was not ratified by the council of conciliation, or to resist a decrease of wages which the council told them they must submit to, the men would not receive from the public the support which they now do?—No, I do not think they would, because the influence of those courts would control public opinion; the fact of the court deciding against them would prevent their being able to raise subscriptions.

234. Though the courts of conciliation could have no compulsory power to establish any particular rate of wages, yet if they were to say what rate of wages the circumstances of the trade would enable it to bear, it would have a great moral influence on both sides, would it not?—I should not propose that they should say what rate should be paid; but in a court of that sort, the masters or men coming together to adjust any disputes, the question of wages and other questions would arise incidentally, as matters of conversation, and they would understand each other better; and though the court should not give any opinion in the way of fixing the rate, they might advise the masters; but this should be entirely voluntary.

235. Nevertheless, if the men should think fit to strike, in spite of the advice tendered by the council of conciliation, you would think they would not receive anything like the same amount of support from the public which they now receive during a strike?—They would not.

236. Do not you think that the councils of conciliation might be able to show the unions how they sometimes stood in the way of their own best interests in setting themselves against piece-work?—I think if they showed the workmen that piece-work was better than day-work they would be willing to adopt it; but those questions the Board would be able to regulate, if submitted to them, as they would consist of members belonging to the employers and workmen.

237. At present I understand you not to deny that the unions are sometimes unreasonable in setting themselves against piece-work, and trying to bring the best workmen down to the level of the inferior one?—I can hardly say that; they prevent men from going below a given point, we will say, but they do not prevent men from rising above that point.

238. If they fix an average point, they must keep down the best man to that average point, must they not?—He cannot go below it, but he can get as much above it as he is able.

239. Then in their endeavour to make all men keep to an average point universally, they do not prevent men earning more than the average in piece-work?—No doubt a great deal of oppression is going on, which I think, if the Boards could be established, they would help to mitigate.

240. You think that the establishment of those Boards would tend very much to put an end to any sort of unreasonable demand on the part of the operatives?—Just so.

241. About piece-work as well as other things?—Yes, no doubt.

242. Sir *Morton Peto*.] If I understand your evidence rightly, the general tenour of it goes to this, that what you want is that the decision arrived at by one of these councils, voluntarily formed, should have the force of law?—Exactly; that is, on all matters coming before them as prescribed by law.

243. If councils were voluntarily formed, such as have been formed, what you want, in order to make those institutions, as at present existing, perfect, is to give their decisions the force of law?—Yes.

244. That one simple thing being done, is there anything else you consider requisite, in so far as those councils are concerned; you propose that an enabling

enabling Act should be passed, giving their decisions the force of law?—That is all, I apprehend, that this Bill asks for. Mr. E. Humphrie

245. Sir Joseph Paxton.] You stated that you thought the conduct of the workmen in that strike at Northampton rather absurd?—Yes; I think it was very reprehensible. 20 March 1860.

246. Supposing the question of the introduction of the machines at Northampton had been referred to you, what would have been your advice?—Simply this: "Take the machines and use them." I should never be one to advise men to oppose the introduction of machinery, because I believe that the introduction of mechanical power is beneficial; it may be a temporary injury to the workman, but it has proved to be a national benefit, and I should never encourage any resistance to it. They resisted the machines at Northampton, and, as a consequence of the Northampton people refusing to take the work, establishments with those machines have been opened at Kettering and at Leicester; and people who knew nothing about the shoe trade whatever, and, if I am rightly informed, girls and boys and women who never saw a shoe made, scarcely, now work those machines in making shoes.

247. So that the trade has been taken away from those who struck?—Yes.

248. Mr. Ingham.] Have you heard that a great many of the frame-work hosiers, whose trade was decaying from the introduction of machinery, have now begun in Leicester themselves to use the machinery?—Yes; and machinery has very much improved their trade. Besides, large numbers are employed in working the machines for the manufacture of boots and shoes, and this has tended to improve the position of the frame-work knitters.

*Veneris, 23<sup>o</sup> die Martii, 1860.*

MEMBERS PRESENT.

Mr. Buxton.  
Mr. Baillie Cochrane.  
Sir James Ferguson.  
Mr. Ingham.  
Mr. Mackinnon.  
Lord Robert Montagu.

Sir Joseph Paxton.  
Sir Morton Peto.  
Mr. Pollard Urquhart.  
Mr. Slaney.  
Mr. Trefusis.

WILLIAM ALEXANDER MACKINNON, Esq., IN THE CHAIR.

Mr. Thomas Winters, called in; and Examined.

249. Chairman.] WHAT situation do you hold?—I am now Manager of a Working Men's Friendly Society. Mr. T. Winters.

250. What were you before?—I was secretary of the United Trades. 23 March 1860.

251. How long have you been connected with the trades' association?—With my own trade and others, I should say 20 years.

252. Were you examined on the Hosiery Commission?—Yes.

253. When was that?—In 1845.

254. And you were examined also before the Committee on Masters and Operatives about three years ago?—Yes; and also before another Committee, the Hosiery Committee.

255. How many strikes have come under your knowledge?—It is impossible for me to say; probably a thousand.

256. Were there many strikes in the year 1846?—Yes, that was a very fertile year for strikes. As near as my memory serves me, I think there were at least 50 reported in one week.

257. Mr. Urquhart.] Actual strikes?—Yes; amongst them was the builders' strike.

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258. In

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258. In 1846?—Yes. I have here a list of the trades that were reported as on strike in June 1846 in the "Labour's Advocate," which will show the extent of the strikes:—The Arbroath shoemakers, the Bolton joiners, the Bolton miners, the Barnsley weavers, the Birmingham rulemakers, the Birmingham bricklayers, the Birmingham wheelwrights and smiths, the Darlaston colliers, the Dumfries shoemakers, the Kendal masons, the London shoemakers, the London paperstainers, the Liverpool building trades; the Manchester building trades, comprising carpenters, bricklayers, masons, plumbers, painters, paper-hangers, labourers, &c.; the Manchester power-loom weavers, the Maidstone papermakers, the Maryport ship carpenters, the Manchester tailors, the Nottingham frame-work knitters, the old harn cotton-spinners, &c.; the Rhymney miners, the Tillicoultry tailors, and the Sheffield trades. That will show the extent of the strikes in that year.

259. *Chairman.*] As you have already given evidence upon this subject before the former Committee, will you confine your present evidence to such points as do not appear in your former evidence?—Yes. I may say that I adhere to everything that I stated in that evidence, with the exception of the proposals of a remedy. With respect to the causes of the strikes, I only mentioned in my former evidence four or five general causes; I think they arise upon the following questions: advance of wages, assimilation of wages, against reductions of wages, against increase of the number of hours of labour per day, in favour of a reduction of hours of labour per day, against piece-work, against systematic overtime, in favour of extra wages for overtime, against the introduction of an undue number of apprentices, against the employment of unskilled labourers with skilled workmen, assimilation of number of hours of labour per day, Sunday labour, against shop rules and regulations, against forced agreements, against systematic deduction of wages under various pretences, against the payment of wages in goods and services, against bad ventilation, against long weights and measures, against increased amount of work for the same wages, against limiting the number of men to work in gangs, in favour of half-day's work on Saturdays, against oppressive and obnoxious foremen, against being forced to drink ale from a particular house, against stoppages under the pleas of defective work, in favour of better shop arrangements, against middlemen, chambermasters, sweaters, buttys, doggys, and others. Under those heads strikes have generally taken place.

260. *Mr. Ingham.*] You adhere to your former evidence, except as to suggested remedies. Is there any new remedy which has occurred to you?—I may state further, that there are many trades that I did not give at that time, who have expressed their desire for those councils, and who have petitioned in favour of them. They are as follows:—

Trades' Societies who petitioned in favour of Councils of Conciliation, 1859.

Airdrie United Operative Masons.	Bristol Cabinetmakers.
Belfast Plumbers' Friendly Association.	Coventry Ribbon Weavers.
Belfast Stucco Plasterers.	Glasgow Operative Joiners and House Car-
Belfast Lithographic and Copperplate Prin-	penters.
ters' Society.	Staffordshire Potters.
Belfast Cotton Spinners.	Liverpool Ship Joiners.
Belfast Cabinetmakers.	Liverpool Ship Smiths.
Belfast Coopers' Society.	Nottingham Lace Trade.
Belfast Brass Founders' Society.	Wilton Carpet Weavers.
Belfast Block Printers.	Birmingham Tin Plate Workers.
Belfast Brushmakers.	Belfast Boot and Shoemakers.
Belfast Bakers.	Belfast Bookinders.
Burton-on-Trent Shoemakers.	Wolverhampton Tin Plate Workers.
Burton-on-Trent Coopers.	Wolverhampton Locksmiths.
Berwick-upon-Tweed Shoemakers.	Wolverhampton Cabinetmakers.
Bristol Boiler Makers and Iron Ship	National Association of United Trades.
Builders.	

I have a paper showing the number of trades working by the piece, in which trades Councils of Conciliation would be useful, comprising altogether 2,695,279 persons.

[The Witness delivered in the same, which is as follows:]

Trades Working by the Piece.	
*Boot and Shoemakers	274,451
Blacksmiths, &c.	112,776
Bricklayers	67,989
Brassfounders	11,230
*Bookbinders	10,963
*Carpet and Rugmakers	11,547
*Carriers	12,920
Coachmakers	16,590
Coopers	20,245
Copper Miners	22,386
*Cabinetmakers	40,897
*Coal Miners	219,015
Carpenters, &c.	182,696
*Cotton, Calico, &c.	501,465
Dyers, Scourers, &c.	12,964
*Earthenware	36,512
Engine and Machine Makers	48,082
*Glass Manufacture	12,006
Gold and Silversmiths	11,242
*Glovers	29,882
*Hose (Stocking) Makers	65,499
*Hatters	16,975
Iron Trades	80,302
Iron Miners	28,088
*Linen, &c.	98,860
*Lace Trade	62,660
Lead Miners	22,530
*Muslin Makers	14,098
Masons and Paviers	101,442
*Milliners, &c.	267,791
Nailmakers	28,533
Papermakers	14,501
Plumbers, &c.	62,808
*Printers	26,024
Plasterers	17,980
Ropemakers	15,966
*Ribbonmakers	10,074
*Staymakers	13,699
*Saddlers, &c.	17,583
*Seamstresses	73,068
Sawyers	35,443
*Straw Plait, &c.	32,062
Shipwrights, &c.	25,201
*Straw Hat, &c.	21,902
*Silk Manufacturers	104,670
*Tailors	152,672
Tin Miners	15,050
*Tinmen, &c.	13,770
*Watch and Clockmakers	19,159
Wheelwrights	30,244
*Woolen Cloth, &c.	137,814
*Worsted Makers	104,061
	<b>2,695,279</b>

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The above comprise upwards of 400 separate branches of trade.

Those marked thus \* are trades in which councils are requisite more than others.

261. Mr. Slaney.] These you think would be desirous of having councils of conciliation?—They have not expressed their desire, but councils would be applicable in their case.

262. Chairman.] The great difficulty in the Bill which has been framed in consequence of that last Committee has been in the details, particularly in defining what constituted a workman who should have a vote; have you turned that subject at all in your mind, how would you define a man to be a workman in any trade?—A workman is a person who earns his bread by his daily labour; a man who employs another man must be considered a master.

263. Upon that principle, a man who had been in service a couple of days might have a vote for the appointment of the members of the council?—The Bill says that he shall have been in his trade or calling for seven years.

264. Would you recommend a register of the workmen, so as to ascertain those who had been in the trade for that time or those who had not?—That is proposed to be done by a register, each person being registered, either with the clerk of the peace or with some other officer. I am not wedded to the details of the Bill, and if a man has been at his work seven years and he is registered in the town, that fixes his residence; it would prevent a person going from one town to another town, as they do in some cases; he would always be known; our desire is to fix it.

265. Your impression was that it would be desirable for each trade to have its separate council of conciliation?—Yes.

266. And also that those councils of conciliation should be established before dispute arose?—Yes.

267. And also that they should not have a prospective, but only retrospective operation?—Yes.

268. Will you state to the Committee your views upon that subject?—I may state that I am a framework-knitter by trade, and I will apply myself more particularly to that branch. In that branch there are at least, I should say, from 2,500 to 3,000 different descriptions of work, upon all of which it is very possible that there might be a dispute. A man takes out his material to manufacture into Hosiery; he is expected to bring it in on a certain day. The probability is that when he comes in his wages are reduced under some plea or another. The next man who goes into the warehouse meets with the same treatment. There is no means of getting redress, supposing there is a grievance, except through the intervention of a magistrate. A man, in the first place, feels disinclined to go before a magistrate, for two reasons; first, that it appears to be in the character of a criminal proceeding, and in the second place, he knows very well that the end

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of it would be loss of employment. The fact of its getting into the newspapers would be also a bar to his getting employment elsewhere, and therefore he would rather put up with the first loss than run the danger of a second and more severe one. From my knowledge of persons in that trade for the last 37 years, they have always expressed themselves in favour of this system of councils of conciliation. It has been one of their greatest hopes, and I may also say, that many manufacturers have expressed a similar wish. The law gives them the power of doing it mutually amongst themselves, but still the arbitration has no force in law afterwards; there is no power of enforcing any award.

269. In any award supported by legal sanction there is a sort of moral influence which tells upon the parties?—Yes.

270. Taking the case of two neighbours, if one neighbour were annoyed with another and were to cite him before a magistrate, or threaten him with a suit in a court of law, it would create an offensive feeling, which, if there were a mutual friend who could arbitrate between them, would not be created?—Just so. That is the case in France at the present time; though there, from all I read, which is the only information I have upon that point, they settle their matters very amicably, and to the satisfaction, generally speaking, of both parties; and where it has been tried in this country the same result has been arrived at.

271. But your impression is, that some legal sanction is necessary to promote that result?—It is absolutely necessary, because under present circumstances there is no power of enforcing any award; and, in the second place, it is open to anybody who pleases either to have recourse to arbitration or not. If councils of this description were to meet as often as might be necessary, the very fact of their coming together would destroy a great deal of that bitterness of feeling which now exists, and probably without any real cause on either side. While they were sitting and adjudicating upon cases arising out of present contracts, they would tend to prevent strikes of an aggressive character.

272. Take the last instance, the strike which occurred in the building trade; do you think that that would have been checked or prevented if courts of conciliation had been in existence?—It might have been. I have no connexion at all with the builders; but my impression was, in February last year, that the course that was being pursued would most certainly lead to a strike, and I published a letter at that time advising the adoption of the principle of arbitration and conciliation, rather than carrying the thing on to a strike which must certainly end in failure.

273. Is my view of the case correct, that those men behaving ill to their employers by demanding to be paid for ten hours while working only nine, the masters were offended and hurt at this bold and unusual request, and refused it positively; whereas if there had been an equitable council of conciliation, and the case had been argued quietly in a room between five delegates on one side and five on the other, the feelings on both sides would have been softened, and such a strike would not have taken place; is that your opinion?—It is; the men and masters could have met upon mutual terms, and not under the influence of a threatened strike.

274. Both would have seen that they were each perhaps asking a little too much, and the strike would have been avoided?—I think so. At the same time that is not the first strike of that kind for nine hours.

275. Still both parties got rather angry, and that brought on a strike, did it not?—Yes: there has been a determination to work only nine hours on the part of the building trades, I do not say in London, but certainly in Manchester and in Liverpool, ever since 1846, because a strike commenced there on the very same grounds, and it was followed by a document, and the result was the same; in fact, the strike of 1846 and the strike of 1859 were counterparts.

276. Perhaps there will be another strike in a few years upon the same subject, unless there is some check?—It is very possible.

277. Is it not one great advantage of a council of conciliation that it gives both parties time to consider, and the demands of the one do not appear so harsh to the other as they do at present?—I think so.

278. Assuming that five workmen met five masters, and quietly argued the question, those five workmen, if they were satisfied of the injustice of their demand, would go back to their fellows, and explain to them that it was an unfair or an unjust demand, and perhaps that would induce them not to insist upon it?—I think so; if it had been possible for the masters and the more intel-

ligent

ligent portion of the men in the building trade to have met, and argued the matter between them, the strike probably might have been avoided.

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279. Is it not your impression that a set of men acting in a body might act much more injuriously than they would if they acted individually; for example, take a panic among a set of men: one man catches it from another, and they become much more violent and headstrong than they would be if they quietly considered the subject; is that your opinion?—Yes; that was the result in 1856, a year pregnant with numerous strikes.

280. As an example; there have been disputes between the House of Lords and the House of Commons at various times, and when they occur the House of Commons names five or six gentlemen on their side, and the House of Lords names five or six on their side, who meet together in a conference and settle the dispute?—I believe that is the practice, and it is the same in all friendly societies; all disputes are settled by arbitrators.

281. Mr. *Staney*.] You have enunciated an opinion that councils of conciliation, without entering into details, would be of considerable use in softening disputes, if not in preventing disputes, between masters and men; supposing that there were in a large town 60 or 70 different trades, do you conceive that it would be necessary to have a separate council of conciliation for each trade; or do you think that it would not be practicable to have elected by the whole body of workmen five or six judicious men on their side, and to have five or six elected by the masters on the other, and for them to decide the case, calling in workmen in each particular trade as to any particular point which it might be necessary to have information upon relative to the rules of the trade?—There would be some difficulty about that; in the first place, no one knows so well all the intricacies of a particular business as those engaged in it.

282. I am supposing workmen to be called in as to any particular point?—You might have them called in as witnesses in the case; that, I believe, is the present practice now before the magistrate.

283. Could not that be done before a council of conciliation duly chosen?—I was going to say, that in the first place there would be a very great difficulty in establishing a council of that character, because, for example, say that there are 70 trades in a town (in some towns there are more and in some less), you would not have a Board of more than six persons of each class; and the first difficulty would be to decide how to select those six persons from all those various trades. You would want a register containing the name of every person in the town, in order that you might know who were the proper parties, in the first place; and then after that the persons engaged in the particular branches of each particular trade would feel dissatisfied with the council, and say, "These men know no more about our work than a magistrate does." Take the silk trade, for instance: a man has a quantity of silk given out to be made into velvets, or broad silks, or ribbons; the employer will not receive the man's work, and the question comes before the council of conciliation as to who is in fault; whether the man is in fault, or the material is in fault, or the manufacturer is in fault; because the rule in some trades is, that the article must be made of a certain length, and of a certain width and weight, and so on. There would be the same complaints which there are now, and they would come before parties who would not understand the particular merits of the dispute or trade.

284. It would be necessary, you think, to have a separate council for each trade in a large town, to decide between the men and the masters; you do not think you could have two or three councils for several trades, so as to simplify the matter?—In the frame-work knitting trade one council would do, though there are eight or ten different branches, because there is an affinity in them all; but a builder would know nothing at all, I apprehend, about glove making or cravat making, neither would a stocking maker know carpenter's work; and such a council would not give satisfaction.

285. Do not you think that there might be for such trades as have an affinity a council of conciliation, if you did not have one general council for all?—Yes.

286. Lord *Robert Montagu*.] You mention as one cause of strikes the men being forced to drink ale from a particular man; do you allude to the truck system?—Yes.

287. Is not that contrary to law?—The Truck Act only applies to a limited number of trades.

288. To what trade do you refer?—The wood trade.

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289. In your opinion, do strikes arise from a sudden cause or from a gradual growth of mistrust?—In some cases it is by a gradual growth of mistrust; in other cases, as has been expressed by the Chairman, it is a sort of epidemic, one follows the other. Take, for instance, the builders in 1856, when they gained their point in one place it was followed up in another, and so it went through the country; because they, the workmen, said directly, in such a town such a master is giving a certain rate, why should not we have the same.

290. Regarding the conduct of the men in the strikes which have occurred during the last three or four years, have the men ordinarily been quiet, and reasonable, and moderate?—Speaking of them as a body, they have. I do not remember more than three or four cases of outrage during the last three or four years, and they were cases of individual men.

291. Are the men supported by your society during a strike?—Yes; we support only those who have the sanction of our society.

292. You mean the committee of your society?—Yes. Before that took place every means would be tried in order to settle the matter, and if it were shown that it were unnecessary, or that it was necessary, to have other regulations than those in force, the committee would say, as in at least 80 or 90 per cent. of the cases they have said, "We see no cause for any interference." I was engaged in a case only a year or so ago where the same thing applied. We considered both wrong and advised a compromise, and they settled the matter without a strike.

293. The intention of your society is rather to prevent strikes, unless they are quite reasonable and just?—Yes.

294. Supposing the men, as a body, acted in an unreasonable or immoderate manner, would you then withdraw your support from them?—Yes; we should say, "You refuse to be guided by our opinion, you must manage and do the best you can for yourselves."

295. Your trades union, in fact, tends to keep the men orderly and moderate?—That is our object.

296. You look to councils of conciliation as a remedy for strikes?—Yes.

297. It appears to me that this Bill is merely permissive, and that the masters and men may resort to strikes; how would you secure adhesion to the principle of arbitration on the part both of masters and men?—The Bill is permissive; the men and the masters could only be brought together under that Bill by mutual consent.

298. You would leave it to mutual consent?—To persuasion.

299. Can you suggest any other remedies for strikes?—I cannot suggest any other remedies for strikes beyond the provisions of this Bill. I may state frankly that there has been some objection to a portion of the Bill, on the ground that from the way in which the election is proposed to be made, men might be brought into the council with whom the masters would refuse to act; but from all our experience, I think that would not be the case. This is only my individual opinion; but the whole machinery, in my belief, might be made simpler, but at the same time I do not think it would give the same amount of satisfaction.

300. The witness who was examined on Tuesday used this expression: "Failures in arbitration arise oftener from obstinacy on the part of the men than on the part of the employers. Where we have failed we have found that the men have been determined to carry their points whether right or wrong." Is that your opinion also?—That is my opinion in some cases. I daresay in the case referred to it was so, though it was settled eventually by arbitration; but the course we recommended they refused to adopt, and we then said, Take your own course.

301. Do you limit that opinion, then, to the particular case he was referring to, namely, the case of the Birmingham iron wire drawers?—That is the case which I allude to. There have been other cases of a similar kind.

302. Is it generally true, do you think?—It does not apply generally.

303. Is it the fact that the number of the men belonging to your trades' union increases or diminishes during a strike; or is it affected at all by a strike?—Yes, it is affected by a strike, because, as a matter of course, people, whether rightly or wrongly, where there has been a trade successful in any matter, may consider that the union has greater powers than it really has, and therefore they would flock to it for a time.

304. After the strike?—Yes.

305. Would not they during the strike?—No, not during the strike.

306. Why



306. Why would they not during the strike?—They say, “we will watch events;” with regard to that question, I received yesterday a letter from the Potteries, where they have a Board of this sort, from which I will read an extract: “It is only a few weeks back since I sat on an arbitration Board of masters and workmen, and the dispute had been going on for some weeks; we had three banks out on strike, and the masters consented to submit the case to arbitration, and one of the arbitrators was my own employer; he told me that I must go, whether he went or not; if anybody stopped, it must be him, and not me; however, we both sat, and the dispute was adjusted. Is not this evidence that the councils would be useful?” \* My correspondent states in another letter, “We have had unpleasant matters in connexion with our branch, which, had the Council of Conciliation Bill passed, would have been prevented.”

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307. Mr. Ingham.] It was mentioned the other day that there would be a difficulty in getting a person to act as chairman, in whom both the parties would have confidence. The following question was put to Mr. Humphries: “You said that you thought that the six masters might name one for the office of chairman, and the six workmen might also name one, and that they might then ballot for the chairman. Suppose it was in this fashion, that the six masters should choose a chairman out of the workmen, and that the six workmen should choose a chairman out of the masters; would not you then be sure that the masters would take the most temperate workmen, and that the workmen would take the most considerate master, and then there would be no great difficulty in having those men to sit in succession?” The answer was, “In that case there would be no decision; there would be an equality of votes.” How would there be an equality of votes? suppose there were six masters, and that the six masters were to say, We will take A. among the workmen; we know that he is a temperate and reasonable man; he would become chairman; and then the six workmen would say, We will take B. from the masters; we all know that he is a kindly, fair, and equitable person, and he would become chairman also; and then those two men would sit alternately. Where would there be any equality of votes?—There would be an equality of votes if all parties attended, they being equal in numbers; that is, if the chairman voted with the others; if not, in one quarter the masters would have the preponderance, and in the next quarter, the men would have the preponderance, supposing the chairman had the casting vote.

308. Supposing that there were six originally on each side, and one person on each side were elected by the six to be chairman, that would leave five on each side, so that there would be always a body of eleven, namely, the five masters and the five men, and one of those two moderate men sitting alternately as chairman?—That would be supposing that all the members of the council sat upon each occasion; but we should not apprehend a thing of that sort, but it would not be necessary; even one of each party, with the chairman, would be quite sufficient; I think that you would have the full number only on extraordinary occasions.

309. My question is, whether you partake in this objection of Mr. Humphries, that in the case put there would be no decision because there would be an equality of votes?—Supposing that there are three sitting, that is, one on each side and a master in the chair, the chairman voting on one side, if necessary, there would be a preponderance of votes on one side, and the same *vice versa*.

310. Do not you think that the course I suggest would secure a chairman, upon whose fairness all parties might rely?—The difficulty might be got over either by appointment or by ballot.

311. The proposal which I made was, that each party should select a man from the opposite party?—That was the French system previous to 1848.

312. Lord Robert Montagu.] As to the bearing of trades' unions on strikes and as to other effects of trades' unions, do you think that a trades' union or association of workmen tends to develop the skill of the workmen, so that their work is done in a more workmanlike manner?—I believe it does in many trades, because the skilled workmen who are in a society, from motives of their own, as a matter of course learn, as far as they can, the youths of every person who comes within their rules.

313. They would be ashamed of belonging to a trade society, and executing unworkmanlike work?—Yes.

314. Do trades' unions also tend to maintain the moral character of the workmen by a sort of public opinion among the workmen, a sort of *esprit de corps*?—That is a very wide question.

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315. You have not observed any effect of that sort?—I have not.
316. Are they generally better men than those who do not belong to trades' unions?—I should not like to say one was better than the other.
317. You think they are about on a par whether they belong to trades' unions or not?—I believe that the moral character of the men depends upon other influences than those of the trade societies.
318. Do you think that public opinion does not affect their character in any way?—Public opinion may, but I am speaking of trade societies.
319. Would not there be more of that public opinion among trade societies than outside of them?—It depends upon other influences; you may find good and bad amongst trades' unions and the same among those not connected with trades' unions.
320. Do you ever expel workmen from trades' unions?—Yes.
321. What for?—If a man leaves his employer without taking in his work, or if he creates disturbances in the works of the employer, or if he takes materials away and refuses to return them, or if he runs away and leaves his work unfinished; in those cases a man would not only be excluded, but the master would be reimbursed.
322. Is that because you would not allow a man who commits such immoral acts to belong to your union?—Yes.
323. Does not that very fact tend to prevent a man from committing such acts?—Yes.
324. Does not, then, the action of trades' unions tend to maintain the moral character of the workmen?—In that respect.
325. Mr. Pollard Urquhart.] You stated just now that there were many causes of strikes besides disputes about wages; I gather from you that you have little doubt that a council of *prud'hommes* would be able to settle all disputes with the exception of disputes about wages?—I think so. We do not apprehend that it would put an end to strikes altogether; at least I do not, for one; but it would prevent a great many.
326. Are there in most of the trades' unions any sort of bye-laws about the quality of work and other things?—Not in our connexion.
327. Are there in any trades?—I have heard so.
328. Do you think it would be advantageous if the court of conciliation had the power to frame bye-laws that would bind both masters and men?—I should rather doubt the advantage of that power.
329. Is not there, in many cases, a sort of custom prevailing if not a bye-law?—There are in many towns customs, but they principally apply to persons leaving work; that is, that a man shall not leave work unless a certain notice be given the master, and some of the magistrates act upon those customs.
330. With regard to quality of work, and ventilation and sanitary regulations, is not there any sort of custom or bye-law in the different factories?—There are the factory regulations, which are put up and agreed to by the masters, and which the workpeople have to abide by.
331. The men generally subscribe to the factory regulations, do they not?—They are compelled to do so.
332. If those factory regulations were fixed by the council of conciliation, do you think that would tend to prevent disputes about other things besides wages?—Yes.
333. And with respect to wages, if those councils of conciliation were cognisant of the state of trade and the relation of the demand to the supply, and so on, and they explained those things to the men, that would also tend to prevent disputes as to wages?—Yes; certainly.
334. In some cases, do not you think that the masters would anticipate the reasonable expectations of the men?—Yes.
335. And do not you think also that those councils would prevent unreasonable expectations on the part of the men if they had laid before them by persons in whom they would have confidence, the real state of the trade, the real profits, and so on?—No doubt those councils would lead to this, a discrimination between good workmen and bad workmen, because they would become more intimate the one with the other.
336. Would not those councils be the means of the men arriving at a knowledge whether the labour market at certain times was overstocked or not?—They know that at present; but it would give them a greater security upon that point, and a better understanding instead of striking merely on the ground that some-

body

body else has given or is giving a greater price in another town, without taking into consideration the locality, the cost of freight, and a number of other circumstances enabling one master to give more wages than another, they would take those things into account, and agree to take a less price, in certain cases, if these councils of conciliation were established.

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337. You said that piece-work was sometimes a cause of dispute between masters and men; do the workmen who belong to trades unions generally set themselves against piece-work?—They do not.

338. Are they quite willing that any person should give up working at day-work, and work at piece-work, if he found he could make more by it?—There are some who argue that piece-work ought to be abolished; because one man thereby monopolises a great amount of work, while others are unemployed; there are others who do not subscribe to that doctrine.

339. Do not you think that that is one of the cases in which workmen are most unreasonable; that they set themselves against piece-work in a very unreasonable manner?—I should not like to set myself up as a judge between the two parties; I only come to speak to facts within my own knowledge.

340. Within your own knowledge, have not the men been unreasonable in setting themselves against piece-work?—Sometimes the workmen are against piece-work, and sometimes the masters are against piece-work.

341. If it was fairly explained to the workmen, that allowing a man to work by piece-work offered one of the best modes of raising his position, do not you think they would give in a good deal? If a man working by piece-work earned more than the ordinary wages by day-work, of course he is more able to lay money by. If that was set before the workmen by the council of conciliation, do you not think that cases in which they are sometimes a little unreasonable in opposition to piece-work might be fairly settled, and that they would withdraw their opposition to it?—I would not say that they would withdraw their opposition to piece-work, but it might be the means of showing to the workmen that if there were any unreasonableness on either side, public opinion would be brought to bear upon it through those courts, and it would soon be put an end to. Speaking of piece-work, probably where one man works at day-work, there are 99 who work at piece-work.

342. Do you allude to any particular trade?—I am taking all the trades together, because workmen in the shoemaking trade, in the silk trade, the factory operatives, the frame-work knitters, the tailors, and almost everybody else (with the exception of a few labourers in the engineering trade, and the bricklayers, stonemasons, and carpenters), work by piece-work.

343. Disputes arise relative to the quality of work in piece-work, do they not?—Yes.

344. Those could be settled by the council of conciliation?—Yes.

345. Do the trades unions ever try to exclude new hands from coming in to work, to counteract an anticipated rise of wages, or to nullify the result of their strike?—I believe there are rules to that effect.

346. Are they able to enforce those rules without violence?—Yes.

347. Supposing, in the late strike, the master builders had brought over men from Ireland, would the men out on strike have tried to prevent those men working by violence?—No, I think not; but I think they would use every persuasive means at their command to induce them to go back, and probably they might overstep the bounds of the present laws.

348. What persuasive means would they use?—The only persuasive means would be to tell them they could afford to give them more.

349. Do not you think they use means of which you could not approve, of endeavouring to prevent those men being employed instead of themselves?—Yes, at times.

350. Would it be possible to stop that by councils of conciliation, showing them the folly and injustice of using strong measures to prevent other men working?—I think it might, because it would be decided by reason on the principle of justice, and the right of every man to live by his labour.

351. They would not interfere with other men attempting to live by their labour if they were shown the injustice of it?—It would take time to bring the men to understand that, because when a man has been apprenticed to a trade, and his parents have spent 30*l.* or 40*l.* or 100*l.*, he considers that he has a vested interest in that trade, and therefore he considers it is his duty to maintain that vested interest.

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352. He tries to make a monopoly of his vested interest?—That is the result of it.

353. Do you think, if men hold out for higher wages, contrary to the recommendation of the council of conciliation, other workmen would continue to support them, as they hitherto have done in strikes?—I think not, because though the council of conciliation would have no legal power to consider it, but recommended the workmen not to hold out, feeling that they were not justified in so doing, and if they considered the question, and stated their opinion in the public press and amongst the trades generally, I have no doubt that would have a great effect in concluding a strike which had been irrationally begun.

354. A great many men, in different parts of the United Kingdom, even men who do not belong to trades unions, subscribe to support the workmen on strike, do they not?—They do.

355. They would scarcely be able to continue their strikes so long as they do if it were not for this sympathy inducing people not connected with trades unions to subscribe to the assistance of those on strike?—I will take the late builders' case. If a council had been established, partly of masters and partly of workmen, before the strike commenced, and if they had sent forth a statement through the country that the men were right, the trades would have supported them; if they had sent forth a statement that, in their opinion, the men were wrong, the trades would not have supported them; nor, indeed, do I think they would have supported them as they did on account of the nine hours. I believe it was in consequence of the document of the masters that they gave them their support.

356. Did not many men support them who were not connected with trades unions?—Yes.

357. Do you think that if the council of conciliation had said from the beginning, those men on strike were in the wrong, those men who sent them subscriptions would not have supported them as they did?—I think they would not.

358. Do you think that the men who struck considered that when they demanded the same pay for nine hours' work as for ten hours it was impossible that the masters could make the same profit, and pay them wages for ten hours' work when they only did nine hours' work?—It is impossible for me to say; but if they had considered it, they might have come to that conclusion.

359. You said that it was uncertain whether trades associations tended to improve the moral character and self-respect of the men; if the men belong to trades unions they belong to friendly societies, do they not?—Yes; the trades unions themselves are in the character of friendly societies.

360. Does not the very circumstance of subscribing to the trades union, which comprises among its objects a fund in case of sickness, make the men more economical than they would otherwise be?—Yes; because they are compelled to provide against accidents, sickness and other casualties.

361. It tends to promote provident habits among them?—Yes.

362. It tends to elevate the moral character of the men, and give them a sort of self-respect, does it not?—It does.

363. *Sir Joseph Paxton.*] You are a frame-work knitter?—Yes.

364. Are the frame-work operatives very much in favour of these councils of conciliation?—Yes.

365. Do you know in what light the masters view them?—I believe the masters themselves are in favour of them. I speak of one in particular, with whom I had a conversation only last week.

366. As masters and men are in favour of them, all that you want is a properly constituted court, is it not?—Just so.

366\*. With your knowledge of your own business, will you state what you believe would be a properly constituted court?—As I said before, there is a mode of getting at it, but it would not give the same amount of satisfaction as the present Bill would, which is so framed as to give the workmen the right of electing their own members. I speak for myself; but I suppose that if there were the means for the workmen engaged in any particular trade to nominate a certain number of workmen, and for the masters to nominate a certain number of masters, and the appointment rested with the magistrates themselves, that would do away with a great deal of machinery which is in the present Bill, and would secure, I believe, persons who could agree to act together; that is to say, the  
workman

workman brought into the presence of his employer, if the appointment went through the magistrates, would be less obnoxious to the master than if it did not go through the magistrates, and probably the parties would be known as reasonable men. That would simplify the matter very much, and would make it thoroughly practicable, though it might not have the same amount of support from the masters as the present proposal has.

367. There have been considerable objections stated by the masters to this scheme; what would be considered on the part of the masters, and also on the part of the men, as a just and proper tribunal; might not the magistrate of the place name the chairman of the court for the time being?—There might not be so much objection to that in England as there would in Scotland; the Scotch seem very tenacious upon the point of the justices even having the casting vote about the chairman, supposing the two parties cannot agree.

368. Can you suggest any way of choosing the chairman?—I do not see any better method than the one set forth in the Bill, that is, for each party to have the power of nominating their own chairman, and if they cannot agree, to leave it with the justices in petty sessions. The justices are an impartial body of men so far as appointments go; I believe that there is no objection to the justices in that respect.

369. Sometimes there would be a difficulty, would there not, in appealing to those justices in petty sessions to name a chairman?—It would be only once a year; the easiest way of arriving at the solution of the question would be the mode proposed in the Bill. I was at Nottingham last September, for the purpose of making some inquiries into the frame-rent system there, and while there I took occasion to consult a magistrate and a large manufacturer of hosiery there, and two or three others, and they pointed out that the great objection that they had to the Bill was, not to its constitution or principle, but the possibility of persons coming together who might be obnoxious to each other, and that therefore they would destroy that influence which they ought to possess; the only way I see to get out of the difficulty is to give the justices the power; they have the power now of appointing them in each case, but, instead of that, they should appoint them for a fixed period.

370. The workmen would elect a certain number of men, and a certain number of masters would be elected by the masters, and then the magistrates in petty sessions would appoint them?—If the workmen recommended to the magistrates a certain number of persons to constitute the Board, the magistrates should appoint them after the same manner, I believe, as the Lord Chancellor would appoint magistrates, on the recommendation of town councils.

371. Should the magistrate appoint the chairman too?—Yes; after the Board was constituted, any irregularities would soon be corrected.

372. You have stated that you think the builders' strike might have been avoided by those councils of conciliation; how could such a court be established for a place like London?—As far as I have observed, the masters have been generally in the habit of meeting. They met before the strike took place, three or four times, and so did the men. Now if there had been at that time such a council established in London, consisting of, say, one for each of the Parliamentary boroughs, the men might have been reasoned with, and if facts and arguments could have been shown against it, it might have been prevented, because their complaint was that the masters refused to meet them before the strike took place.

373. Mr. *Baillie Cochrane*.] You stated that you had been 37 years in business?—Yes.

374. Have you observed a great improvement in the conduct of the men when there is a strike now, to what there was, say 15 years ago?—Yes. I can remember a strike in which the Rev. Robert Hall was the workmen's general advocate, and at that time there was not the same amount of general education that there is now; men were led more by impulse than they are at the present moment; and there were more committals then for outrage on persons and property than there are at present.

374\*. What was the date of the strike you allude to?—1817.

375. Did not those strikes depend a good deal upon the demand and supply in the labour market, as well as on specific causes of grievance?—The strikes did not and do not arise through that; the strikes arise from other circumstances; for instance, a man thinks his labour is worth more than what he is receiving for it;

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or that he is working a greater number of hours in a day than he ought to work, or that somebody else is having more for the same kind of work than he is receiving.

376. You do not think that the demand and supply of labour has any effect upon the opinion of the workmen?—No; it has a great effect upon the result of the strike, but not upon the causes of entering into it.

377. Sir James Fergusson.] You do not think that councils of conciliation would do any good in obviating strikes that arise in disputes about wages?—It might prevent them, in many instances. I do not say it would altogether prevent them; but it would be a means of preventing many.

378. Chairman.] Is there anything else which you wish to state to the Committee?—There is one point which I would refer to, namely, the cost of prosecutions arising out of strikes. In 1847, in the case of the Newton engineers, the costs were 2,596 l. 3 s. 1 d. In 1848, in the case of the Sheffield razor-grinders, 1,201 l. 17 s. 7 d. In 1851, in the case of the Wolverhampton tinplate workers, 3,855 l. 8 s. 6 d.: making a total of 7,653 l. 9 s. 2 d. In addition to those three important cases, there have been prosecutions arising out of the following strikes: the coopers in London, the engineers at Leeds, the masons in London, the shipwrights in London, the operatives at Preston, the compositors in London, the frame-work knitters in Earl Shilton, the miners in many places, the shoemakers in London, the operatives in Glasgow, and numerous others of larger or lesser importance. I will hand in a list of trades who have expressed a desire for councils of conciliation.

[The Witness delivered in the same, which is as follows:]

TRADES who expressed a desire in 1859 to have Councils of Conciliation:—

Airdrie, Miners.	Glasgow Painters' Association.
„ United Operative Masons.	Working Potters of Staffordshire.
Aberdeen Trades, Fleshers and others, in general meeting.	Hull, Shoemakers' Society.
Berwick-upon-Tweed, Shoemakers.	Leamington Trades.
Burton-on-Trent, Shoemakers.	Leicester Trades, Framework Knitters, Coachmakers, &c.
„ Coopers.	Liverpool, United Painters' Association.
Birmingham, Britannia Metal Smiths.	„ Ship Joiners' Association.
„ Whipmakers.	„ Ship Smiths' Association.
„ Tinplate Workers.	„ Sailmakers' Society.
Belfast, Plumbers' Friendly Association.	„ Coopers' Association.
„ Stucco Plasterers' Society.	„ Mast and Blockmakers' Association.
„ Tailors' Society.	„ United Shipping Trade Association.
„ Operative House Painters' Society.	„ Trades Guardian Association, representing twelve Trades.
„ Lithographic Printers' Society.	
„ Carpenters and Joiners' Society.	
„ Cotton Spinners' Society.	
„ Cabinet Makers' Society.	
„ Coopers' Society.	London, Carpenters' (Silver Cup) Society.
„ Brass Founders' Society.	„ „ (White Swan) Society.
„ Block Printers' Society.	„ Brass Cock Finishers' Society.
„ Brush Makers' Society.	„ Ropemakers' Society.
„ Operative Bakers' Society.	„ National Association of United Trades.
„ Boot and Shoemakers' Society.	
„ Bookbinders' Society.	Manchester, Delegate Meeting, representing Fifteen Districts, viz.:—Ashton-under-Lyne, Bolton, Bury, Blackburn, Chorley, Darwen, Droylsden, Dukinfield, Hyde, Oldham, Stockport, Preston, Manchester, Middleton, Salford, &c., &c.
Bristol, Boiler and Iron Shipbuilders' Society.	
„ Cabinet and Chairmakers' Society.	Melbourne, Compositors.
„ Tinplate Workers' Society.	Newcastle-on-Tyne, Brass Founders, and other Trades.
„ General Union of Carpenters' Association.	Nottingham, Lacemakers and Framework Knitters.
Carlisle, Shoemakers' Society.	Royton, Weavers.
Clitheroe, Power-loom Weavers' Association.	Stockport, Joiners.
Coventry, Ribbon Weavers' Association.	Todmorden, Bobbin Turners.
„ Watchmakers' Association.	Wilton, Carpet Weavers.
Crompton, Power-loom Weavers' Association.	
Darlington, Tailors' Society.	Wolverhampton, Tinplate Workers.
Derby, Silk Throwsters' Society.	„ Locksmiths.
Derby Trades.	„ Cabinet Makers, &c. &c.
Droylsden, Self-acting Winders' Society.	
Darwen, Weavers.	Another
Glasgow, Cotton Spinners.	
Glasgow United Trades Council, representing the Trades of Glasgow.	

Another thing I would mention is, that the great grievance which the frame-work knitters have, namely, what is called the frame-rent, would be lessened by these councils of conciliation. The question has been brought before the House of Commons several times, and the opinion of many of the manufacturers and many of the workmen is that these councils (supposing an Act is not obtained, making the system of frame-work rent illegal), might be made the means of settling many of those disputed cases which arise. Another thing I would state is this: I have an extract of a letter from a reverend gentleman, the rector of a parish near Loughborough, in which he says, in reference to stoppages on the plea of defective work: "I have been in this parish 27 years, and never shall I forget, if I live 27 years longer, a poor man of my parish coming home from Loughborough, with the whole of his work cut to pieces; I made a vow then, that I would, as far as lay in my power, right the oppressed stocking weavers."

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379. Lord *Robert Montagu*.] What does "cut to pieces" mean?—The master finds some fault with the work, and instead of giving the man the work back and charging him the price of the material, he cuts the stockings through the middle and destroys them entirely.

380. Who loses the value of the stuff?—The workman.

381. And his work also?—Yes; he is the sufferer from beginning to end, and he has no means of selling the defective work when cut to pieces.

382. When did that case occur?—In March 1858.

383. Sir *Joseph Paxton*.] Is that a common occurrence?—Yes, in that district.

384. Mr. *Baillie Cochrane*.] Is there no redress to be had for that before a magistrate?—Yes; but that is the very thing we complain of; if the man goes before a magistrate he loses his work altogether.

385. Sir *Morton Peto*.] Is there any point in which you think the laws affecting operatives might be advantageously revised?—Yes; I think the truck laws and the laws of contract call for alteration; I think the laws of contract between master and servant are one-sided; they make a breach of contract a penal offence on the part of the men, but merely a monetary consideration on the part of the masters; and I think if those laws were altered, it would tend to put them on a better footing than they are at present.

Mr. *William Vickers*, called in; and Examined.

386. *Chairman*.] Of what trade are you?—I am a velvet weaver; I am secretary to the Velvet Weavers' Society.

Mr. W. Vickers.

387. In Spitalfields?—Yes.

388. You are aware of the object for which this Committee was appointed. Will you state to the Committee what your impression is in reference to the position of the velvet weavers of Spitalfields, and the hardships under which they labour?—At the present time trade is somewhat slack, in consequence of the supposed operations of the new treaty; but for the last 12 months trade has been on the increase, owing to the improved tone of the commercial world, resulting from the last crisis. Generally speaking, there are periodical crises in the silk trade, and after those crises the trade takes an improved tone. Our trade especially is a trade which fluctuates more than any other trade, owing to the commodity being an article of luxury.

389. What is now the situation of the operatives in that trade; have they anything to complain of?—They have, in the first place, to complain of this, that their hours of labour have increased; during the last 24 years their labour has increased some 30 per cent., whilst their wages have decreased 30 per cent. likewise, making a difference of 60 per cent. to the workmen. There has been a greater demand for the article during the last 24 years; indeed the production has doubled during that time.

390. To what do you attribute the great falling off in wages?—To the fact that at one time they had what they termed the protective system, which maintained a certain rate of wages for a certain quantity of work. Since the repeal of that system their wages have been gradually reduced.

391. Will you state to the Committee the peculiar grievance under which the operatives in Spitalfields labour, as regards the relations between them and their employers, and what remedy you would suggest?—With reference to councils of conciliation, which is the question before the Committee, we are decidedly of

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opinion that they would be beneficial to the weavers as a body, inasmuch as those councils of conciliation would prevent much acrimony between the employers and the employed, and would tend to conciliate and cement a better feeling between them; that is the opinion which we hold in reference to the passing of such an Act as the one proposed.

392. If you have any disputes between the masters and the workmen, how are they settled?—They are summarily disposed of by a magistrate, or by arbitration.

393. Do you mean by arbitration, arbitrators proposed by the magistrate or by the parties themselves?—An employer, in accordance with the last Act of Parliament (I allude to the 4 & 5 Geo. 4), must give 24 hours' notice of the arbitration; the same must be done by the workmen after the work has been delivered in; then the question is to be decided, and each party has to appoint an arbitrator.

394. What are your reasons for desiring a council of conciliation if you have one already?—The case has to be adjudicated by a magistrate.

395. You do not like that?—No.

396. Is it the fact that the operatives seldom avail themselves of the Act to which you refer?—In the silkweaving trade it is not often had recourse to; cases very seldom occur in Spitalfields; not so often as they do in country districts among the weaving population.

397. The substance of what you wish to state is this, that the councils of conciliation, if established, would benefit the trade and benefit the masters?—Exactly so.

398. Lord *Robert Montagu*.] Do you say that the consumption has increased?—Yes.

399. Since what time?—Since 1824; in fact, since 1835, the consumption has nearly doubled.

400. What were the wages then?—In 1835 they were, I should say, something like 30 per cent. lower than what they were in 1824; the weekly wages amounted to 8s. or 9s. a week, on the average, in 1835.

401. What are they now?—The average now is about similar, taking the statement of Mr. Stone, of Spital-square, one of the largest employers in Spitalfields, and who employs his workpeople most regularly. He stated, in the presence of 2,000 operatives, that the average earnings of his workpeople did not exceed 10s. a week through the year.

402. What wages do they now receive?—That is the statement of their average earnings now.

403. Why were the wages reduced?—The wages were reduced by the employers; they said, as a plea for reducing them, that they had to compete with foreigners, and that they could not compete with foreigners unless they placed their goods at a cheaper rate in the market; the consequence was, that they fell upon the operatives by reducing their wages.

404. Are the goods much cheaper in the market?—The goods certainly are cheaper than they were in 1824.

405. Were the wages arbitrarily reduced by the masters?—Yes; in no cases were the men consulted.

406. Has there been a strike?—There has been no general strike in the silk trade since 1824. It is our opinion that councils of conciliation would tend to cement a better feeling between masters and men all through the country, and that they would prevent much useless litigation, and would give a better tone to disputes, inasmuch as many men object to go before a magistrate; it is regarded as having too much of a criminal aspect.

407. Is not there another point in which the council would be an improvement on the present system. If a council of conciliation were established it would consist of men who understand the peculiar mysteries of the trade, but now there is a reference to a magistrate, and the magistrate only decides upon what he knows nothing about?—Exactly.

408. Mr. *Trefusis*.] Have the workmen in your particular trade ever applied to the magistrate in such cases?—Never.

409. Mr. *Pollard Urquhart*.] Has the machinery in your trade altered since 1824?—Not in Spitalfields.

410. Has it altered a good deal elsewhere?—Yes; in some districts. In Macclesfield,



Macclesfield, and elsewhere, the power-loom has been introduced in some cases, but not extensively, in the silk trade. Mr W. Fickers.

411. Is not the real cause of the decline of the silk trade in Spitalfields owing to people continuing to manufacture by antiquated machinery, whereas new modes of manufacture have been discovered and introduced elsewhere?—No, I think not. 23 March 1860.

412. Do you think that the council of conciliation, if established, could suggest to the masters that it would be impossible for them, by hand-loom, to compete with the great manufacturing establishments of Macclesfield; that it would be impossible for them to give the same wages for work conducted by means of antiquated machinery as for work done by new machinery?—The power-loom is introduced to a very small extent in the trade, but it has failed to a great extent; in the velvet trade it has totally failed.

413. I understood you to say that they had not introduced the new machinery in other places which they had in Coventry and Macclesfield?—I said that they had introduced no new machinery in Spitalfields.

414. Are not you aware that they have introduced new machinery into Coventry and Macclesfield?—The Coventry trade is not broad silk weaving.

415. Since 1824 has not there been a great improvement of machinery in the silk trade everywhere except in Spitalfields?—The only machine which has been anything like generally introduced has been the jacquard.

416. Where?—In Spitalfields and in the country; it was introduced some 20 or 30 years ago, and was generally approved of by the men.

417. Is not it the case that new machines have been introduced everywhere but in Spitalfields?—I do not know that they have.

418. Are you aware whether the wages in other places where the silk manufacture is carried on throughout England are as low as they are in Spitalfields?—At Shepton Mallet, in Somersetshire, till recently, they were something like 40 per cent. lower than in London.

419. Sir *James Fergusson*.] Is not it the fact that in many branches of the silk trade, the power-loom cannot be employed, and that in Manchester a great many persons are employed in hand-loom work?—Yes.

420. Is not it the case that in the branches of the silk trade which constitute the staple of the Spitalfields manufacture the power-loom cannot be applied?—I believe if it could have been, with a certainty of the result, it would have been applied before this.

421. Sir *Joseph Paxton*.] What number of hands are employed in the silk trade in Spitalfields?—I should not suppose that they exceed 8,000 looms altogether.

422. Can you give us any information as to the number of masters?—Something like 25 to 30.

423. Have they ever been consulted upon this question?—They have.

424. Are they disposed to entertain it favourably?—As far as my knowledge extends, six of them give approval to such councils, but they are very much disunited; they work solely upon their own methods, and they very seldom enter into conversation, or consult each other upon any particular case.

425. If there were a council of conciliation, you do not think that there would be any objection on their part to it?—If it were simply permissive, there would be some difficulty in getting their consent to such a measure; I think if it were simply permissive, we might as well fall back upon the old law, allowing the magistrates to adjudicate.

426. As there are only 25 masters, and they are not connected in the same way in Spitalfields as they are in other towns, there would be a difficulty in getting them to agree to this, would there not?—For the simple reason that there is no unanimity on the part of the manufacturers.

427. With regard to the operatives themselves, you believe that they would look upon a measure of this kind with great satisfaction; if a well constituted court could be established, do you think that they would almost universally accept it as a boon?—Yes, for this reason; eight or ten years ago a Committee was appointed to draw up a Bill for local boards for Spitalfields, which was printed; I only mention that as an indication of the spirit which actuates the workpeople; they are desirous of having local boards established.

428. And they believe that the councils will be of great advantage in settling disputes?—Yes; because they think that they will be most justly dealt with by

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going before a number of employers and employed than by going before a magistrate, who knows nothing about the matter.

429. Mr. Buxton.] Did you say that there has only been one strike since 1824?—Yes; one general strike in the whole trade.

430. There have been repeatedly, not general strikes, but partial strikes, have there not?—One since 1824; that was three shops.

431. Do the masters in Spitalfields, when any question arises between them and the men, meet the men, and talk the question over in a friendly way?—Not generally.

432. Do you remember any instance of that being done?—Not to say in a friendly way; the way in which we manage it is to appoint deputations from the workpeople to wait upon the manufacturers; in many instances, perhaps, during the last twelve months deputations have been received in a better spirit than for many years past.

433. Do you think that if the masters would patiently hear the grievances of the men, and point out to the men the difficulty of acquiescing in their demands, a strike or dispute would be generally avoided?—I think, as to the question of strikes, it is hardly thought of in Spitalfields; generally speaking they are discountenanced, and are only had recourse to as a last resort. The fact that there has only been one strike since 1824, and that in only three shops, is an indication of the feeling which actuates the people there.

434. How do the men gain their way when they want to attain any point if they have so great an objection to strikes?—By appointing deputations to wait upon the masters, to reason with the masters.

435. Only by that way?—Only by that way; they have resorted, during the last twelve months, to a course which cannot be called a strike, but rather a demonstration; a numerous body of operatives have gone into Spital-square to remonstrate with the manufacturers; during the last twelve months considerable advance has taken place in the wages of the operatives through such a course being adopted.

436. Have the wages fallen again now?—Not at present; but there is a tendency for them to fall.

437. Sir Joseph Paxton.] You say that they only earn about 9s. or 10s. a week?—Yes.

438. How is it possible for men to live on that?—If there be three or four in a family their united earnings are sufficient to keep them together, and enable them just to live; it is done by an excessive amount of toil.

439. Sir James Fergusson.] How many hours do they labour?—I should say on the average about 14; that is as fair a calculation as I can make.

440. Sir Joseph Paxton.] When they are congregated together they just manage to get on; how does a single person manage?—A single person can manage much better than a man with a family, because a man with a family is liable to more incidental troubles, such as illness, and consequently to more incidental expenses; a young man can better manage with 10s. than a family of three will with 1l.

441. Do not they migrate to other places?—In consequence of the lowness of wages there has been a serious migration from Spitalfields.

442. Where do they go?—Many have left the trade; in fact, the larger proportion have.

443. There were 25,000 in 1824, were there not?—There were 24,000 looms in 1824.

444. Now the number is reduced to 8,000?—Yes.

445. And it is still declining?—It is still declining; during the last 12 months there has been rather an extraordinary demand for velvet goods, and the manufacturers were not able to obtain sufficient people in London to meet the demand; consequently they resorted to learners in the country districts.

446. Sir James Fergusson.] Do children work at it?—Yes.

447. You attribute the lower rate of wages, and the reduced earnings of the workers, chiefly to the removal of protection, do you?—Not exactly to that; protection may for a time have given them a certain status in point of wages, but still the depression results to a great extent from the introduction of certain elements into the trade; there are certain men who have crept into the trade, and have taken advantage of a period of slackness, and have put out work; knowing that men must have food, they have taken advantage of that period, and

and have offered work at a serious reduction in wages; that has been one of the main causes why the wages have sunk into so low a state.

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448. So that when the work became brisk the rate was not raised, though the profits of the employers were greater?—Just so.

449. Do you think that that is one of those cases in which arbitrators might be advantageously employed?—I think that that question of wages might be settled by agreement between a certain number of workmen and a certain number of employers; power might be given them to settle mutually the question of wages from time to time.

450. Taking into consideration the state of the market?—Exactly.

451. Mr. *Baillie Cochrane*.] Are there many trades unions in Spitalfields?—There is a desire at present to organize the weavers in Spitalfields; there are three societies in existence. The one of which I am secretary, has 2,000 members. Then there are the umbrella and parasol silk weavers, consisting of 600, and the plain and fancy weavers; on the whole, there are about 3,000 weavers in the societies of Spitalfields.

452. Three thousand out of 8,000?—Yes; some of the 8,000 are of course children.

453. Sir *Morton Peto*.] Have you perused carefully the Bill which is the chief object of the inquiry of the Committee?—Yes.

454. Are there any alterations which you would suggest in it, or does it meet your approval?—With reference to the clause pertaining to the vote, that a person residing in a house or part of a house for a time, and being member of the trade for six or seven years, should have a vote; I think that that would be too long a time to elapse before a person should be entitled to a vote. A man might become qualified in less than six or seven years to judge of excellent work, and that provision might occasion some amount of ill-feeling on the part of many of the operatives. If a less time were fixed, it would give more satisfaction.

455. What time would you say?—From three to four years would be long enough.

456. Is that the only alteration which you would suggest to the Committee?—I think that that is the only alteration which I would suggest. There is one question with reference to this Bill, that is its permissive character. In our case, if it were merely permissive, it would prove of no avail, inasmuch as the employers, unless there were some compulsory powers obliging them to form these councils, would not take advantage of them. In the case of a magistrate it is compulsory; the case must be decided by the magistrate, and therefore the law is arbitrary, and I think that should be the case in reference to these councils of conciliation, that they should be made compulsory. I think the benefit would be greater in reference to operatives in the country districts than it would be with reference to operatives in London, on account of the magistrates in the country being taken from the employing class generally, and there is a bias on their part against workpeople.

Mr. *Richard Perry*, called in; and Examined.

457. *Chairman*.] WHAT are you?—I am a silk weaver, and a member of the committee of the silk weavers' society.

Mr. R. Perry.

458. What is there which you wish particularly to state to the Committee, which has not been stated by the former witness?—I would state generally, that a Bill of the kind proposed to establish councils of conciliation would be well received, because I think that the present law does not work to the satisfaction either of the masters or of the men, in our trade; for instance, there is a reluctance, on the part both of masters and men, to resort to magisterial decision, if it can be avoided; and there are some cases now and then arising where a magistrate would find it a difficult matter to decide at all. Under the present law, the magistrate may refer the case to arbitration; then it may happen that the arbitrators cannot agree, the workmen thinking themselves in the right, and the masters thinking themselves in the right, each seeking to establish his own interest as much as possible, and by as many precedents as possible. The matter is then referred to the magistrate, and the magistrate will scarcely know how to decide in some cases, not being acquainted with the trade; but if the final decision were left with the chairman of the council of conciliation, he having that business to attend to particularly, would pay most attention to the

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arguments on both sides, and would understand them better than the magistrate could do, from hearing the arguments in a police court.

459. Your impression is, that a council of conciliation would be of great service?—I think that it would be well received by us. I must add, that I do not think our employers would avail themselves of it, unless it were compulsory upon them to do so, because they have always manifested a decided want of understanding between each other on every occasion.

460. What are your reasons for thinking so?—I can speak from my own observation. A case arose in which one or two employers proposed, last summer, to the Velvet Weavers' Society a uniform rate of wages throughout the year, not to be lowered when the trade was slack, and not to be increased when the trade was brisk, to be settled between themselves from year to year. The masters called a meeting; we asked them to permit us to be present, but they did not give us permission, and we heard the result from one of themselves, who told us that the masters could never agree between themselves to anything. My own observation convinces me that the opinion of the men would be decidedly in favour of a council of conciliation, and for that purpose they have more than once endeavoured to get up a public movement in favour of such councils, and have drawn up a Bill.

461. The masters have not been in accord with that feeling?—The men have gone round to the masters, and have found several of them agreeable to it. The masters would not avail themselves of the provisions of the Bill if it were a permissive Bill only, and not a compulsory Bill, because they cannot agree among themselves upon any subject; therefore I think it would be necessary to make the Act compulsory if we are to have the advantage of it. There are one or two cases which have arisen which could not possibly be decided by the present tribunal. For instance, a workman takes out a piece of velvet; he gets a certain amount of silk to form what we call the ground, that is the back of the velvet, and a certain other amount to form the face of it. It sometimes happens that he gets enough of the back or ground to make two pieces; he does not get enough of the silk which is requisite for making the face, to make more than one piece. When he has finished the piece of silk that makes the face of the work, he takes it home to his employer, and the employer may have changed his mind, and may not wish him to go on with it, and says, "Bring the rest home." It has been held by the workmen, and the magistrates have upheld them in it, that the workman may demand material to finish the ground-work. For some time that doctrine was held, but now the contrary doctrine is held by other magistrates, that when one piece is finished, the master can demand the rest of the material home, and that is a case which the magistrates cannot settle, because they have decided variously.

462. The conclusion you draw is, that the evil would be corrected by the establishment of councils of conciliation?—I think it would be, because in that case one committee or council would have the decision of all the cases; now it is decided by various magistrates. Another case arose this morning, before we came here.—A person is employed to make a piece of velvet; the weaver is in the habit of borrowing so long as his work lasts; say that it lasts five or six weeks; he is in the habit of borrowing weekly from his employer a certain amount, that he may go on with the work, and the masters are in the habit of lending variously, according to disposition, or the rules of the warehouse, as we say; they are in the habit of lending so much money on the piece of work to be done weekly, as it is earned. A young man applied to his employer this morning for money on his work, and it was refused to him, though he had been in the habit of receiving from the same employer more on his work than he now asks. I do not think that the law makes any provision for such a case as that; the consequence to the young man is, that he cannot go on with his work; he must by force be guilty of a breach of contract. If the employer will not lend him more money, he must take the rest of the work home.

463. Here is that sort of hardship to the operative that cannot be corrected by the law, and which you think councils of conciliation would meet?—I think they would, and there may be many other such cases.

*Martis, 27<sup>o</sup> die Martii, 1860.*

## MEMBERS PRESENT.

Mr. Baxter.  
Mr. Baillie Cochrane.  
Mr. Mackinnon.  
Lord Robert Montagu.

Mr. Pollard-Urquhart.  
Mr. Slaney.  
Mr. Trefusis.

WM. ALEXANDER MACKINNON, Esq., IN THE CHAIR.

*Robert Aglionby Slaney, Esq., a Member of the Committee, Examined.*

464. *Chairman.*] YOU have paid great attention, I believe, to the subject of the condition of the lower classes in this country, and to the different ways by which their condition might be improved; will you have the kindness to state to the Committee what Committees you have sat on upon that subject?— I entered Parliament in 1825; since that period I have not been continuously in Parliament, but, during a period of now 25 years, I have had my attention directed to those subjects which I thought would be beneficial to the working classes, because I thought that whatever benefited them, would be a great advantage to every class, and that whatever tended to do away with any reasonable cause of discontent would be to the advantage of us all. I had the honour of moving for a Committee on the abuses of the Poor Laws, of which Committee I was chairman. I think that was about the year 1828. We had a great deal of evidence as to the evils that arose from abuses of the Poor Laws, particularly in the southern districts of England. A report was agreed to, pointing out what those evils were, and recommending remedies, which have subsequently been carried out by an amended Poor Law. The present Sir Thomas Fremantle, now at the head of the Customs, gave very great assistance upon that Committee.

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465. In what other Committees have you taken part?—I had the honour of moving for a Committee on the General Education of the People.

466. What was the result of that Committee?—On that I had the great advantage of having men of distinguished talent; the present Lord Harrowby, the present Chancellor of the Exchequer, and other gentlemen without any distinction of party. The Report of that Committee embodied the pith of the evidence, and pointed out the great evils that arose from the want of provision for education, more especially in the great towns. The Report pointed out the vast increase of population in the towns, which overran the increase of population in the country, and for which there was no corresponding increase of education; and the recommendations of the Committee were, as might be anticipated, from the religious difficulty chiefly, that there should be increased grants from the Committee of Council, or at least from the country; through the medium of the two great societies, the National Society and the British and Foreign School Society, and in such other ways as Government might think right. And since that period there has been a considerable increase of grants, and great efforts have been made by private individuals and local generosity to assist in the educational movement.

467. Did you succeed in any way in bringing about any arrangement between the dissenting schools and the Church of England schools; so that the parties might be educated together without reference to their religious principles?—We did not recommend that; I recollect that there was a proposal made, but which was not carried by the Committee, for some such recommendation, but I think that our recommendation was confined to what I stated, namely, that through the medium of the National Society and the British and Foreign School Society, grants should be made. The British and Foreign School Society, as you are aware, comprises both Churchmen and Dissenters. Since that period, as every gentleman knows, great efforts have been made by individuals, and by generous neighbours, and by subscriptions, and in various ways, to facilitate education being given the working classes. One recommendation, which I think was made by the Committee (if it was not recommended it was carried out very much in

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consequence of our Report) was, that the humbler classes should, if possible, pay some trifle themselves towards the education of their children, as that had the effect of making them estimate it more.

468. As far as your observation goes, do you consider that the state of education amongst the lower classes has improved, bearing in mind the great increase in the population?—I think that the quality of the education has improved; in some of the large towns, no doubt, there is a vast increase of education; but the population has increased so rapidly with the wealth and prosperity of the country, that that very wealth and prosperity, to which the working classes have so mainly contributed, has been the means, in some of the large towns, of causing an out-running of the population beyond the means of education. We will say, in the rough, that the population increases in every decennial period, from the beginning of a century, at the rate of about 14 or 15 or 16 per cent.; that is on the whole community; but the population in the large towns increases at the rate of 25 or 30 per cent. every 10 years.

469. Is it your impression that the intelligence of the working classes is greater than it used to be; within the last 20 years do you consider that, taken as a body, their intelligence is more extensive than before?—Very much so in the towns, where they have had means of communication with each other; mechanics' institutes, schools, and even the railway system, have assisted in giving them facilities for acquiring knowledge.

470. Do you consider that their condition, as well as their education, has improved?—I think they are generally better off; but I am sorry to say, that in some of the large towns the very cause that has been of such benefit to others, namely, the great increase of wealth, the great demand for sites for building, and the great demand for a better class of houses, has swept many poor people into holes and corners, where they are not so well off in regard to lodgings.

471. Having had great experience on the subject, is it your opinion that benefit societies are of great service to the poor?—A very great benefit, I think, and so are savings banks also; and, widely spread as they are now, they are becoming more and more appreciated by the working classes, and are a very great advantage.

472. It has been suggested to me, that benefit societies have, in some instances, assisted those strikes that have taken place which we are now taking into consideration, in this way, that they have borrowed money from the benefit societies to support those men who were out of work?—I have no cognizance of that, one way or the other; I have heard that stated; perhaps I may say that another Committee I had the honour of moving for, was a Committee on the Health of Towns. On that Committee I had very great assistance in a protracted inquiry of some months, and we heard evidence from various quarters, which showed the necessity of some vigorous and hearty inquiry being made into the causes of the suffering of the humbler population in great towns, more especially through the want of sanitary regulations. That committee made a report, pointing out the existence of very great evils, and Sir Robert Peel thereupon issued a commission, upon which he did me the honour of placing my name, as having moved for the Committee, and he joined with me many other gentlemen. In that commission we divided amongst us 50 towns, comprising, I think, 5,000,000 of the population at that time; so many of the commissioners took so many of the towns, and we visited them personally ourselves. I had the honour of having allotted to me the investigation of the cases of 16 towns in the midland districts, of which Birmingham was the centre, comprising Wolverhampton, Bilston, Wednesbury, Dudley, and all the towns of the great midland coal and iron district, and also the Potteries. Besides which, we inquired into the condition of three or four large county towns of a different description from the others, namely, Shrewsbury, Chester, Gloucester, and Wrexham, in order that we might see what the state of those was. The other commissioners, among whom were my distinguished friend Professor Owen, Sir Henry De La Beche, and other highly distinguished men, investigated the state of other large towns, making up as I say 50, and comprising on the whole 5,000,000 of the population, consisting of all the large towns in England, except London. They made a report, which of course can be referred to if necessary.

473. In what year was that?—I think it was in 1845. We reported first of all that there was a very great evil arising to the humbler and working classes from a neglect of sanitary provisions, from the neglect of that which was not only

only necessary for their health, but for their decency and comfort, and that they were driven to public-houses on account of not having decent places and comforts. We divided those towns, and asked these three questions respecting them: First, "How are they off for the supply of water?" secondly, "How are they off for drains?" and, thirdly, "How are they off for cleansing?" And I am sorry to say that I think that 40 out of the 50 towns were very badly off for water supply; and the great majority were very badly off indeed as respects all those three necessary conditions for the welfare of the humble classes, as regarded their dwellings. Recommendations were then made, and since that time great efforts have been made to improve them in those respects, and I am happy to say that in Birmingham and some other towns a great deal has been done.

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474. To the satisfaction of the poorer classes?—They were very grateful for the inquiries made, and they stated very often the great hardships they suffered, more especially the women, having to dwell as they did in close courts and alleys, while their husbands had gone out to work. The medical men, without exception, stated the great drawback from the comfort, and the health and the wages of the men, owing to those causes.

475. Are there any other committees or commissions in which you have borne a part, in reference to the lower classes?—I had the honour of moving for a Committee upon additional means of encouraging the investments of the working classes. Our view was to look out, and suggest other means that might be beneficial to them in that way, and we reported in favour of two or three modes that would give them facilities; for instance, many of the upper working classes were earnestly desirous of means being afforded them of possessing a bit of land; but the titles, as you are aware, were so exceedingly complex, that those difficulties were an absolute bar to their purchasing land; there were societies formed for the purchasing of property, and for giving facilities for the division of it into little pieces among the members; that was one of the things we considered. Then there was another Committee which I had the honour of moving for, I think in the following year, upon a subject that has, I am glad to say, worked out very successfully; that was the practicability and policy of introducing into this country the limited liability of partnership; we had a good deal of evidence before that Committee, some from America, some from Spain, some from Holland, and from other parties who had turned their attention to that subject, amongst others, the distinguished name of Mr. Stuart Mill, all testifying that, with proper care, such a facility, if given, would be of the greatest advantage; that it would enable men to combine together in moderate sums for carrying out objects beneficial, not merely as repaying to them a fair interest, but as carrying out some moral advantage to the community; giving an opportunity of carrying out those conjoint efforts, which may not only pay something in the way of interest, but something also in the way of advantage to the masses in the neighbourhood of towns. The Committee did not entirely agree in the recommendation of the object I had in view when I moved the appointment of the Committee, but we got a great deal of evidence in favour of it; the effect of that Committee was to draw the public attention to that subject, and subsequently a commission was issued, upon which I was not placed. After that, the Government took the matter up, and brought in a Bill, which has been carried and widely acted upon, and that, I believe, has given a facility for the investments of the middle classes, in many instances, which they would not otherwise have had. As you are aware, in the old partnership law a man was liable to his last shilling and his last acre, which prevented men having much prudence from going into a partnership; but now a man is only liable under this law to the amount of his 50 *l.* or 500 *l.*, or whatever may be the amount of his subscriptions. We had a great deal of evidence on that subject, showing the interest which many of the upper working class took in it.

476. With the great experience you have had, and the benevolent interest you have taken in the welfare of the lower classes, will you state to the Committee what, in your opinion, has been the cause of those strikes which have from time to time occurred?—I have no claim to any particular benevolence; but as far as taking an interest in the welfare of the working classes goes, I really think that anybody who pays a pretty close attention to them, who goes amongst them, and gives them what I call fair play, will be repaid, generally speaking. Of course there are amongst them some hot-headed and foolish men; but generally speaking they are very responsive to any kindness that may be shown them.

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With reference to strikes, I should conceive that they arise from this cause. We know that wages are regulated by the relation between the demand and the supply of labour; that is the general principle which we all agree to. Then when either of those elements fails, of course one can easily conceive if the demand is greater than the supply, it is quite natural that the men should think that they ought to have some rise in wages. If, on the contrary, from the supply of capital being short, there is a less demand for labour, then it is very natural that the masters, finding their profits less, and that there is not such a demand for labour, should be desirous of lowering the wages of the men, or of having a smaller number of men; and it is the want of a means of getting to any mode of ascertaining those relations of supply and demand, and the causes of those changes, that, I think, is the cause of strikes. One party very often thinks the other is in the wrong, and, not having any friendly medium whereby they can talk over and consider the subject calmly, which would very often bring them right; they are apt to take counsel, perhaps, with the warmest amongst their fellows, and to consider that injustice is done them; and then it results in a strike, which is injurious to both classes.

477. Is it your opinion that if a council of conciliation were established to interfere between the master and the workman, those strikes which now take place would either be done away with altogether, or would very much diminish?—Yes. I do not think I should use the word interfere; but if there was any council elected by both sides, that is, a certain number elected by the masters, and a certain number by the workmen, of calm men, who could come together beforehand when any of those differences were occurring, and try to adjust the matter, and talk the thing over together, I believe that, not in all instances, but in a great many, it would tend to prevent strikes taking place, and would show that there was more reason on either side than the other thought.

478. Has it come to your knowledge that in some trades, or in some callings, there is a good deal of hardship imposed upon the operative; for instance, being obliged, in the knitting trade, to find frames, or, in the silk trade, being obliged to work in a particular manner, which was not agreeable to himself, and which was injurious to his interest?—I have not entered into those particulars so as to be able to speak to them. I am aware that there are customs in different trades; in some, the men providing the machine, in others, the master providing the machine; and questions of the wear and tear of the machines, and deductions for work not perfect, which I do not pretend to understand; but in all those cases, and a variety of others, it would be useful to have councils of conciliation.

479. Does it appear to you that any other means could be devised for the purpose of adjusting those differences except that of a council of conciliation?—I do not see any. There is one thing that appears to me might at some future period be possible, but not yet. It might perhaps be too sanguine a view that when men are become more reasonable and more intelligent there might be certain trades and certain manufactures in which there should be a council of masters and men, and in which the capital should be found by the master to a certain amount, and by the men also, perhaps to a small amount, applying also the limited liability, or something of that kind, and in which the men should be paid four-fifths, or some other proportion, by wages, and one-fifth by profits, so that they might become interested in the general welfare of the manufacture, whatever it was.

480. Is not that met a good deal now by task work, or working by job?—It is not quite the same thing; task work may be very right. I believe in France there are large shops and businesses carried on, in which a certain number of the upper workmen, or superintendents, are what is called *interessés*, and they have a certain small proportion of the profits as well as their wages; so that they are interested in the welfare of the whole thing, and they do their best to prevent the whole thing going wrong. It is a subject one can only look at at a distance, but the principle might be carried out at a future day advantageously.

481. Is not that somewhat the case now in England with regard to the foreman; has not the superintendent sometimes a certain per-centage upon the profits which are made?—I am not able to speak to that with confidence; some inquiry might be made referable to that point. I think some of the superintendents are paid a little extra above the regular wages, in proportion to the profits at the end of the year.

482. Your



482. Your impression is, that at present, in the existing state of things between masters and workmen, equitable councils of conciliation would be of service?—I think they would, certainly, be of service where they were voluntarily adopted.

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483. Is it your impression that those councils ought to be permanent, and to be established previously to any disputes arising, so as to be ready to meet the dispute whenever it occurred?—That I think would be desirable.

484. As you have turned your attention to the condition of the lower classes, in what way do you think those councils of conciliation ought to be established, and in what manner would you define the qualification of an operative who should be entitled to vote?—That is a very large question; but I should say that the first thing is to do what is possible; if, therefore, we were to recommend anything that was too complex in itself at which people would be frightened, that would prevent them from using it; on the other hand, if we did not recommend that which would be likely to give a tolerable decision in most of the cases of dispute, then they would say, "This is inoperative." I think, therefore, in every town or manufacturing place, if there was to be first of all some one chosen as a presiding head, who they thought would be a fair and impartial man, and then there were to be small councils composed of masters and men, not for each individual trade, but for such as have an affinity to each other, and are of the same nature; suppose you had five men, chosen perhaps from three, or four, or five trades, and then five masters, those meeting together, with a power of calling before them witnesses as to any minute arrangements in the trade, would probably be sufficient, and at all events they would go a long way to prevent those differences which now so frequently take place.

485. Trades that are similar to each other, such as bricklayers and carpenters, could join in a council?—Yes.

486. Your impression is not to have a council of conciliation for every separate trade?—No; it strikes me you might have together those which have an affinity to each other.

487. Such as cotton-spinners and silk-weavers?—Yes; for instance, shoemaking and hatmaking and tailoring, though they are different trades, are all trades which supply wants in the way of dress, and I should think that you might have a council that would do for all those trades in a town, having one or two representatives of each trade upon it from both masters and men.

488. Is not there a great difference of opinion as to how you would define what a workman might be considered to be?—I should think it would be sufficient that those should be considered workmen who had worked for a certain time at a trade, whether regularly apprenticed or not.

489. You would not recommend a register being kept of them, and that only men who had been on that register should vote?—I do not venture to enter into details of that kind.

490. Your opinion is that those councils of conciliation would tend to soften the feelings of animosity which now very often arise between masters and workmen?—Yes, and they would prevent strikes in many cases.

491. Your opinion is, that when these councils were established and worked successfully, perhaps, as men became better educated, they would form those sort of partnerships on limited liability to which you have alluded?—A few might; I do not mean to say it would become general. I might perhaps observe that there is a wonderful difference in the earnings in different trades at different times. Some trades are acted upon by the season; particularly in this country, as we know there is a certain period of the year during which building operations can be carried on, and during which all that which is called the ornament of building is carried on also; then there is a certain period of the year during which those operations cannot be carried on in the same way; that, of course, affects all those who are connected with those trades. But there is also a great deal referable to changes in locality and alterations in fashion on the part of the upper classes; as we know with respect to very many men and women in this town, the demand for their services is infinitely greater during three or four months of what is called the season, than it is at other periods; their wages would then necessarily be higher; all those changes and demands for labour render it the more necessary to impress upon the working classes the desirableness of prudence and caution and forethought, and to give them a mean whereby out of the wages they get at one period they should be enabled to provide something for the period when, from

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changed circumstances, there would be a much less demand; those means they did not have till recently. The savings banks have done something; the benefit societies have done something, and even the railways have done something, by giving them the facility of moving from one place to another. I could mention several classes who will leave this metropolis, and go off to other places when there is no demand for their labour here; railways also give facilities for migration when a demand springs up in one part of the kingdom while there is a deficiency in the other, enabling the workmen to go from the one to the other, thereby benefiting themselves and their employers also. There is now greater facility of information as to there being a demand for labour in a particular place, which is a very great advantage to the workmen.

492. Has not education improved very much the habit of foresight of the labouring classes?—I have not the least doubt it has very much. I should wish to mention one thing which has been a great benefit to the working classes generally, but more especially to those who reside in the western part of the kingdom, and it is one which we should rejoice at; namely, the great improvement that has taken place in the condition of the working classes in Ireland, the consequence of which has been to prevent that great emigration which took place from Ireland to England, and more especially to all the towns on the western coast, Glasgow and Liverpool, and so on, underselling our labourers in the labour market, and thereby so far injuring their condition. Within these few years a fortunate change has taken place in Ireland, by which the wages are very much increased; people are very much better off for employment, and they remain for the most part content at home, instead of coming here to undersell our labour. I visited Ireland at the time when they were in distress, 15 or 16 years ago; the distress which I saw in some of the poorest places was dreadful, and the wages were very low indeed; but since that period that state of things has been remedied, and the consequence has been a great improvement to our own people.

493. Mr. Pollard-Urquhart.] Since 1825, the period at which you began to take a great interest in the condition of the working classes, do not you think that there has been a decided improvement in the feelings of the labouring classes towards their employers?—I do.

494. For that reason, do not you think that councils of conciliation would have much more power in settling disputes than they would have had 30 years ago?—Much more; I think the more reasonable that people are, the greater is the chance of adjusting disputes.

495. You said just now that you had taken a great interest in the proposal for introducing limited liability; do you know whether many of the labouring classes have invested their savings in any concern which has been carried on with limited liability?—I am not quite sure as to the labouring classes; but a great many who have risen from the class of mechanics and become small shopkeepers have. I may add, that I had the good fortune to carry through the House of Commons, about six years ago, an Act of Parliament which enabled humble people to join together in small enterprises. The great difficulty that they had in carrying out any conjoint partnership was, that if one out of 500 of the co-partners turned restive, or became unreasonable, he might put them all into Chancery, because all partnerships were liable to be overhauled by Chancery, and of course such a proceeding would have been total ruin to them; but we got an enactment passed that they should join in signing certain rules, and if any difference arose among them, those rules were to be decided upon by a local magistrate, or an arbitrator. Under that Act there were a good many societies established, particularly in some of the large towns, which are going on well. They did me the favour to write and thank me five or six years afterwards. The chief of them are what are called stores, and they are established for this purpose, to buy provisions at first-hand. They are managed by a committee. They do not sell to anybody except for ready money, but their own people come to purchase those stores for ready money; and not only have they a certainty of the provisions being good, but they are sure of having good weight also. And in that way I believe that that Act has worked beneficially, and I conceive that it might be applied gradually to other objects.

496. Do you know that there are many of the labouring classes who began as mere labourers who have risen to something higher, to the position of superintendents or chief clerks in factories?—I do not know that many of the labouring classes

classes have; many mechanics have, especially since the railway system has begun; railway companies have taken educated men, who have begun as workmen, and have made them clerks and managers. The men have risen gradually from one step to the other.

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497. Would not those men who have so risen make very efficient members of the council of *prud'hommes*, or any other equitable council of conciliation, to decide disputes between masters and men?—No doubt they would,

498. Have many "navvies," for instance, risen in that manner?—I do not think many of them have; some may have. You meet with sub-contractors here and there who have risen from the class of "navvies."

499. Do not you think that many more rose from being mere "navvies" to a better position at the beginning of the railway system than do at present?—I think the "navvies" are generally wanting in that small amount of education which is necessary for them to calculate well. I do not think that a great many have that amount of education, but some few have, I dare say; but all those who have been a little educated, just enough to calculate and to write, have risen in the manufacturing districts.

500. Would not that sort of workman who was able to calculate, and who had risen from a lower position, be very efficient as a member of those equitable councils of conciliation, to decide disputes?—I think the men, generally speaking, are very reasonable and fair, and would take a calm and quiet view of questions which might come before them.

501. Is not that greatly more so now than 25 years ago?—Yes, certainly.

502. As regards the condition of the labouring classes, do you think that labouring men lay by much of their wages, or that they live up to their wages a good deal, though they are better paid?—There is a great difference among working men in that respect, but that a great many endeavour to lay by a certain amount, I know. Even in the rural districts, where there are labourers, if they have not large families, and they have an opportunity of putting their money into the savings bank, they do so. There is a mode of laying by, which I have seen widely acted upon in the country, which is useful also in a small way. An owner of land says to his people, "Come, a clothing club would be a useful thing for you. I will give a little addition to it if you will put by a fund, to be drawn upon at the year's end, for clothes." The workpeople will do that almost universally, if they are assisted so far; and the same principle acts upon workmen in towns also.

503. Do colliers and people who work in towns lay much by, or are not they inclined to spend their money in drinking and dissipation?—There is less drinking now than there was, though there is too much; but I consider that they have great temptations, and that they do not have those facilities of laying by and those opportunities of having a little innocent amusement that they ought to have.

504. Was there not among some classes of labourers a sort of feeling that if they did not live up to their wages they would be considered shabby fellows?—I do not know that there was such a feeling as that.

505. With respect to those workmen particularly who are employed in ornamental building, who during a certain season of the year earn a great amount of wages, is it the custom for them to lay up during the time they are in full work, so that they may have something to fall back upon during a dull season?—They want the forethought for that; of course there is a great contrast between many operatives. I do not pretend to know exactly the amount of providence or improvidence that exists, but I think on the whole the working classes are more provident and educated, and better off than they were. And, moreover, there is another thing I would refer to, and that is the Report of the Registrar General, giving the length of life throughout all classes, showing that the general health of the working classes has considerably increased within the last 25 years.

506. You said just now that since the establishment of the railway system the labouring classes have been able to go about more from one place to the other, wherever there was a good demand for labour. Do you not think that these equitable councils of conciliation would be useful in giving information of

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that sort, and that they might say to the workmen, "If you go 10 miles off you will be able to get plenty of work"?—Yes, I think so.

507. Do you think that the trades' unions themselves give their members information of that sort?—I am not aware that they do; but I should think they would.

508. *Chairman.*] Is not it the case that poor people have to pay a higher price for the articles they purchase than rich people have; for instance, a poor man gets perhaps the worst tea at the highest price, whereas the rich man in his neighbourhood gets better tea at the same or a lower price by taking it in a large quantity; do not you think that if those poor people formed themselves into a sort of benefit society, for the purpose of purchasing articles of food and clothing, they would get those articles much cheaper and much better?—I believe the society I have mentioned, who availed themselves of the powers of that Act, has been of great advantage to those people, because they have got the things they wanted of the best quality at a moderate price; but I should also state that there is one thing necessary to carry that out, namely, no trust. Many of those smaller shopkeepers have unfortunately bad debts, and therefore they make the honest man very often pay for the other man who does not pay.

509. *Mr. Baillie Cochrane.*] Is not it generally found that strikes occur when the people are well off?—That is to say, when wages are good. Strikes generally occur when there is a great demand for labour; and the men think that as there is a great demand for labour they ought to have a little more wages. I have once or twice gone among the people in my own district, the Shropshire colliers, and I have never found any difficulty amongst them, though they are rough and riotous. I have asked them how they can possibly expect their wages to be the same when iron is 8*l.* a ton as when it is 10*l.* a ton, and they have said there was a great deal of truth in that; but when they have found prices rising again they have immediately said, "We ought to have a little more wages."

510. Is not it generally the case that a miner, for instance, makes less money during the week when wages are high than when they are low; that is to say, when wages are high he will only work a couple or three days a week, whereas when wages are low he is better off in point of fact, because he works on continuously through the week?—I do not quite think that; it may be in consequence of getting higher wages he works a shorter time; but if the Honourable Member has not been, as I have been, down to the bottom of a coal pit, he will hardly conceive the hardships the miners undergo. You go down to a working in which you cannot walk upright; you walk on, and find a number of men without a single rag on above their waists, picking at the coal in every painful attitude you can conceive; then there come draughts of air, to shield themselves against which they put on their woollen jackets, after being in a profuse perspiration; then they will take you to a spot where they will ask you if you ever heard of such a thing as bad air, and they will put in a light, which will immediately burn blue, and you have such a horrid smell, that you desire to leave the place as quickly as possible; therefore they have a good deal of painful work, and they do as much in 12 hours that way as many men do in 24, when you look at the real hardships which they have to undergo, putting aside the chances of accident to which they are subject.

Veneris, 30<sup>o</sup> die Martii, 1860.

MEMBERS PRESENT:

Mr. Ayrton.  
Mr. Mackinnon.  
Lord Robert Montagu.  
Sir Joseph Paxton.  
Sir Morton Peto.

Mr. Pollard Urquhart.  
Mr. Slaney.  
Mr. Trefusis.  
Mr. Cubitt.  
Mr. Egerton.

WILLIAM ALEXANDER MACKINNON, ESQ., IN THE CHAIR.

Mr. John Charles Buckmaster, called in; and Examined.

511. *Chairman.*] WHAT is your position in life?—I am at present an Assistant in the South Kensington Museum, and Examiner in the Royal College of Preceptors.

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512. Have you been at all connected with associations of men or masters?—Yes, I served my time to a carpenter and joiner, and I was subsequently secretary to a trades' union.

513. Of how many members did that union consist?—At one time there were 4,000 members.

514. Will you state to the Committee what is your opinion in reference to the best means of promoting a good understanding between masters and operatives?—I think the difficulties that generally arise between masters and operatives, in almost all cases, might be reduced to a simple proposition which might be easily adjudicated upon by impartial persons, that is, men in whom the masters and the operatives had confidence; I recollect a case that occurred to me when I was connected with this trades' union; the object of the society was, primarily, to assist men in sickness; to provide a little for those out of work, and also to assist men on strike, when the executive considered the strike justifiable; I recollect a circumstance occurring in which the men struck, and we supported them because we thought the strike was justifiable. It was this: two men came into the shop as carpenters and joiners who had previously only been carpenters' labourers. It was customary for the masters to ask the men before they employed them whether they had ever served an apprenticeship; these men had never served any apprenticeship; the master knew that, and they were admitted into the shop at reduced wages; the other men naturally felt either these men are not fairly paid, or we are over paid. At first the men wished to remonstrate in perfect good feeling, but they did not meet with any kind of concession on the part of their employers; and the difference gradually grew into ill feeling, and eventually ended in a strike; after a week the two men left, and the others went back to work.

515. Had there been councils of conciliation in existence, you think that would have been avoided?—I think so; the men were willing to submit to a fair and just arbitration. They felt that they had rights and privileges which ought not to be invaded with impunity.

516. And perhaps those strikes arise generally from a sort of misunderstanding between the operatives and the masters, where neither understand the other, and both get excited in their feelings?—Yes, often arising from the most trivial circumstances. But in some cases there seems rather an aversion, on the part of the masters, to hold direct communication with the men, and to identify themselves with their interests in a manner adapted to promote conciliation.

517. Is it not the case that the men now have no alternative but to apply to the magistrate, but that they are unwilling to do, because it creates a hostile feeling towards the masters?—The magistrates say, that they have no jurisdiction in the matter, and the men feel that they are placed under disadvantageous circumstances. The newspapers, and public feeling, are generally against the men.

518. You think there is a great deficiency of some understanding tending to promote amicability between the men and the masters?—I think that is one cause; and, from the attention I have paid to the strikes of the colliers, the ribbon-weavers, and the shoemakers, the difficulty is not one of a technical.

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or abstruse character, but one which any impartial man could understand and adjudicate upon at once.

519. Lord *Robert Montagu*.] Are you still a carpenter?—No, I am an assistant in the South Kensington Museum.

520. Are you still secretary to the trades' union?—No, that was many years ago.

521. How long ago?—About 17 years ago.

522. You cannot speak as to the action of trades' unions at the present time, from your own knowledge?—I have continued to feel an interest in the class to which I consider I belong, and I have always associated my interests with them, and have made myself acquainted with their proceedings; but from prudential motives I have for a long time abstained from taking any active public part with them.

523. Are carpenters paid by piece-work in general?—I believe it is the custom in London to pay some by piece-work, but generally they are paid by the week.

524. Is there an understanding to discourage piece-work in that trade?—I think there is no objection to the payment of work by the piece; I think the men generally prefer it.

525. Are the men ever expelled from the trades' unions?—Instances have occurred in which men have been expelled; when I say "expelled," they are no longer considered as members.

526. For what class of offence would that take place?—If a man's subscription lapsed for a great length of time, that would be one cause; if a man were known to be an immoral man he would be expelled.

527. For acts of dishonesty?—He would be expelled.

528. For drunkenness?—For continued drunkenness.

529. Or for a disturbance of the peace?—If a man were convicted before a magistrate he would be expelled; at least he would have been in the society with which I was connected.

530. The trades' unions rather tend to elevate the character of the workman than otherwise, do they not?—I think, when properly managed, they have that tendency.

531. If a man belonged to a trades union, and were guilty of what is called "scamp work," would the opinion of the other members of the trades union go against him, so as to prevent that kind of work?—When you make use of the expression "scamp work" I understand you to mean work not thoroughly performed; that is properly the business of the foreman and the master. The trades unions exercise no jurisdiction as to how a man performs his work; if it answers the purpose of the master he keeps the man, if not he is discharged.

532. If a man were known not to do fair and good work, would the trades unions take notice of that?—No; I do not think that it would be necessary or proper for them to do so. If a man were to spoil the work, or cut up his stuff improperly, he would be compelled by the foreman of the shop to pay for the stuff he had spoilt. A master would not keep a man who did not produce work to his satisfaction; it is not a matter between the man and the trades union.

533. Mr. *Trefusis*.] In the case of that strike to which you have referred, was there a proposal to refer it to arbitration?—Yes, we tried to arrange the matter once or twice.

534. What sort of tribunal did you propose?—That three men should wait upon the masters, and that the masters should meet the men. The masters declined to meet the men; they considered that they would be making a kind of concession, and lowering their position with other masters.

535. The opposition came from the masters?—Yes.

536. How was that strike concluded?—The two men against whom the others struck left, and then the men went back to their work.

537. Mr. *Walter*.] How long is it since you were secretary to the trades union?—Seventeen years.

538. Do not you think that on the whole there is a better feeling among the workmen now than there was 17 years ago?—Political feeling at that period was certainly an element in all sorts of unions and combinations of working men, but the feeling is more healthy now among the working classes.

539. When you speak of political feeling, was not there a feeling at that time among the working classes that the higher classes, including their employers, were tyrants and oppressors?—I think that feeling did exist to a considerable extent. The tone of feeling among the men is more healthy now.

540. And

540. And they are more amenable to reason, are they not?—Yes.

541. And therefore the councils of conciliation would have much more power in settling any dispute amicably now than 17 years ago, would they not?—Very much more, because at that period it was almost impossible to meet a man who was not closely interested in great political questions, upon which working men used to feel strongly.

542. You do not think that there is much political feeling in trades unions now?—No, it is rather social progress that they now look to than political change.

543. You said that the men ceased to be members of the trades unions if they went against the rules of the society; when they cease to be members of the trades unions, did they forfeit their right to the subscriptions which they have hitherto paid?—Yes.

544. Then the trade union has a great hold over a man, if they deprive a man of his membership in the trades union who does not conform to everything the union desires, because in losing his membership he loses a great deal, does he not?—A man belonging to a union is considered as being under a kind of compact, in which the members are all bound to behave themselves in the same way as members of an ordinary benefit society, and by losing his membership he loses the advantages of the union.

545. If a man went to work when the other men were on strike, would he forfeit the benefit of the subscriptions he had paid in to the society?—We had no rule in our society to expel a man or to punish or to do anything to him for taking such a course. If the men upon their own account liked to annoy him, that might have been done, but it was not an organized opposition on the part of the trades union, nor would the executive approve of such a course.

546. Supposing a man goes to work when the others are on strike, and afterwards he fails in health, and supposing that in the ordinary state of affairs he would have been entitled in his sickness to the benefit of this benefit society, would they give him that benefit if he had been working after the others had struck?—After a time, I think they would; in the case to which I refer, the men were unanimous upon the point; unanimity takes place first, but generally a division arises among the men after they have been out of work some time.

547. When a division arises is there much tyranny of the majority over the minority?—I do not think that there is more tyranny by the majority of working men over the minority who disagree with them than there would be in any other class of society taking into consideration their education and social position.

548. Is there any physical force used?—I have never known any. It is desirable to draw a distinction between what the trades union allows and sanctions, and what a man likes to do upon his own individual authority; if I am in the majority, and I see a man at work who should be on strike, and I go and quarrel with that man, I do not think the trades union is to blame for my quarrelling with him.

549. Supposing a member of the majority were to strike a man who went to work against the wish of the majority, would they set themselves against physical violence of that sort?—Yes, and there would be a much greater tendency to that repression now, than at the time to which I refer.

550. You think that the men are more amenable to public influence now than when you first became connected with them?—A great part of my life has been spent in close connexion with the working population; I belong to them; I know their feelings well, and I believe that in the majority of instances they would be amenable to reasonable influences if they were brought to bear upon them in a proper spirit.

551. *Mr. Cubitt.*] How, in such a case as you alluded to, could any moral influence have been brought to bear. As I understand the matter, there were two men who went in at a lower rate of wages; they had not served any apprenticeship, and probably they were not equally skilled with the other men. The master thought that he was entitled to take their labour, such as it was, at such a price as he might think fit; the men, on the other hand, thought that there ought to be no difference in the wages, that all the men ought to be paid alike, be their talent and merit what it might; and therefore grew up this difference. Can you suggest any friendly tribunal before whom that case could have been brought, and who would have had either a sufficient influence over the master to show him that every man, be his talent what it might, ought to be paid the same, or sufficient influence over the men to show them that where there is a difference

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of quality there ought to be a difference of price?—Would you allow me to make a remark before I reply directly to the question, in reference to those two men being equally skilled. It is well known by everybody who has had experience in carpenters' work (and no trade has a wider range of invention and specialty); that while those two men might have been worth quite as much to the master in doing carpenters' work, heavy framing and things of that kind, as men who had served a seven years' apprenticeship, under such circumstances the men who had served their apprenticeship were placed in a false position, because they were receiving five shillings a week more for the same kind of work as that performed by these labourers. I think a master has no right to do such an injustice, and thereby insult a respectable trade. As regards the tribunal, it has occurred to me that it might be managed in two ways, either that the tribunal should consist partly of parties nominated by the operatives who had the difficulty, and an equal number nominated by the masters, and that the Government should appoint a chairman as umpire; or you might take a third from the men, a third from the masters, and a third might be nominated by the Government. I think such a tribunal would have the confidence of the men and would have the confidence of the employers, because they would reasonably presume that the decision would not be influenced by party considerations, as must always be the case with tribunals composed of masters and men.

552. The tribunal which you suggest seems to me to be an exceedingly reasonable and proper one; but do you think that there should be something stationary of that character, or that in every individual case there should be persons specially appointed for that particular case. I ask that question, because you know in your own business there are people who ought to understand carpenters' and joiners' work, and if it were any other trade there would be people who ought to understand that particular trade, and moreover, it is not merely different trades, but in every trade there are specialties, and the question is, whether you think we should have a tribunal appointed by law which should be continually in existence, or whether there should be a power under the Act for appointing a special tribunal, not only giving power to appoint it, but also giving power to compel the appointment?—I think that if such a tribunal existed, the necessity for its permanence would be rather a matter for subsequent consideration. The fact that such a tribunal existed, or could be called into existence, would often induce masters and men to arrange matters before they brought them to the decision of such a tribunal. As regards specialties in particular trades, strikes scarcely ever arise out of any specialty or technical point of trade which it is difficult for a person to understand; but out of those common principles which govern men in every day life (in which selfishness is generally at the bottom), which all men can easily understand, and which an impartial man could easily adjudicate upon. As a case in point, I know nothing of ribbon-weaving, but I happened to be at Coventry at the time of the ribbon strike. I went to one of the meetings to try to understand the real cause of the strike, but the speeches were beyond my comprehension; I got quietly into conversation with one of the ribbon-weavers on strike, and I got from him the great difficulty; subsequently I saw a master, a lock-out, and I got from him his case. If my sympathies were not, as they naturally would be, and, perhaps, not improperly with the working classes, I think I could have adjudicated justly upon the question, and settled it in five minutes, but I was an unfit person to have that position because of my predilections.

553. I agree with you that strikes, generally, would arise out of more general matters, but in the case you have alluded to, should the tribunal have compulsory powers, that is to say, should the law compel both parties to submit to arbitration; such a question as that which caused the dispute between the masters and the men in this particular case; should the law compel both parties to submit the question to a tribunal, which tribunal should have the power to bind both parties?—I think in the case to which you refer (and there never was any case of any strike but there was an immense quantity of injury and social suffering in consequence), it should in a day or two be compulsory, just the same as a policeman takes a man in custody for doing anything wrong.

554. Mr. Egerton.] In the appointment of such arbitrators as you suggest, there would be considerable difficulty in the selection, would there not?—I do not think that the difficulty would be so great as is apprehended; the difficulty, if any, would be in appointing the arbitrator or impartial third. We are obliged



obliged in difficult questions that arise in social and commercial life to refer them to some one to settle; that decision is considered binding, and for the most part satisfactory, and it would be held to be so in this case just the same as the decision of a judge.

555. Does not the experience of arbitrations lead you to suppose that they are seldom accepted by the parties, are not even legal arbitrations attempted to be opened again?—Legal arbitrations, surrounded as they are with a great deal of technical difficulty, would be liable to be reopened, but between masters and operatives they would not be open to the same objections, in consequence of being of a simpler character. We have in this country a free press, which always takes up and supports a just decision, and if a tribunal of that sort existed they would know that their decision would be open to the criticism of all the country, and I believe that the decision would be given with perfect justice. I think there is no parallel between a legal arbitration and such a one as that contemplated.

556. Would you propose that this arbitrator, the third person, who should have the casting vote, should be permanent, or would you propose to elect him?—I look at it in this way. The masters and men have two interests, which for general purposes are sufficiently separated. One can easily understand that if you had a tribunal composed of the two parties you would want some one intervening between those two. Whether such an officer should be permanent, or appointed for the time, must be decided by the requirements of the cases which were brought under his notice.

557. But how would you regulate the intervening machinery between the masters and the men?—Generally speaking all appointments of that kind should be placed in the hands of the Government, because the Government are not likely to be influenced by those local considerations. For instance, Members of Parliament would have been more able to adjudicate justly (considering that they come from every part of the country) between the masters and the operatives in the late strike, than the masters and the men themselves, because they would not be liable to the same prejudices.

558. Do you think that if the appointment of the independent arbitrator were entrusted to the Board of Trade it would have a beneficial influence?—I think it would, or the Home Office.

559. *Chairman.*] I gather from your evidence that you are decidedly of opinion that it would be better to refer the appointment to the Government, in one or the other of its departments. It has been suggested in some of the evidence that the court of quarter sessions, or some authority in the county itself, might do it more effectually, because the Government would not know anything about the particular matter in which the dispute arose; what is your opinion upon that?—As to referring the matter, for instance, to the decision of the quarter sessions the parties who compose the quarter sessions are, for the most part, locally interested in the circumstances going on, and frequently locally interested in the particular question at issue; and, therefore, such a decision of the quarter sessions would, in my opinion, be less satisfactory than the decision of any other party I could suggest. I think the quarter sessions a most unsuitable tribunal for such a case.

560. You would not leave the selection of the chairman, who would be in fact the arbitrator, to the combined votes of the masters and operatives in this council assembled?—No; the appointment of chairman or arbitrator ought to be by the highest authority we have, which would give more weight and responsibility to his decision.

561. *Mr. Pollard Urquhart.*] Would not it be extremely difficult for the Government to appoint a chairman or arbitrator in a remote district, of the circumstances of which they might know very little; would not it be extremely difficult for the Government to appoint a chairman to settle disputes between masters and men in Cornwall, for instance, or the western part of Ireland?—The Government would have just the same facilities for the appointment of an arbitrator under such circumstances as they have of sending a gentleman down to inquire into the cause of a railway accident, or an explosion in a coal mine, supposing the question to turn upon technical points of trade, which is rarely the case.

562. There are a great many disputes, are there not, which can hardly be decided except by people acquainted with the trade?—Where those difficulties occurred they could easily be got over by calling in two or three workmen, and examining them as witnesses.

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563. Mr. *Egerton*.] Take the case of the dispute which occurred at Coventry; would gentlemen sent down from London have much cognizance of a matter of that sort?—There must be, of course, all the necessary arrangements to make the thing perfect; the efficiency of the plan would depend on the manner in which all the parts were put together. I think if the men were allowed to appoint half-a-dozen of their own party (in some instances the masters would not condescend to meet the men), and the masters were to appoint their half-dozen, a person going down perfectly disinterested, and who did not know anything about the trade, but could understand the question at issue, would be more likely to be satisfactory than one who knew all the particulars of the trade, and who, it might be suggested, had an interest in the question, in consequence of his more thorough acquaintance with it.

564. Lord *Robert Montagu*.] For what object were trades unions instituted?—The trades union with which I was most intimate had three distinct objects; namely, to provide for the men in sickness, to assist those out of employment, and to support the men in the case of a justifiable strike.

565. Is that the general object of all trades unions?—Of most of them.

566. Do you think they promote strikes unless it is to procure what they think absolutely just and imperative for the men?—I do not think, as a general rule, trades unions would promote any strike or any opposition to their employers unless they had some real or supposed grievance to redress.

567. Supposing these councils of arbitration were established, and that they worked well and settled disputes, the trades union would not in any case have to promote a strike, would they; no strikes would occur if all disputes were settled amicably?—The functions of trades unions in that direction would cease.

568. Then the objects of trades unions, supposing them still to exist, would be rather those of a benefit society or relief club?—They would partake more of a social character. But I think, even apart from considerations of that kind, we know that it is a good custom with all persons in trades to associate together in one society.

569. The chief character of the trades union would be as a benefit society or as a relief club for the men?—That would be the chief function of the unions under such councils of conciliation. I believe that the trades unions, generally speaking, whatever may be said against them, have rather a social character than otherwise; and I think that, taking them as they are, the good they do more than counterbalances any evil that may be imputed to them.

570. *Chairman*.] They encourage industry and respectability in the workmen?—Yes; and they tend to a kind of emulation among the men. The good workman is respected at the trades unions more than a man who is idle and dissipated, and the most intelligent and best workmen are generally appointed on their committees. It is not true, as a rule, to say that the leaders are idle and dissipated men.

571. Mr. *Staney*.] As I understand you, your opinion is that councils of conciliation, consisting of some one chosen by the men and some one chosen by the masters, would be useful for the settling of those differences which arise from time to time, bringing them to a friendly termination?—I think so, and I think they would be productive of great social good.

572-3. Do you think that in the case of any dispute the parties should be compelled to refer to the proposed tribunal, or that it should be merely optional with them to do so?—In the case of a strike or any difference between masters and operatives, if that difference was not amicably arranged in the course of a day or two it would only widen the breach; within a certain time I think re-arbitration should be compulsory.

Mr. *Richard Mitchell*, called in; and Examined.

Mr. *R. Mitchell*.

574. *Chairman*.] WHAT are you by trade?—I am a miner, and I am Secretary to the South Yorkshire Miners.

575. Lord *Robert Montagu*.] Does that organisation extend over any other districts besides Yorkshire?—There is a sort of organisation amongst the miners in Lancashire, but only partial.

576. Is there any organisation in Cheshire also?—A little.

577. Any in Derbyshire?—Very trifling.

578. Any in Staffordshire and Warwickshire?—None at all.

579. You

579. You have nothing to do with the management of the affairs of any district except Yorkshire?—I have only to do with the local management of South Yorkshire.

580. Have you been in London lately, on a deputation?—I have.

581. Have you had an opportunity of seeing the Bill which Mr. Mackinnon has brought in for the establishment of councils of conciliation?—I saw it a fortnight ago, for the first time.

582. What is your opinion of that proposal?—It would have a tendency, in the coal districts, to put an end to those disputes which are so costly to men and masters.

583. What is the opinion of the miners in Yorkshire, generally, with respect to that Bill?—I consulted the representatives of 50 collieries and iron-stone mines, last Monday, and their general impression was favourable to the principle of the Bill, with the exception of the proposal for giving the justices in petty sessions power to appoint the chairman. That we think would be prejudicial to the interests of the employed.

584. How would you appoint the chairman?—We think it should be by the Secretary of State or the Board of Trade.

585. *Chairman.*] Some official person under the Government?—Certainly; who would not be capable of being influenced by local connexions.

586. *Lord Robert Montagu.*] Would such a plan be approved of by the men, do you think?—Yes, it would.

587. Would you have a council for each trade, in each district?—Certainly. It is not probable that the miners of Staffordshire and Lancashire, for instance, would understand the nature of the disputes in my own district; it would be necessary that the South Yorkshire district, amalgamated together in general union, should have a separate council.

588. Have you ever considered the subject of strikes?—For the last two years I have.

589. Did you ever exert yourself to avert any strike?—A great many times during these last two years.

590. Do you think that a strike is the only protection for the operatives against the masters?—I have no doubt, in the present state of society, that strikes are the only alternative.

591. Do strikes generally occur when trade is brisk, or when trade is languishing?—Generally when it is languishing, frequently when it is brisk. We have unscrupulous and bad employers as well as good employers. A good employer will reason the matter, and will concede an advance of wages to the men in accordance with an advance of price of the article in the market; a bad employer will not do so; hence arises obligation on the part of the society to use every available means, if the coal is going to the same market, to bring the bad employer up to the good employer's standard.

592. *Chairman.*] Your experience is, that both in times of high wages and in times of low wages, a strike may take place?—Yes; we have had a strike settled a fortnight back in my own district.

593. *Lord Robert Montagu.*] How are the men supported who are on strike?—By the voluntary contributions of their own trade.

594. Not by the contributions of other trades?—No.

595. Never?—They are occasionally in Lancashire, where the men are not organised; but we in South Yorkshire, being well organised, can support ourselves.

596. Have you ever known of any cases of intimidation being resorted to during a strike?—I have known of cases of intimidation on the part of the employers.

597. Do you yourself know of any cases of intimidation on the part of the men?—I do not.

598. What is the general conduct of the workmen during a strike; is it very orderly and moderate?—Our rules bind them to peaceable conduct.

599. What has been the conduct of the employers when you say they have used intimidation?—A man, for taking an active part in the cause, is generally turned away from his work, and told that if he does not cease to be active his work will be taken from him; I call that intimidation. I may mention this case: while I have been up in London these last five weeks, the person appointed

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to take my place has been turned away from his work, and 6*d.* a day taken from his wages.

600. Why?—Because he conducted my correspondence after working hours; and the master of the colliery has gone to other managers at other mines, with a view to induce them not to employ this same individual.

601. Do you think that trades unions are necessary for the men to protect themselves against being forced to succumb to any matter which the masters may choose to propose?—Yes; as a proof of that, our masters in 1858 combined to take 15 per cent. from the wages of the men. This was the cause of the establishment of the Miners' Society. The Employers' Society had been in existence 30 years. Those employers met in February 1858; they passed a resolution to take 15 per cent. from the wages of the workmen; and as a proof that this resolution was not necessary, last February the whole of this money was given back again to the working men, when coals were selling at 6*d.* a ton less than at the time when they passed the resolution to reduce the wages.

602. Your trades union did not originate in any idea of aggression?—No; our trades union is a resisting machinery which was forced upon us by the pressure of surrounding circumstances; previously to February 1858 there was no society among the miners throughout Yorkshire.

603. Do you in your trades union give money to men who lose a limb, or are injured by accident?—Yes, 8*l.* at death, and 8*s.* a week to every person injured.

604. Then it has very much the character of a benefit society?—It has.

605. Supposing that by these councils of arbitration, all disputes were settled and all aggression on the part of the masters were prevented, what then would be the character of the trades unions; would trades unions still continue to exist?—Yes, as benefit societies, and as a means of affording opportunity to the working men to consult together for their own welfare and their own intellectual advancement.

606. Does your trades union always advocate moderation?—Yes always; it is a condition and rule laid down by the society, that for any breach of the peace the men shall forfeit all claim to the funds of the society.

607. Do they always in the first instance seek for an arbitration to settle a quarrel?—We have so often offered arbitration without effect that we have found it useless; I have been engaged in one case of arbitration.

608. Is this a rule of your society, "No member shall act contrary to the law, nor behave insolently or unreasonably to his master"?—Those are not the exact words, but it is to that effect; I have not a copy of the rules with me, but in the case of any persons being elected as a deputation to their employers to try to settle any dispute, we forbid them from behaving rudely, or using any improper language to their masters, or to the agents of their masters.

609. Does the trades union refuse assistance to the men, unless there is a real and just ground of complaint?—It does, and every statement previously to its being sent in to the employer has to be examined by a committee of competent men, and very often that statement is moderated.

610. Is your trades union careful never to encourage any idleness?—It never encourages idleness.

611. You would examine into the grounds of complaint, so as to make sure that idleness is not the real ground of it?—We do always.

612. Does the trades union ever as a body interfere with those who are not members of the union?—No, not as a body.

613. Do you try to prevent your individual members from interfering with the non-members?—Yes, we do; as a proof of that I will read a minute passed by our meeting last Monday; "Proposed, that though we deplore the practice of importing inexperienced persons into dangerous mines as prejudicial to our interests, and calculated to imperil our safety, still we do not approve, nor can we countenance or support any unnecessary interference with the working operations, or as to who shall or shall not be employed by the agents to perform the unskilled labour at our respective collieries."

614. Is that one of the resolutions of your trades union?—No; that is one of the minutes of the delegates' meeting of Monday last.

615. Do you merely fix the minimum rate of wages a man may receive, or do you fix also the maximum rate?—It is generally contract work amongst our miners; the wages per day are generally fixed; it occasionally happens that the men

men have to work by the day, on account of difficulties that may be met with in the working places. If a miner is working by the piece, the steward is sometimes desirous that he should commence work by the day; and there is a general standard of wages that should be paid to that individual under those circumstances.

616. By whom is that standard arranged?—By the employer himself.

617. How much a day is the standard?—Four shillings and sixpence for eight hours' work.

618. Does the trades union say to a man, however well he may work "You may never receive more than 4 s. 6 d.?"—No; some, of course, will receive more.

619. Do you ever prevent men from doing more than a certain amount of work in a day?—No.

620. Did you ever know a case of that being done; for instance, in 1858?—I believe that there was an attempt in the West Yorkshire district, in 1858; but that was under extraordinary circumstances.

621. An extraordinary remedy was required, to meet an extraordinary evil?—Yes.

622. Generally you do not do so?—No.

623. With what object was that done at that time?—It was done to prevent the output of coal, in order that the men on strike might succeed in their object. There were 800 on strike at that time, against the 15 per cent. reduction; those men were being supported by 2,400 other men at work in the same district. Had there been no restrictive principle at that time, those men might have worked 16 hours a day, and put out the same quantity of coals that the whole 3,200 men did put out; so that the 800 on strike against what was believed by the operative miners to be an unrighteous deduction, tried to limit the output of coal to gain their object at that time.

624. Do you know of any instances of arbitration being attempted in your trade?—We have had one case of arbitration in Messrs. Craig & Co.'s colliery.

625. Is that near Barnsley?—Yes.

626. Could you give the Committee some particulars of that?—The arbitration lasted a fortnight. We had six meetings, and the arbitration failed; we could not agree with respect to electing a chairman.

627. The masters and men did meet, and the first dispute was about the election of chairman, was it?—We had six meetings; the arbitration lasted a fortnight.

628. Did you first choose so many men to act as arbitrators?—The workmen chose myself; Richard Carter, Esq., was chosen by the masters.

629. You two were to arbitrate?—Yes.

630. The arbitration was not successful?—It was not.

631. *Chairman.*] Why did it fail?—It was evident from the beginning that the employers were not sincere. Mr. Carter persisted in refusing to make any proposition whatever.

632. *Lord Robert Montagu.*] Is Mr. Carter a man for whom you entertain any respect?—Yes; he is a gentleman for whom I entertain a great amount of respect, and I should be sorry to make any statement here which would have the effect of wounding his feelings.

633. You say he made no proposition?—He would not.

634. Did the Messrs. Craig write to any third person, without the knowledge and concurrence of the men?—They did; they wrote to Mr. Richard Bayldon.

635. Did they write to him, stating the question in dispute?—They wrote to him to make him arbitrator without the knowledge of the men and myself.

636. Did they state both sides of the question to Mr. Bayldon?—Only one side.

637. Did they state the whole case?—Their own view of the case. Mr. Bayldon accepted the office of arbitrator without consulting either myself or the men.

638. Was it supposed that Mr. Bayldon was to arbitrate on the supposition that what the masters stated was the true state of the case?—When I wrote to Mr. Bayldon, asking him if it were true that he had been in correspondence with Messrs. Craig & Co. on the matter, he acknowledged that such was the fact.

639. You stated that the workmen sent a deputation to Messrs. Craig & Co. to offer arbitration?—Yes; after we got certain information that Messrs. Craig were desirous and willing to submit this question to arbitration, our executive immediately sent a deputation of one or two men to offer arbitration to Messrs. Craig.

640. You

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640. You say that two arbitrators were appointed?—Yes; myself on the part of the men, and Mr. Carter on the part of Messrs. Craig & Co.

641. Was this after the one-sided statement had been made to Mr. Bayldon?—Yes, afterwards.

642. Did you and Mr. Carter ever meet to discuss the matter?—Yes, we had six meetings; we met at the King's Head, at Barnsley, and at the Royal Oak.

643. Did you begin by trying to appoint a chairman, or did the masters try to appoint a chairman?—They wished to appoint a chairman at the beginning; I objected.

644. The chairman was to be a third party?—He was to be a third party, elected by Mr. Carter and myself, provided we failed in bringing the dispute to an amicable settlement.

645. Was that proposition of the masters defeated?—Yes.

646. Was it the case that you and Mr. Carter went into the affair together?—Yes.

647. Did Mr. Carter, in the first place, make any proposition, or did you make any?—At the first meeting I asked Mr. Carter if he had any propositions to submit for my consideration. He declined to make any.

648. Did you then make any proposition to him?—I laid down three principles, and asked Mr. Carter if he would agree to them in writing. He agreed to the whole three.

649. What were those three principles?—First, he agreed that labour ought to be compensated in fair proportion to the amount of physical exertion expended; if there was an equal amount of skill applied to the work.

650. What was the second principle?—He agreed that it was wrong to reduce the wages of the workmen without their consent and without written notice.

651. What do you mean by "without consent"?—Without a written notice being given that the employers are about to do so; that is to say, that previously to a contract being altered between employers and employed in all coal-mining districts, there should be a written notice of 28 or 30 days previously to the new contract being imposed upon the workmen.

652. Was the third principle that the arbitrators should mutually agree to any reasonable proposals?—Yes; that any proposition that Mr. Carter and myself should make, if it was reasonable and fair on the face of it, should be binding on both parties.

653. Were those principles agreed to by both parties?—Yes. The masters had stated in a placard that for the six weeks previously to December the 25th we had earned 7s. 3d. a day, and they also stated that we could earn 6s. a day for the future; that was in a placard of their own, circulated in public. I proposed to Mr. Carter that we should go to work at 1s. a day less than their own statement; that was my proposition, and I asked him if he considered it was reasonable and fair.

654. Was the statement which was made in that placard put up by Messrs. Craig's people?—Yes, it was; and that placard was sent to Mr. Bayldon.

655. Was the statement in that placard true?—No.

656. Did the men offer to return to work if the masters could prove it to be true?—I offered that they should go to work to-morrow morning at 1s. a day less than that statement.

657. What wages were they really in receipt of?—About 3s. a day.

658. It being stated that they had received how much, in that placard?—Seven shillings and three-pence and six shillings.

659. Did Mr. Carter agree to that proposition?—He agreed that it was a reasonable and fair one, and then he refused to agree to the proposition, on the ground of its impracticability.

660. At another meeting did you suggest that the prices given at other collieries should be taken?—Mr. Carter suggested that.

661. Did you agree to do so?—He wished to go by comparison, but he wanted to select peculiar collieries; he wanted to take collieries of his own choosing, and to compare Craig's Colliery with their prices; but I objected to that.

662. Did you go to any colliery?—Yes, to Wombwell Main, but previously to going I offered that Mr. Carter should select a number, and that I should select an equal number, and that we should add up the prices of both, so as to get at a price, and I said that I would take it if he would pay it.

663. Did he agree to that?—He would not.

664. Did

664. Did you then go to Wombwell Main?—We did.

665. What did you find there?—I found when we got there that Mr. Carter had not gone for the prices; he went to speak to the steward.

666. Were the prices the same at Wombwell Main as at Messrs. Craig's Colliery?—At Wombwell Main the wages of the workmen are altered every fortnight.

667. What were they when you were at Wombwell Main?—Considerably better than Craigs were paying. I got the prices; Mr. Carter was anxious to go away without them.

668. *Chairman.*] You say that the wages were altered every fortnight; upon what principle were they so altered?—The wages depend upon the judgment of the steward.

669. *Lord Robert Montagu.*] Was Messrs. Craig's Colliery a safe colliery at the time we are speaking of?—It was not a safe one then.

670. Was the coal soft or hard?—It was hard, but the ventilation was not particularly good at that time.

671. Did you therefore think the prices ought to have been higher in Craig's Colliery than in others?—No, we were satisfied with the price they paid 10 months previously; we were only asking for what had been taken from us without our consent. They were compelling us to send one and a half hundred weight more on every tub for the same price.

672. Did you at length propose to have an umpire?—Yes.

673. Did Mr. Carter name anyone?—No.

674. Did you propose one?—I proposed a gentleman named Mr. Merewether; then I proposed our Postmaster, Mr. Thomas Lister, and Mr. John Holmes, of Leeds.

675. Were they particular friends of yours?—No; I had never spoken to Mr. Lester, the Postmaster, except once previous to that time.

676. So that he would have been a fair umpire?—He would; he is a man of general knowledge.

677. Did Mr. Carter agree to any of those names?—No, he refused.

678. What was the last proposition to Mr. Carter?—To the following effect: that he and myself should write the cause, progress, and nature of this dispute, transmit a letter containing this information to some neutral district; let any independent gentleman select an arbitrator for us; send him down to Barnsley without his name, profession, or connexions being known to us, and that he should not make himself known till after he had given his decision.

679. Was that accepted?—Mr. Carter refused it.

680. Then did you do anything more in the way of arbitration?—No, that was the last meeting, and the struggle was fought out in the usual way.

681. How long did the strike last?—Sixteen weeks, and it cost about 600 *l.* to the society; they expended that amount in supporting the men.

682. Did the masters give in, or what was the termination of it?—The masters agreed to our terms.

683. Do you know anything about what are called, Co-operative Associations?—Very little; we have a co-operative flour mill in Barnsley.

684. Will you explain what that is?—It is a Flour Society on the co-operative principle; it deals in flour and meal only. It is a sort of co-operation which I do not approve of; it is a co-operation locked up for the benefit of a few.

685. *Mr. Trefusis.*] In what way were you elected by the workmen to act as arbitrator in that case?—By the unanimous voice of the whole of the men at the colliery whose interest was affected.

686. Were you elected for that particular dispute?—Yes.

687. Should you recommend a standing council of conciliation to whom disputes might be referred, or a council elected when each dispute arose?—I think it should be permanent, because the men would know that there was a means of settling those disputes in existence.

688. Would you suggest that all the members of the council should be selected from one trade?—Yes; a council of coal miners could not settle a dispute among the linen weavers, or any other trade.

689. Is it your opinion that each particular trade ought to have a separate council established permanently who could be referred to in case of dispute?—Certainly that is my opinion.

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690. Mr. *Cubitt*.] I understand you to say that, subject to a third party being appointed by the Government, your people would be well satisfied with the Bill of the Honourable Chairman?—They would.

691. Where does Mr. Bayldon live?—At Methley.

692. What is he?—A highway surveyor.

693. After Mr. Bayldon had been proposed as the umpire, you and Mr. Carter met half a dozen times?—The arbitration was the result of the correspondence with Mr. Bayldon.

694. What is Mr. Carter?—I believe he is a mineral engineer by profession, but now a manufacturer in the town of Barnsley, and a member of the Barnsley Board of Health.

695. Mr. *Egerton*.] You said that you had only given your attention to the subject of strikes for the last two years?—Only for the last two years.

696. Was it in consequence of any particular strike that you gave your attention to the subject; had there been any extensive strike in your district?—It was in consequence of the attempt on the part of the masters to reduce our wages 15 per cent.

697. You are a miner yourself?—Yes.

698. In whose employ?—I have worked for Mr. Day 3½ years.

699. Was it in consequence of the proposed reduction of 15 per cent. that the miners formed the association of which you are secretary?—Yes.

700. Did you attempt to have any meetings with the masters subsequent to that?—A great many.

701. Have you been able to arrange matters satisfactorily?—Yes, I have.

702. Has that been done by means of a deputation from the workmen meeting the masters?—Yes, it has; and occasionally when the employer's workmen and his agent could not agree on the questions in dispute, I have gone over to the collieries and settled the dispute.

703. Have you found, generally, a disposition on the part of the masters to meet the fair demands of the men?—No, not generally; upon some occasions, but not on all.

704. Was that reduction of 15 per cent. which you have described in consequence of the lower price of coal at that time?—It was 25 per cent. lower at that time than in 1851 and 1853, but still 62 per cent. higher than in 1850.

705. Has that lowness of price continued, or has there been a subsequent rise?—There has been a great advance in the last two years.

706. Has there been a corresponding advance in your wages?—Partially.

707. Did the rise on the commodity take place during the strike?—No; I think prices remained stationary till towards the end of the year.

708. I think you stated that the part of the Honourable Chairman's Bill to which you objected was that part relating to the appointment of some arbitrator by the court of petty sessions?—Yes; because some of them are employers.

709. Mr. *Slaney*.] The work in which the miners are employed is under ground, at a great depth, and the men are subject to draughts, are they not?—We always work in a draught.

710. The men are also liable to accidents occasionally, are they not, arising from the unsafe state of the mine?—The accidents are eight or nine times as numerous as in any other dangerous occupation.

711. Therefore the wages, though they may sound high, are really low for labour of such a painful and dangerous nature, are they not?—Yes; the high wages is only sound, and not reality.

712. Do you think on the whole, as there are many disputes arising between masters and men, arising sometimes, as in the case you stated, from the price of the commodity being lower, at which time the masters reduce the wages; and then after a time, when the prices rise again, the men, thinking that wages ought also to rise, that a council of conciliation, chosen by the men on one side and the masters on the other, would frequently have the effect of healing differences arising out of those circumstances, and bringing them to an end?—I think councils of conciliation would have that effect; for instance, coal has advanced 4s. in the London market since September. A council of conciliation, composed of impartial men, anxious to deal justly with both parties, would certainly arrive at this conclusion immediately, that an advance ought to be given to the workmen;



workmen; we should have an advance immediately, and not be driven off month after month without it.

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713. Do you think on the other hand, supposing the commodity from any cause dropped a good deal, and the masters were to say, "Come, my lads, you see that the price of coal is a good deal lower; we ought not to pay quite so much," the men would be willing to consider that fairly also?—No doubt about it, if a proper standard could be agreed upon, the earnings to advance in proportion to the rise of the price of the commodity in the market.

714. It would act well both ways?—It would act well both ways, provided a proper standard could be agreed upon.

715. Is there generally in your collieries a club out of which a provision is made for accidents?—We have accident funds at some particular collieries, but they are not generally.

716. *Mr. Pollard-Urquhart.*] You said just now that the men sometimes submitted to a reduction of wages when there was a fall in the price of the commodity; do not the masters keep on employing the men at the same wages, even after a fall of prices in the market?—The reductions are not always immediate, I believe; but, generally speaking, the working man's wages in my own district are fixed when the price of coal is low in the market.

717. You say the reductions are not always immediate; would not a master sometimes not lower the wages of his men, even for six months after a fall in the price of coal?—I very much doubt it.

718. Say three months, then?—He might keep them on at the same wages for a few weeks; certainly not three months.

719. If that is done occasionally by the masters, are the men generally aware, that if wages are not lowered immediately on a fall of prices, they cannot expect their wages to be raised immediately on an increase of prices?—It is seldom that we ask for it immediately. About half of our district have had an advance of 10 per cent.; the other half have not yet had the advance.

720. Are the men aware, that if the masters keep them on during bad times, when they are making very little, it is not fair to expect the masters, when good times come and they are making more than the ordinary profits, to pay the men higher wages?—I think if the trade was properly regulated, and the amount of output were accommodated to the supply in the market, it would be better for masters and men.

721. Would the men be accessible to reasoning of this sort: the master would say, "It is quite true that prices are rising, and I make more; but during the last year, when I paid you the same wages as now, I have been losing, so that I ought to be allowed to make a little more than the ordinary profits"?—Yes; it is seldom that we have an opportunity of reasoning with our employers in that fashion.

722. Do you think that, if you had an opportunity of reasoning in that way, the men would see the justice of that sort of reasoning, and would be amenable to it?—No doubt about it.

*Mr. John Atkins, called in; and Examined.*

723. *Chairman.*] WHAT is your profession?—I am a Manufacturer of Hosiery.

Mr. J. Atkins.

724. Where?—At Hinckley, in South Leicestershire.

725. Will you state your opinion with respect to the best mode of promoting a good understanding between masters and operatives, and of preventing the differences which from time to time occur between them?—The object of this Bill is very good, but the principal difficulty appears to me to be in the election of the chairman. Any special or general permanent Board could not operate in our manufacture at all, because it would be almost impossible for them to understand it.

726. With regard to the appointment of a chairman, what is your opinion?—There would be as much contest and as much feeling exhibited over the appointment of the chairman as there would be over the question of the amount of wages, or whatever the dispute was; if selected from the locality, it would be generally known whether he would be for the manufacturers or for the workmen.

727. You heard the evidence of the last witness, who proposed that the chair-

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man should be appointed by some public board; do you coincide with him?—I do not, because I do not think he could enter into the detail of our business; for instance, the difficulties that arise in our business are rather complicated: we make stockings in different machines of different widths; we call them leads, and every lead contains two needles; and there are so many moves on the part of the manufacturers, that such a person would not be able to understand them.

728. What is your proposal in reference to appointing a chairman?—I do not see my way to that; I only see that it would cause a great deal of contention. The chairman would have vast power, because if there are four men and four masters, it might be all in his hands. It might not be so, because some masters might go on the side of the workmen; then it would be an easy matter; but if both parties were united there would be four of each, and then the chairman would have all the power.

729. You think the chairman ought not to be appointed by any local authority, and also not by any official authority under the Government; how would you appoint the chairman?—The advantage of having a local authority may be said to be this, he would understand the merits of the question better; I think it would be utterly impossible for the Board of Trade, for instance, to appoint one who would understand all questions.

730. Would you think it would work well if the quarter sessions were to appoint a chairman?—We should prefer the Board of Trade to the quarter sessions.

731. You think there would be local prejudices?—I think so. I think in our district we have arrived at a near approach to the object of this Bill; this time last year the operatives applied to us for an advance, and the manufacturers of the neighbourhood agreed to give an advance, which is here specified in detail, in a list which I will hand in; it is a list of prices agreed to between eight stocking makers and seven manufacturers, which was settled in July last year; and since that time we have given them a further advance, under the same conditions. (*The Witness handed in the same.*)

Vide Appendix.

732. Has that satisfied the operatives?—Yes, quite.

733. You did that without any such chairman as has been suggested?—Yes.

734. Is it your feeling that there should be no chairman?—It would be impossible to decide without, but there would be a great difficulty in appointing one that would give satisfaction; it would be more likely to give satisfaction if a chairman were sent down. We should have to take the risk of his giving satisfaction.

735. Mr. Egerton.] Was that not settled after repeated communications and consultations?—Yes.

736. You stated that there had been a further advance upon that list; would that be reduced to writing, and signed in the same way?—It would be published, and hung up in the different factories.

737. That is the text by which they regulate their labour?—Yes.

738. Have you considered the subject of councils of conciliation?—I have; I like the proposal very much. I should like anything that would tend to better the relations between masters and men.

739. Have you found any difficulties on the part of your brother masters with respect to these councils of conciliation?—I consulted my brother masters before I came away, and I found that they were nearly divided in their opinions.

740. Will you state the objections which they make?—In the first place, they say that the Board will be constantly called out about every frivolous thing.

741. Chairman.] How do they settle their disputes now?—In a very clumsy and inconvenient manner. During the last ten years we have had four strikes. In 1850, in consequence of one of the manufacturers refusing to comply with some regulations then proposed, 400 hands went out on strike for five weeks. Their average earnings were 10s. or 11s. a week. They were the wide hands, and that occasioned a loss to the town of 1,200l. In 1852 there was a strike of the narrow hands, to resist an attempt on the part of another manufacturer to reduce the price. Those were the old-fashioned hands. I do not consider that they lost above 250l. or 300l.; and since then two others.

742. Mr. Egerton.] Have you ever called in any independent gentleman in the neighbourhood unconnected with the trade to arbitrate between the masters and the men?—Never.

743. At Hinckley the work is done in the people's own cottages, is it not?—Yes; therefore the Bill would not apply so well there; because they can sell their labour where they like.

744. Mr. *Pollard Urquhart*.] Are there many factories at Hinckley?—No; we have only five factories; we had not one a few years ago.

745. Mr. *Egerton*.] Can you make any suggestion to the Committee about the appointment of the chairman?—I have thought it over, and I do not know what reply to give. Another difficulty that would arise would be, how are we to act in small towns where there are a dozen manufacturers? if eight of those dozen manufacturers agree to the arbitration, what are you to do with regard to the other four?

746. Lord *Robert Montagu*.] Perhaps you are aware of the old French plan that existed till 1848, of choosing those councils of conciliation, namely, that the masters chose the men that were to arbitrate, and the men chose the masters; do you think it would be a good plan if the masters chose three operatives, and the operatives chose three masters?—I should be quite content to do so, but I think it would not satisfy the operatives.

747. Each side would be most likely to choose moderate men on the opposite side?—Yes.

748. If there arose a dispute at the meeting, if they did not agree, would not it be a good plan for the meeting to ballot for a chairman out of their own number?—It would be a good plan.

749. Supposing the name of each person proposed to be chairman were put into a box, and a name were drawn out, would that be a good plan?—Yes, I think it would.

750. You said that the objection of some of the masters was, that this court of arbitration would be so often called out; what would be the harm of their being often called out to settle disputes?—I consider it was a rash objection, because it betrayed a disposition to raise cause for disputes. I should not be afraid of their being called out about me.

751. The arbitration would not of itself cause disputes?—No.

752. It would only be called out when disputes arose?—Yes.

753. If not called out, the dispute would continue; it would only be called out to settle a dispute?—Yes.

754. Supposing it were often called out, those operatives who served on the Board would have to be paid, would not they, for their loss of time?—Yes, I imagine they would.

755. Are you aware that in France the party who loses pays the costs?—I am not.

756. Do you think that that would be a good plan?—I am afraid not; how could we make our workmen pay us if we won the case? We could not do that; I think that would be wrong.

757. Would it not tend to prevent a party in the wrong from going to arbitration?—No.

758. You think that that would be a bad plan?—I do.

759. Is there a frame rent paid in your part of the country?—Yes, that frame rent exists through all the district.

760. Are the workmen obliged to take a machine, and pay rent for it?—Yes; we get the machinery and they pay rent for it.

761. What is the value of the machine?—It would be from 20 £ to 30 £.

762. What rent do they pay per week?—Two shillings and sixpence a week for a 30 £ machine.

763. When the machines are old have they to pay the same?—The machine periodically requires repairs; if I purchased a new machine at 24 £, in three years or less time if it were a bad hand using it, or in four years, I should have to send that machine to the shop to be entirely recruited to regain its truth. We call it a mould; the cost of that would be 8 £ or 9 £. In factories there are no rents; it is only where the people weave at home.

764. Supposing the work gets slack, and the men do not work all the week, do they pay the same rent?—No; it has been represented, I see, in some of the evidence which was taken before the former Committee that the manufacturers take rents when the frames are not employed. In my experience it is not so.

765. Are there any deductions from the wages for faults in weaving, or any-  
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thing of that sort?—Yes; but a respectable manufacturer prefers rather to dismiss a man than to do so.

766. It is not a common thing?—No.

767. Suppose a stocking is badly woven, what do you do with it?—Return it to him, and let him do what he likes with it; let him sell it for its value in the market, and he pays for the cost of the material.

768. Mr. *Pollard-Urquhart.*] Do trades unions exist in Hinckley?—Yes.

769. The workmen are not very numerous there, are they?—No; I believe the union there is connected with the Leicester and Nottingham Union.

770. They have not the same power of combination as they have at Leicester and Nottingham?—They have not.

771. You were saying just now that you thought it would work well if the masters chose the workmen on the one hand, and on the other hand, the workmen chose the masters; might not that possibly lead to the greatest blockheads on each side being chosen?—I am afraid there would be a difficulty, because the men would rather return their own men, and the manufacturers, by the same rule, would rather return their own men.

772. Is not a good deal of your work done in the cottages in the country?—Yes, a great deal.

773. It is done, is it not, by the wives and children of agricultural labourers?—Yes, a great deal.

774. You think that the rules that might be applicable to workmen employed in your trade would not be so much applicable to workmen in towns like Leicester and Nottingham?—Scarcely so, I think.

775. Have you had any disputes about wages?—We often have disputes, but strikes are becoming less frequent, I think; the operatives are becoming a little better informed, and they are more reasonable in their applications for advances.

776. Mr. *Egerton.*] You find more reason manifested on the part of the men?—Yes; a better spirit.

777. Mr. *Pollard-Urquhart.*] They are more amenable to advice given them by persons not in their own trade?—Yes.

778. Mr. *Egerton.*] That is owing to the improved condition of the working classes, is it not, and to their increased intelligence?—Yes.

779. Mr. *Pollard-Urquhart.*] Is there much migration of labourers into Hinckley, to get higher wages?—Yes.

780. Do the people who work for the manufacturers at Hinckley try to prevent other labourers from getting orders for work; do they try to keep the monopoly to themselves?—No; it is perfectly open to everybody.

781. Mr. *Cubitt.*] With regard to the point of the umpire, you are of opinion that he ought to be appointed by some Government department?—I should resort to that as an extremity.

782. You would rather, at all events, that the appointment should be by some body thoroughly independent of the place; but do you think that the Board of Trade, or any other Government department, could select a chairman from persons residing in the locality itself?—I think that might work well, but the Board might almost as well select its own representative as to select one from the locality.

783. Sending its own representative would be sending somebody not acquainted with the details of the business, whereas choosing somebody in the neighbourhood would be attended with this advantage, that there would be the power of selecting somebody who would thoroughly understand the subject?—That might be a good plan.

784. Mr. *Trefusis.*] Might not the Board of Trade, not knowing the circumstances of the locality, in selecting a chairman, fix upon some one who might be particularly interested in that particular trade?—There would be that objection.

Veneris, 20 die Aprilis, 1860.

MEMBERS PRESENT :

Mr. Ayrton.  
Mr. Baillie Cochrane.  
Mr. William Cubitt.  
Mr. Buxton.  
Mr. Edward Egerton.  
Mr. Mackinnon.

Lord Robert Montagna.  
Sir Joseph Paxton.  
Sir Morton Peto.  
Mr. Slaney.  
Mr. Pollard-Urquhart.

WILLIAM ALEXANDER MACKINNON, Esq., IN THE CHAIR.

Mr. George Potter, called in; and Examined.

785. *Chairman.*] WHAT are you by profession?—A joiner.
786. You were the Secretary to the operatives during the last strike in the building trade?—Yes, I was.
787. Does any particular arrangement occur to you which, if it had been in existence, might have prevented that strike?—I have no doubt that if the masters had met the men, the strike would have been averted.
788. You mean, met the men in a council?—Yes.
789. Is it your opinion that if such a Bill as is now before the House had been in operation that strike would have been avoided?—Yes; the principle of the Bill is right.
790. You have an extensive knowledge of the operatives?—I have had for these last two years.
791. There is a general communication among them throughout the country, is not there?—There is in some branches.
792. Do they correspond by unions, or in what way?—Some unions of trades extend throughout the country; others are limited to the towns in which the particular trade is carried on.
793. The communication between them is very extensive?—Yes, generally.
794. What would you say was the number of workmen in Great Britain that are united together in this way?—About 600,000.
795. They have separate committees of their own?—Every society has a separate committee.
796. And that committee corresponds with a central committee in London?—If the trades are amalgamated throughout the country they have an executive in a certain town; and then they have branch districts, in which the branches are managed by a district committee, and the general committee sitting where the executive business is carried on.
797. The executive therefore has, as it were, the control and management of the others?—Yes.
798. *Lord Robert Montague.*] Do the men generally, in your trade, approve of the Bill brought before the House by the chairman?—I have never ascertained generally the opinion entertained by the workmen in the building trades of the Bill; but I believe if they saw that the Bill was intended to be acted upon honestly and fairly, many of them would undoubtedly support it.
799. The same men generally, would be glad to resort to arbitration in the case of a difference of opinion?—No doubt.
800. Supposing an award was made, and the men did not choose to submit to that award, what plan would you propose for making them submit to it?—That is a difficult question; if the arbitrator was agreed upon by the men, I believe they would be willing to abide by the decision of the arbitrator.
801. Even though it were adverse to them?—If it was a fair and honourable arbitration, I believe they would.
802. Do you approve of the plan of appointing a chairman as proposed by the Bill?—No.
803. What plan would you suggest?—That the council being elected by the registered members, the masters and operatives should have the power either of naming one of their own body, or some gentleman occupying an independent position;

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position ; if the council could not arrange it in that way, I think a certain number of rate-payers among the masters and a certain number of rate-payers among the men, should decide by ballot upon a gentleman.

804. In a meeting?—Yes.

805. *Chairman.*] Your opinion is, that that would be the best course of selecting a chairman?—Yes.

806. *Lord Robert Montague.*] Do you think that trades' unions are necessary as a protection to the workmen?—I believe they are.

807. In what way?—In various ways ; I contend that the trades' unions are beneficial and necessary, and that their tendency is decidedly good on the whole, by exalting the working-man in his duty and his fidelity to his order, quickening, cultivating and strengthening his sense of honour, making him understand and feel that there are occasions where he is morally bound to submit to individual inconvenience for the sake of class advantage, by constantly appealing to his manifold responsibility as a man, a brother, a member of society and a Christian. I believe the general tendency of his society or union is, to elevate the working-man in the moral scale, and I am not disposed to credit all the mischief which has been attributed to trades' unions, for I believe their existence these last 80 years has produced a great amount of good.

808. In short, you think that they tend to promote, not only the moral qualities but the efficiency of the workmen?—I do ; when a working-man is admitted into a union, it is generally supposed that he is an average workman, and I believe that by being in company, and associating with those men who are in union, many of whom are superior workmen, it gives a spur to the man to become a better and more efficient workman.

809. Are workmen ever turned out of the trades' unions?—Very seldom ; not one in 100.

810. For what class of offence would they be turned out?—There are different offences, such as drunkenness, or disorderly conduct, and not paying up their contribution, and such like.

811. For impertinence to masters, would they be turned out?—It depends upon what that would be ; no doubt, if a man had been guilty of such a proceeding, a committee would be appointed by the society to inquire into the circumstances, and I have no doubt they would report to the society accordingly, and the man would be expelled if proved to have been guilty.

812. With whom does this power of expulsion rest?—With the whole of the society.

813. It is not in the hands of a committee?—There would be a special summons addressed to every member of the society, and the case would be laid before them, and they would decide by vote.

814. Do you think that workmen could secure fair wages without the intervention of the trades' societies?—I think not ; I think that employers generally wish to give as low a rate of wages as possible, and when one man is standing on his own footing he is not able to stand out for a fair rate of wages, because, when he had exhausted his finances, which would soon be exhausted, he would then be tempted to take less wages than he was fairly entitled to, and thus the men would become subject to the dictation of the masters.

815. Does the trades' union fix a minimum rate of wages lower than which no man may work?—Yes, they do, generally.

816. Do they also fix a maximum rate?—Never ; I have not read any rules of any existing society fixing a maximum rate of wages ; a master can give a man any amount he thinks fit, without any of the others being entitled to say that they should have the same rate.

817. In what state of trade do strikes generally occur ; do they occur when trade is brisk?—Not always so ; there are various causes for strikes ; some occur when there are some tyrannical measures being enforced by the employers ; some, when the employers wish to reduce the wages ; some, when the working-men wish to better their position and get a rise of wages.

818. Does a strike generally arise from a sort of gradual growth of ill feeling, or from sudden act on the part of one party or the other?—Sometimes in one way, and sometimes in the other ; a sudden act might give rise to a strike, such an act as discharging a man without the proper notice, or a scaffold not being properly secured ; and some strikes are of gradual growth.

819. Do you think that if there were any court of arbitration, the workmen would

would be willing to refer the matter, in the first instance, to arbitration, before they resorted to a strike?—Yes; provided the arbitrators could be chosen honestly and fairly.

820. *Chairman.*] Which would tend to prevent strikes in future?—Yes.

821. *Lord Robert Montague.*] How are men out on strike generally supported; by the contributions of their own union alone, or by the contributions of all the trades' unions?—By both; it depends upon whether the strike is extensive whether the number of men out on strike is more than their own society can support, if so, an appeal is made to the societies generally, and they forward contributions.

822. Do they ever refuse to contribute?—Some refuse, not approving of the strike, others not having sufficient funds, and some forward contributions.

823. Is there a general rate levied, for instance, 4 s. a week to be given to a man on strike?—A man on strike has sometimes 10 s., sometimes 12 s., sometimes 15 s a-week.

824. Is there a sort of rate levied on all the members of the union or the unions generally, or is it left entirely to their own voluntary contribution?—If the strike is extensive, and there are not sufficient funds forthcoming, there is generally a levy upon the society to which the men out of work belong, perhaps 3 s. a week; in the case of the other societies the contributions are never levied; it is always an appeal to the other societies, and they forward what contributions they think fit.

825. What number of men were comprised in the conference during the late builders' strike?—The conference consisted of five branches of the building trade, those branches represented the carpenters, to the number of about 6,000; the bricklayers, about 2,500; the plasterers, about 2,000; the masons, about 2,000; and the painters about 2,000; that was the number represented by the united building trades' conference.

826. Were they supported by contributions from Manchester, Dublin, Glasgow, and other places?—They were.

827. And by other trades also?—By a great number of trades.

828. What was the amount of all the money that came in for the support of those men?—Something like 36,000 l. altogether, this includes 14,000 l. paid by the building trades out of the funds of their societies. The weekly income varied; sometimes we might receive 1,500 l., sometimes 1,200 l., sometimes 1,300 l.

829. What machinery had you for distributing that money?—The committee, the executive of the conference, distributed this to the men on strike and to the men locked out.

830. How is the committee elected?—The committee which distributed the monies was elected by the conference, the conference consisted of 35 members, being elected by the trades.

831. Was there any balance sheet published?—The amount of money received and expended was published roughly every week. A balance sheet is now being prepared showing the gross amounts of receipts and expenditure of the whole affair. But when the strike is not so extensive as the last one was, there is generally a weekly or monthly balance sheet.

832. Generally, during strikes and locks-out, are there instances of intimidation and violence?—There may be isolated cases of such conduct, but none recognised by the body of the men.

833. Do the trades' unions generally discourage all such conduct?—Yes, I believe they do.

834. Is the Act of George 4th, chapter 96, inoperative, or is it of any avail to you?—I never knew it to be used.

835. *Mr. Egerton.*] Do you know the Act?—No; I know that there is such an Act, but I never knew it to be used.

836. *Mr. Slaney.*] Has your acquaintance with the more intelligent portion of the operatives throughout the Metropolis been considerable, so that you know them, and are able to speak to their opinions?—Yes; I have known them for five or six years.

837. Do you believe that if a Bill were passed in which there was a provision that there should be two or three members of a council elected by the men, and that the masters should have the same opportunity of electing members on their side, with power to elect a fair and impartial chairman, such a council would be likely to prevent many disputes which now cause irritation and evil, and would

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tend very often to prevent strikes, which are the cause of much loss to the men and to the masters?—I have no doubt that it would.

838. Do you think that if such a Bill were passed, the men would be willing fairly to consider the matter with a view to lessen those strikes which have caused to them and their masters great evil?—I think that they would be willing if they saw that the number was sufficient. I do not think they would like such a small number as is proposed by the Bill. I think that they would like the number to be not under six and not more than 12. I mean 12 masters and 12 operatives; they would not be willing to entrust to one or two men such a number of questions of such great importance as might be brought before that council; they would like to confide the trust in a larger number; it should be not less than six nor more than 12.

839. Then you believe that matters brought before them calmly and quietly would frequently be settled; that each party would find out that their demands were perhaps a little unreasonable, and that they would be willing to give and take a little for the sake of getting to a peaceful termination?—Yes.

840. You are aware that in many trades fluctuations in the demand take place as to the labour market at different periods of the year, and that the seasons have a very considerable effect upon the demand for labour at certain periods; for instance, the winter, as compared with the summer season, and soon. If that is the case, do you not suppose that there must in the reason of things be some difference in the wages of the one period compared with the other?—I believe that that does not act upon the employer. I believe that an employer may be forced to give a certain amount of wages whereby he knows he will receive a certain profit, but I believe the employer never can be forced to give more wages than he can get a profit by giving, at slack times they generally reduce their number of hands.

841. I mean that the fluctuations of the seasons give a greater demand for certain workmen at one time than at other times; that the seasons themselves cause a greater demand for labour at one time than at another?—When the master is busy the workman does not always apply for a rise of wages, and when the work is slack he does not expect that the master will reduce the wages; on the other hand, the men generally work during the busy season for the same rate of wages as during the slack one.

842. Does your society provide an allowance to the men when business is slack or when they are out of work out of the fund they have created by their own industry and forethought during the time when they were in work?—Most societies have an out-of-work fund, and pay the man in slack seasons 10 s., or 12 s., or 8 s. a-week.

843. Such a fund, where it is used to assist the men at a time when they are out of work through the causes we refer to, is beneficial to the men and not injurious to the masters?—It is beneficial to the men and it does not injure the masters.

844. Have you also a fund in your unions for assisting the men when they are ill?—Some have an accident fund and some a superannuation fund, whereby a man, when he is past labour, is allowed so much a week; and some societies, when a man meets with an accident, pay him perhaps 100 l. at the time of the accident, when the accident disables him.

845. If a man is disabled by one of the accidents incident to the risks of the trade, he has an allowance till he recovers himself?—Yes, he is supported then generally by a sick club; if he is not disabled he comes upon the funds of the sick club, which most societies have connected with their trade, and if they have not one in the society he is generally in a club, either the Foresters or the Odd Fellows, or some other.

846. Those allowances, the one in the case of accident and the other in the case of illness, are available from the men being in a society of this nature, which is highly beneficial to them?—Yes.

847. Do not you think that the men being in those societies, and making their own rules, and discussing their rules, and having the consideration of them from time to time, encourages forethought and industry, and is beneficial to the men as well as to the masters?—I believe that it is very beneficial to both; I believe that the society men generally are of greater use to the employers than non-society men; the average class of men belonging to societies are the most frugal, sober, and industrious workmen, and they generally give larger profits to the masters by their labour; although there are some good workmen not belonging to societies; but these always demand the standard rate of wages.

848. With



848. With respect to a case in which there is a considerable diminution in the demand, you must be aware that there are periods at which, from circumstances over which perhaps neither masters nor men have any control, there is a slackness of demand for labour; the times are bad; there is a panic, or something of that kind; there must sometimes arise a considerable diminution of demand for men; do not you think in such a case as that, that would be a fair time to have a conference with the masters by means of a bill like this to look into the circumstances, and perhaps to agree that as for the time the profits were less, so the wages for a short time should be less till the profits rose again?—If councils of conciliation of masters and operatives met, say monthly, and I would have them meet monthly, I believe then, if the employers were always honest, the working men at such times would not object to a diminution in the wages, provided they knew that when the slackness had ceased the employers would advance the wages to the same rate.

849. The councils of conciliation we have been speaking of, if worked in a proper spirit, would, as you conceive, give facility, either for a small diminution of wages at a period when the profits were considerably less, or, on the other hand, they would cause a friendly spirit, and lead to an increase in the wages, at a period when, from the greatly increased demand, the profits were somewhat greater?—Yes.

850. On the whole, you think that they would work beneficially?—Yes; if the workmen saw that they were established fairly.

851. Mr. *Pollard-Urquhart*.] You said just now that if the masters had met the men in a friendly and conciliatory spirit, the strike which took place in the autumn might have been prevented; do you think that the workmen would have consented to work 10 hours at the same wages as before?—I consider that the men would have done so, provided the masters could have shown reasons why they should.

852. Do you think that the same amount of labour could be done in nine hours as in ten?—I do not. When the men asked the same rate of wages for nine hours as for ten, they asked for about 7½ per cent. rise. They felt justified in asking for the same amount of pay for nine hours' work as they had for ten hours, as they would in asking 11 hours' pay for 10 hours' work; that is, an advance of 10 per cent.

853. The men thought that the state of the trade was such as to justify such a rise?—Yes.

854. Do you think that if both masters and men had conferred together, and it had been shown to the satisfaction of the men that the state of the trade was not such as to justify a rise in wages, that might have prevented the strike?—Very possibly.

855. Do you think that trades' unions have a tendency to prevent men from being reduced to what is called the sweating system?—Yes.

856. In many places would they be reduced to the sweating system if it were not for these trades' unions?—No doubt. In the bricklaying trade, for instance, a certain man takes a quantity of bricklaying work; he takes it from a master builder; the master builder has given in an estimate for it; the master builder lets it out at a per-centage to another, and he lets it to another, at another per-centage, and thus encourages a system which is a very bad one, and which is very unsatisfactory to the proprietor of the building, whoever he may be. An employer will take a contract; he will let his bricklaying to another man at a certain per-centage; he will engage certain other men, and he, expecting to realise a profit, would drive those men to do a certain amount of work which those workmen would not be able to do properly, and they would therefore scamp the work, and thus rob the proprietor of the building, who expects the work to be done soundly. I believe that trades' unions have a great tendency in preventing such a system as this.

857. Lord *Robert Montagu*.] Is that the case in your trade also?—Yes; they let their work out at a certain less per centage, and the man employing the other men expect a profit, and he drives them in the same way, and that is what is called the sweating system, driving the men to do more work than they are able to do properly.

858. *Chairman*.] Is that system adopted by respectable houses?—No, not in all firms.

859. Is that what the trade consider disgraceful?—The workmen consider it disgraceful, not only for themselves, but for the proprietor of the building also.

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860. Mr. *Pollard-Urquhart*.] At the same time the men would be reduced to a starvation state, who undertook to do the work under that sweating system?—Yes, and frequently hurried to a premature grave.

861. Do you think that those trades unions are ultimately beneficial to the masters, inasmuch as they prevent the men from undertaking to do work at wages at which they cannot possibly do it well?—Yes, for the reason that a builder who does his work well, generally gets an extensive business.

862. Do you think that they are beneficial also to the men in preventing their being ground down to starvation pay?—Yes.

863. Do you think that they tend also to promote economy among the men?—Yes, no doubt; the men belonging to the societies are generally the most economical and frugal men, and generally men who have funds, when they are out of work, to support them.

864. You said that the men were obliged to contribute to the society's funds and the benefit clubs; do you not think that the money which they so contribute to those objects would be spent in public-houses and other species of low amusements if they did not belong to those trades' unions?—They are not obliged to contribute to the funds; it is optional; but in reply to the other part of your question, generally workmen live up to their wages; some are frugal; many men now in the society, if they were not in the society would spend their money in other ways.

865. Your society makes it almost compulsory upon them to save to a certain extent?—It is not compulsory.

866. They do subscribe to the different societies do they not?—Certainly; they pay three-pence a week and 2s. 6d. entrance; some societies for that would, in the case of a joiner who had lost his tools by a fire, replace those tools; if he died, his wife would receive a certain amount, and at his wife's death he would receive a certain amount; there are several benefits derived from a society by its members.

867. That is the same as if the men laid by the money?—It is more, because the money laid by by the men themselves would not accumulate sufficiently to give them those benefits.

868. You have stated that the men when on strike were supported very much by the contributions of other men in other trades; if there were these councils of conciliation to settle disputes between masters and men, and a certain portion of the men continued on strike contrary to the opinion of those councils, do you think that they would cease to be so supported?—If the council gave an opinion adverse to the men, many men would not support them.

869. For instance, last autumn when the builders' strike took place, if such a council had given an opinion that the state of trade was not such as to justify an increase of wages, and a great number of men still continued on strike, do not you think that they would no longer have been supported?—I think so; many of the societies who supported them would have refrained from doing so.

870. Do you try to discourage violence being used by men on strike towards men at work?—We do; a committee of the men who have the conducting of the proceedings generally, express a wish and desire that all men should refrain from any violence or any annoyances whatever; of course they will endeavour morally to persuade other men not to supplant while on strike.

871. If men were brought in from a distance to work, and any men belonging to the union tried by violence to prevent those men coming in to work, would the union set themselves against that?—They would; but such is not the case.

872. If any men continued in spite of the wishes of the union to use violence to the workmen so brought in would they turn them out of the union?—The law would punish them; and if the question were brought before the union they would consider it, and act accordingly.

873. Sir *Joseph Paxton*.] Most of the men connected with the trades' unions, of which you are secretary, work by the day, do they not?—They are generally paid by the hour.

874. You propose to have monthly meetings for those councils of conciliation; what subjects could be discussed at the monthly meetings of those councils, composed of masters and operatives, where the men are working by the day?—It is impossible to say what subject might arise; there is not a month goes over the heads of a large body of men and masters but what some questions might arise that would require decision; but the council could meet and could adjourn; the oftener the

the council met the more satisfactorily would they arrange their business, and the more likelihood would there be of a better understanding between the masters and operatives.

875. Is it your notion that those Councils of Conciliation should take into their consideration future wages?—I do not believe that the councils could entertain the question.

876. Will you give one or two instances in which those councils could be of use?—With regard to other branches of trade where men work by the piece, and take their work and do it under various forms, one can understand how those councils could be of use; but what subjects could you discuss among men working by the day?—There are many cases of dispute which arise in the building trade that do not apply always to an advance of wages or a limitation of the hours of labour; a master builder, for instance, might be employing 100 men; he might be giving 80 of those men 5 s. 6 d. and 20 of them 5 s.; and I believe if the councils met as I have suggested, the men would be able to lay before the council such a case as that, and appeal to the masters to know the reason why those 20 men did not receive the same rate of wages as the others; that would be one instance where the councils would be useful: they would be useful in other things; a foreman might have discharged an inoffensive man; then I mean to say that the workmen's representatives would have the power to lay that before the council; there are other things which they might do which would establish a better understanding between masters and men by their meeting monthly.

877. If I understand you, you would have on the council six masters and six men, and supposing a builder gave 30 s. to one man per week and 25 s. to another, you would say that the man who has the 25 s. a week should come before the council to state his grievance, and to show reason why he should have the 30 s. a week; the master, according to that, should be summoned to state what reasons he could give to show why he should not give him the 30 s.?—Yes, I should contend that that would be for the council to settle.

878. Does not that rather interfere with the question of prospective payment dealing with wages for the future?—Not at all; the employer might take a contract extending over 12 months; that does not imply that the employer, keeping back 6 d. a day from the workman, should continue to do so; that would not be future wages; the wages an employer is paying daily are present wages; for that the council would be useful, not saying what a man should have that day 12 months, but then and there.

879. That is a question entirely of wages, is it not; supposing a master gives a man 25 s. a week, you would say this master should be compelled to give reasons why he should not give that man 30 s., and those councils should have the power to interfere and settle that question; do you propose that they should have the power of settling it; because if they have not the power of finally settling the matter before them, the parties would be in the same position as they are in at present, would they not?—I do not say that they would have the power to do it by the Bill; I believe that the men and the masters under the Bill would be, many of them, in the same position as now, but many of them would avail themselves of those opportunities, I should think, in order to establish a better understanding.

880. Do you suppose that the masters, if they found that those subjects of wages were the only subjects that could be possibly brought before them at those monthly meetings, would be willing to join those Councils of Conciliation and abide by the decisions of those councils?—I have no doubt that they would abide by the decision provided they agreed in the election of the councils.

881. Seeing that the question would only be a labour question, and that nothing else would come before them at those monthly meetings, would not they object to those Councils of Conciliation?—I believe that many of them do now, and would then, object to them.

882. Mr. *Staney*.] Do not you think that there would be other questions besides mere question of wages; for instance, the case you put of a master paying 30 s. to one man and 25 s. to another, the question would arise why one man should receive 30 s. while the other received 25 s. Are there not many questions not relative to wages, but with reference to conduct; for instance, an overseer turning away a man improperly, and questions also referable to the safety of the mode of doing the work, which might be of great consequence to the men, which might also come before them?—Yes; I have stated that the business would be

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various; there might be questions of the dismissal of a man and the erection of a scaffold, or overloading a scaffold, or discharging a man without a quarter of a day's notice, which might be taken into consideration.

883. Sir *Joseph Paxton*.] Take the question of a scaffold. How would you get up the evidence for the decision of the council?—I would like to see the day when a law should be passed that the Government should send an inspector to see to the soundness of a scaffold. We understand that the men who would meet at that council would be practical men, both employers and workmen; they might go and see the scaffolding, for instance.

884. The men would say, "We have a scaffold which we believe to be insecure, at the other end of the town," and the master would say, "It is a perfect scaffolding;" how then would this council proceed?—The men would disagree with that, and they would call in a referee to test the scaffold.

885. Mr. *Ayrton*.] Supposing a number of men complained to the council that the scaffold was unsafe, that would be a complaint against the master who was putting up that scaffold, and he would go before the tribunal, consisting of six masters and six men, who perhaps had nothing to do with the scaffolding; do you think that such persons, with their practical knowledge, would be very well able to decide whether the scaffold was safe or not, and to express a deliberate opinion upon it?—I think not, but I think they would suggest a person who should be sent to inspect the scaffold.

886. If they received a report they would be able to form an opinion upon that report; being engaged in trade they would be competent to form an opinion?—Yes.

887. You think, that expressing that opinion to the master that the scaffolding was unsafe, or to the men that it was safe, would tend to satisfy the one or the other, so as to prevent a dispute?—I believe it would.

888. Sir *Morton Peto*.] You are secretary of the London building trades?—At present.

889. How long have you been so?—I have been secretary to them for two years, but I did the work they required of me of an evening up to July last; since that time I have devoted myself to their services.

890. And that has brought you into extensive correspondence with all the building trades?—Yes.

891. What is there in the present laws as affecting the relations between masters and men, as at present administered, of which the workmen generally have to complain?—I have never heard any complaint; the last Act has been a great boon to the working men; the Act which repealed the Act of George the Fourth.

892. Have you read and studied the Bill now before the House?—I have read it several times.

893. Is that a measure which, if passed, would tend to a better understanding between the masters and the operatives?—In my opinion the principle of the Bill would do so. I do not bind myself to the machinery of the Bill, because the election of the referee and the mode of registration I might object to; but I believe that the working men would generally agree with the principle of the Bill.

894. In reading the Bill, has anything struck you at all which you think would be an improvement in its machinery which you would wish to suggest to the Committee?—Nothing beyond what I have already mentioned.

895. In what way do you contemplate that the representatives on the Councils of Conciliation on the part of the workmen should be elected?—I would suggest that the election of the members selected by the workmen should be by the men who should be registered. Every man in the building trade, or any other trade, should be registered; there should be a fee charged for registration; and all on the register should be entitled to vote for the representatives in the council.

896. *Chairman*.] Would you have a residence of so many months in order to give a qualification to vote, or would you let any man be registered who worked at the trade?—Any man should be registered who worked at the trade.

897. For any time, even if he had only begun the day before?—Yes.

898. Sir *Morton Peto*.] Do you propose that the machinery of the trades unions should be brought to bear upon the election of the councils?—No; each registered workman should have power to elect representatives, whether he was in a society or not.

899. You

899. You would not, in any way, suggest that it should be restricted to society men; but the men should be chosen without any reference to whether the workmen electing them were society or non-society men?—Certainly, both are entitled to a fair voice in the matter.

900. Though you have not in the trades societies any stated or written rules as affecting the workmen working together, is it not the general rule of trades societies that non-union men shall not be permitted to work with union men?—Never; society men work with non-society men; they may morally try to induce non-society men to belong to the society, and may set before them the privileges which it would confer upon them, showing them the benefits they are already receiving from societies, and no doubt the men working in the shop do talk about those matters. There may be isolated cases where society men refuse to work with non-society men, but they are very rare.

901. You would not support that conduct if it came before the society?—Decidedly not.

902. With regard to the working of the Bill, have you any suggestions to make except those which you have stated?—None at all.

903. Your opinion is, that the Bill generally is acceptable to the workmen?—Yes, provided the working men see that it is honestly to be carried out; as a permissive Bill they would look upon it as a step in the right direction.

904. Do you think that such a Bill, with no power of enforcing the decisions of such a body as is proposed, would tend to improve the position of masters and workmen?—Yes, generally, though many masters would not adopt it.

905. Without speaking to what the masters would do, is it your opinion that the workmen would adopt it?—Certainly they would.

906. *Mr. Pollard-Urquhart.*] Suppose this Bill had been the law of the land last autumn, might it possibly have prevented the strike which then took place?—I have said before that I think if the masters had met the men, it would have been prevented, whether the Bill had been in existence or not.

907. *Sir Joseph Paxton.*] Do you contemplate that a different council should be constituted for each particular craft; that the masons, for instance, should have a court of conciliation for themselves, and that the other trades should have theirs, or do you contemplate that there should be one for all trades?—That is a matter of little importance; where there is an affinity of trades one council would be sufficient, it would depend entirely upon the population of the town. The building trades could be conducted by one council, and other trades where there was an affinity might be conducted in the same way.

908. In all trades where the workmen work by the hour or the day, and where they have an affinity, as in the case of the five trades mentioned by you, one Court of Conciliation might answer for the whole?—I believe it might.

909. *Mr. Burton.*] Do you think it would be practically desirable that the decisions of the council should be binding upon the parties who should come before the council?—Yes, I think it would.

910. The law should enforce the decree of the council?—Where the councils were elected with the sanction of the masters and the operatives, and the case was fairly submitted and discussed and arbitrated upon, I think it would be acted upon by the parties, and there would be no need of any law to enforce it.

911. Do you think that, practically, it would be possible for the law to enforce the decrees of the council?—I think not.

912. *Sir Joseph Paxton.*] You think that after the masters and the men have fairly elected the court, and the matter has been fairly and fully investigated, there ought to be a law to enforce the decision. In fact, the Bill would be of no use, would it, unless what the council had decided on were enforced?—I would not give my opinion in favour of that now, nor do I think the workmen would.

913. Have not you the power now of calling the men and the masters together, and having those courts of conciliation which you so much applaud, and so of settling all those disputes according to the present law?—We have the power. Generally speaking, we have opposition from the employers; they will not deign to meet the men; they will not, after this Bill, if it be passed as a permissive Bill. Many trades would receive the benefit, but some would not, because the employers would not come into it.

914. *Chairman.*] Your impression is, that the moral influence of the decision of this council would have so much weight both with masters and with men, that there would be very few who would oppose it?—Yes.

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915. Mr. Buxton.] In such a case as the one you mentioned, of the dismissal of a workman unfairly by the foreman, even if the council decided that the master should take him back again, could you practically force the master to take back the man whom he had dismissed?—If the man were discharged wrongfully, and if he laid his case before the council, and had not gained another employment, and he wished to go back, and the decision of the council was that the master should take back the man, he should go back.

916. So that the master would be obliged to retain a man in his employment whom he did not wish to keep in his employment?—If the council decided in such a case that he should take the man back, he would have power to discharge the man afterwards; it should be merely that the man's wrong should be redressed.

917. The master might dismiss him again the next day if he pleased?—Yes, he might; of course it would not be for the same offence; you could not oblige the master to retain the man, or any man against his will.

918. According to the provision of the Bill, there would be an equal number of masters and operatives upon the council?—Yes.

919. It would be likely that upon a disputed case they would be equally divided, the masters being on one side and the operatives on the other; how would you provide against such a case as that?—The referee should decide.

920. Do you think the judgment of the referee could be trusted in the trade with which you are acquainted, unless he was a skilled person in that trade?—There are men that might be elected to the presidentship of those councils, who would have a practical knowledge, and who, when the case was laid before them, could come to a judgment when they had heard both sides of the question.

921. Do you think that in the building trade it would be possible to trust to a chairman or referee who was not skilled in the trade itself?—I do.

922. Do you think that the men would confide in his judgment?—I have no doubt that they would.

923. Mr. Cubitt.] You have said that on the last occasion when a dispute occurred between the masters and the men, the masters would not see the men; supposing you had had a meeting with the masters, and the masters felt it was a question in which they were not properly called upon to grant the concession of ten hours' pay for nine hours' work, what advantage could have resulted from that conference?—In various ways; the workmen's representatives at that council would have heard the reasons which the masters alleged for not giving the nine hours, and no doubt they would have been able to show on the other hand to the employers, reasons for a reduction in the hours of labour; and though it might not have been settled at one meeting, I believe that it might have been satisfactorily and amicably arranged by arbitration or mutual concessions.

924. Supposing that the two parties, the masters and the operatives, had met and had agreed to appoint an arbitrator, and supposing that the arbitrator had decided entirely against the men, is it your opinion that the men would have been content?—I am of that opinion.

925. With regard to wages you say that the union would fix the minimum rate of wages, and not the maximum; with regard to piece-work would the union allow piece-work?—The societies generally object to piece-work now, for certain reasons; there are many reasons why they object to piece-work; first, because it encourages a scamping system; and secondly, if a master lets out to a man a certain amount of work, and he finds that the man earns more wages by that work than he had anticipated, before he lets him have another job he will try to reduce the price; another reason is, that where a master lets out piece-work he expects the men at work at day-work to do the same amount of work, though they do not get so much money as those he lets the piece-work to; I believe that if a council of workmen, a council of employers, and a council of architects were to meet and fix a rate of prices, there would be no objection to piece-work.

926. Will you simply answer this question: As now existing, will the trades' unions permit any of their members to work piece-work?—Many of them do.

927. The unions, in fact, do now permit their members to work piece-work?—Yes.

928. With regard to working over-hours, does the union allow its members to work over-hours?—Some do and some do not; some will allow them to work if they work without extra pay; some do not allow them to work over hours unless the employer pays a certain rate of wages extra, say time and a half.

929. Then

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929. Then all trades' unions are not amenable to one system?—No; there are scarcely any two unions having the same set of rules.

930. What is your opinion with regard to the expediency of working over-hours; if you were consulted as to whether the men generally should be allowed to work over-time without an extra price for the over-time, would you recommend it?—I should recommend them not to do it; we consider that the physical powers of the men are exhausted, and I have met with many telling incidents proving that where the men work beyond a certain time it is very detrimental to the employers, the men being so worn out that they are not able to do their work properly; my advice to the employers would be the same as to the men, that working over-hours is no good to them.

931. Is it the fact that some of the trades' unions will allow a man to work over-time without additional wages; that some of them require that they shall have an extra rate of wages for the extra time, and that some prohibit it altogether?—Yes.

932. Is the out-of-work fund which you spoke of part of the general institution of the trades' unions?—Yes; where it is comprised in the union it is named in the rules; there would be a certain donation fund for workmen out of work; where it exists it is always mentioned in the rules, and where it is not named in the rules you may conclude that it is not in existence in the society.

933. Is that fund available for any man who may happen to be out of work, from whatever cause?—It is, provided the cause appears to be a valid one; there are certain powers of inquiry vested in the committee of the society; for instance, if a working man were discharged, and he wanted to put his name on the donation fund, he would be asked why he was discharged, and he would then have to give the reasons.

934. Supposing such a case as this occurred, that I were to go and say I was discharged, because the work was falling off, and there was not employment for me; and that I had been all over London for a week seeking other employment, and I had not been able to get it, would that be held to be valid?—There would be no necessity for a man to look about for work for a week; if discharged, he could be put the next day upon the book.

935. Where such funds are available under such circumstances, the contribution to the society from the men is larger than where that advantage does not exist, is it not?—Certainly.

936. Would you be willing to give us the rule of any society where such a system exists?—I could name several societies; the Amalgamated Engineers, the Compositors; the Painters; and various others.

937. Is there any such system among the carpenters?—There are in some societies; some have a donation fund; the carpenters are controlled by societies which we now call isolated societies; that is, not all governed by one code of rules; some of those have donation funds, others have not; where they have they are named in the rules.

938. Mr. Baillie Cochrane.] You said that some unions would not allow their men to work over-time?—Unless they got an extra amount of pay.

939. How do they prevent it?—The men leave work.

940. How does the union prevent a man from working who wishes to work over-time?—They do not prevent him; but then he must cease to belong to that society.

941. The trades' unions are benefit societies, are they not?—Not always; there are benefit societies alone, and there are trades' unions and benefit societies connected, and there are trades' unions without any benefit societies.

942. In those trades' unions which are benefit societies, and in which, as a consequence of a man wishing to work over-time, he is obliged to leave the society, do they give him back the money he has paid in?—No, certainly not; he has broken the rules of the society, and he abides by the consequences.

943. Do you suppose that these trades' unions would still exist if there were these Councils of Conciliation?—I believe that they would. I do not think that the Councils of Conciliation would destroy the unions.

944. They would only exist then as benefit societies, would they?—They would exist as trade societies, as they are now.

945. Mr. Egerton.] Do not you think that the successful working of this Bill would depend very much upon the person whom you get as chairman?—Yes.

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946. Without the power of getting a competent chairman the Bill would fall to the ground, would it not?—Very possibly.

947. The Bill provides for the appointment of an equal number of masters and operatives, do not you think that in many cases there would be a considerable difficulty in finding a person in whom both sides would have confidence as chairman?—No doubt in some instances; but when the Council of Conciliation was elected by the masters and the operatives, that council would agree to a gentleman or president who would conduct the business fairly; if not, the Bill should fall to the ground.

948. What class of man would you expect to get as chairman; take your own trade, for instance?—If the council were elected, I should either allow that council the power to elect a gentleman, or I would have a clause that there should be so many masters rate-payers, and so many operatives rate-payers, who should be allowed to name a chairman.

949. In your own trade you would prefer a man conversant with building, an architect, for instance, would you not?—Provided that the man could be elected fairly by both sides.

950. From your experience of that class of men, do you think that they would undertake the duties of chairman?—No doubt an architect could be found who would undertake it.

951. Do you contemplate paying those gentlemen?—Decidedly not.

952. Has your attention been called to the Councils of Conciliation which exist in other countries?—Yes.

953. In Paris gentlemen are appointed as chairmen by the Board of Trade, who are paid by the Government?—Yes.

954. Do you apprehend that it would be advisable to appoint such chairmen in England?—I do not think it would.

955. Do you think, in the dispute which occurred last autumn, it would have been satisfactory to the working men to have a paid chairman sent down by the Board of Trade?—The question might be entitled to be entertained as regards the Board of Trade appointing a president, but I do not think the men would agree to it.

956. Do you think that would be satisfactory to the working men?—I think it would be more satisfactory if they had the electing of their own chairman.

957. I am supposing them not to be able to find such a man; would you think it would be satisfactory to the workmen if the Board of Trade appointed a chairman?—I think not; my opinion is that a proper chairman could be found by the council itself.

958. This council would be applicable to the silk manufacture as well as other trades?—To all trades.

959. Would it not be almost impossible for a man unconnected with the silk manufacture to arbitrate upon questions arising upon that manufacture; do you think that any chairman unconnected with the silk trade would be competent to give an opinion upon that?—No doubt; a chairman could be found in all trades; the council would call upon some man who understood the trade.

960. You say you think that there would be no difficulty in finding such a person who would be competent to decide, though unacquainted with the subject-matter; do you think that there would be any jealousy manifested on the part of the workmen generally, by such a man being appointed who was not conversant with the trade; would they take his decision as final?—Yes, provided their representatives had agreed to the selection of that chairman.

961. Do you contemplate that these chairmen should be permanent?—They should be elected annually.

962. And serve through the year?—Yes.

963. Do you expect that you would have no difficulty in finding gentlemen who would give their time gratuitously, for the purpose of presiding at this council meeting once a month?—He might not have to sit; my opinion is, that the council would be able to settle many things without calling in the referee, by mutual consent.

964. In any dispute as to work done or payment to be made, would not the division be even, the six masters going one way and the six men the other?—Then the referee would be called in, and where the referee was selected by the representatives of each party, I should say his decision would be satisfactory.

965. *Chairman.*] Your idea is, that this council should exist permanently, and be ready, in case of any dispute, to settle it?—Yes.

966. They



966. They might meet once a month, and if there was nothing to do they would adjourn?—Yes.

Mr. G. Pottel.

967. At the same time they would be always ready to settle a dispute previous to its rising into a serious difference?—Yes; the reason why disputes are generally not settled is, that they are allowed to grow to a certain height before there is any discussion upon them, and both parties being warm, and satisfied of their own strength, the breach is widened.

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968. Whereas if there were a council, consisting of six on one side, and six on the other, they could quietly talk over the matter, and each party could go to his own class, and explain to them the state of the case?—Yes.

969. Lord Robert Montagu.] You stated that working for nine hours instead of for ten hours would be only taking off  $7\frac{1}{2}$  per cent. of the work; will you explain that?—I base my statement upon this, that the last hour of a working-man's day is the least productive, and of course it is the last hour which would come off; the master would not lose the per-centage of one out of ten. If a man walks ten miles, he walks the last mile in a much longer time than the first, and I contended that the loss would not be more than  $7\frac{1}{2}$  per cent.

970. Do you approve of the plan which prevailed in France and Belgium till 1848, that all the workmen elected six of the masters, who naturally chose the six most moderate masters, and the masters selected six of the most moderate workmen, by which plan it was found that those representatives never required a chairman, because they always agreed?—I do not approve of that plan.

971. Mr. Ayrton.] Is it the result of your experience that, in consequence of the improved education of the working-men, they pay greater respect to the acts of those whom they elect as their agents or delegates to manage their affairs?—They certainly do; there is seldom any dispute in connexion with the conduct of their affairs by those whom they have appointed; they are generally satisfied with the way in which their representatives act for them.

972. Upon the same principle, therefore, you think that registered workmen electing a council of their own body would pay great respect to the acts of that body?—I believe they would.

973. And you think that those delegates communicating freely, and under the sanction of the law of the country, with the delegates of the masters, any questions that arose between the one and the other would be properly discussed, and might be fairly adjusted?—No doubt they would; any case brought before such a council would be discussed fairly and honestly, and a just conclusion would be arrived at generally.

974. In the conduct of work, where a great body of men are working together, are there not a great many things that have to be understood between the masters and the workmen, as to the mode in which the business is to be conducted?—Yes.

975. Out of those understandings misunderstandings very often arise, do they not?—Yes; small disputes, which the council might settle.

976. Then you think that the six masters and the six men, meeting in council, and examining into those disputes, would exercise a great moral influence over the minds of the men?—No doubt they would.

977. Chairman.] Are you aware that a much greater degree of information, from the spread of education, is possessed by the workmen than used to be formerly, and that consequently they are more likely to be obedient to the laws, and to take their own part in a proper manner, and do you think that they would therefore pay obedience to the determination of an equitable council?—Most men now are acquainted with the law, and know how far they can go; and therefore I find that, in the disputes which have arisen lately between employers and employed, there has been less improper conduct than there was before.

978. Mr. Ayrton.] Do you find that, in proportion as the workmen get educated and become intelligent, they are disposed to regard a contract for their services as one in which the feelings and the interests of both the master and the workmen are to be equally considered?—Yes.

979. And that there is no disposition on the part of the workmen to submit to working under any conditions which the master chooses to impose upon them?—Just so.

980. Do you think that that gives rise to a growing necessity on the part of the workmen to enter upon an amicable discussion with the masters as to the conditions

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of the service to be performed?—Yes, I believe the men now thoroughly understand all matters of detail in relation to their labour, and that they have so grown in intelligence as to wish to meet the employers in order amicably to arrange all disputes, and most of those cases could be decided by such interviews.

981. Have you ever been able to persuade a workman that when he continues to receive the same wages day by day he is getting an advance of wages, because the conditions of his work are altered?—Sometimes.

982. If it is regarded as an advance of wages, must it not be assumed that the time that is remitted to him is to be employed by him for wages and remuneration somewhere else. If a man is to receive the same wages for the day's labour, it is no advance of wages to him to diminish the hours of his labour unless he uses the additional hour somewhere else for his own benefit?—Certainly not. I contend that in any case of reduction of the hours of labour there would be no pecuniary advantage to the man at all; he would give his hour to intellectual advancement and mental recreation.

983. Which you think he has as much a right to as any other class of society?—Certainly.

984. In point of fact, he is not getting an advance of wages, but placing himself in a condition to make himself a better member of society?—Yes; and a more useful workman.

985. Such an arrangement might operate as a charge upon the work that is being done, requiring more men to be employed upon it?—Yes; that would be so.

986. But such an arrangement, you think, is nevertheless perfectly just, as the workman does require that extra time to spend in rational pursuits?—Yes; we have argued that where a man exhausts his physical strength in the day in his work, and has also long distances to walk, his strength is not renewed by the next morning, and he is not in a position to do so much work for his employer as he would, provided he had more time allowed him for gathering up his strength.

987. Has it come within your observation, that men who work to a point of great exhaustion are apt to resort to drink for the purpose of stimulating themselves?—Yes; when I was at work at the bench I worked at a firm where there was much over-time and piece-work, and I found that the men at piece-work were men who generally spent five or six times more money in intoxicating drink, for the purpose of keeping up their physical strength, than the men at day-work. I found, on close observation, that the men working at piece-work are generally a worse class of men in every way, both in intelligence and education, and in pecuniary matters.

988. Is it not a common saying with regard to working people, that a man who works hard in that way is generally a drunkard?—Generally.

989. Is it your opinion that the intemperance of the working people largely arises from their working "spells," as they are called; working to a great excess over ordinary steady work?—Generally, when men are allowed to work piece-work, I believe that it encourages them to leave their work, and to go and have their beer and so on, whereas the men working day-work cannot leave the shop; where a man is his own employer, and he gets a job to do when he likes, it encourages him to go away from his work and waste his time.

990. Your opinion is that steady working is the best condition under which a man can improve himself, and avoid the temptation of drink?—That is decidedly my opinion.

991. *Chairman.*] From your extensive knowledge of the working classes, is it your opinion that since they have been better educated, they are more able to take their own part, and are more satisfied with the state of things than they used to be?—I believe that as they grow in intelligence they become more aware of what their labour is worth, and they are better able to judge when an opinion is given as to the value of their services.

992. They are better acquainted with their own rights and less inclined to resort to violence whenever a difference arises between them and their masters?—Very much less.

993. *Mr. Cubitt.*] Supposing that this great question of the nine hours' movement should be again agitated, do you think that if this Bill were passed the men would be willing to bring that great question before the council and be satisfied with the result?—I have no doubt that they would be as willing now as they were before; they were willing before the Bill was introduced, and I have no doubt that

that they would be of the same opinion now ; they would still be willing to meet the employers upon the question, and no doubt they would be willing to abide by any decision arrived at through their representatives and through the representatives of the masters, provided that that decision was honestly and fairly come to. They would be willing to bring it before such a council, and providing that the representatives agreed to the arbitrator, they would abide by the decision. I do not say that an equitable council would satisfactorily decide such a question as that, or that Councils of Conciliation would always satisfactorily decide upon a question of a rise of wages, but I do think that to a large extent they would be beneficial in helping to a solution of those questions.

994. Mr. *Ayrton*.] You think that if the men were registered, and they elected a council under the provisions of this Bill, that the nine hours' question is a question which they would bring before the council?—Yes ; that as well as any other question.

995. What they would be satisfied with, would depend upon what the council did, and how they behaved themselves, which you cannot foresee?—Just so ; I do not say that they would agree to an arbitration in which they had not a chance of having justice administered.

Mr. *Spencer Northouse*, called in ; and Examined.

996. *Chairman*.] WHAT is your profession?—I am not now in any particular trade or profession.

997. Have you been in any?—Yes ; I was the editor and part proprietor of "The Glasgow Free Press" newspaper, in the years 1823, 1824, 1825, 1826, and 1827.

998. Have you turned your attention at all to the matter which this Committee was appointed to consider?—Yes.

999. Will you state to the Committee your impression as to the best mode of preventing strikes between masters and operatives?—If the Committee will permit me, I can state what took place under my own observation in Glasgow, which will show, I think, how such a plan as is proposed in the Bill would be advantageously available for the benefit both of masters and men. I think about the year 1825, a leading manufacturer of Glasgow who had been in partnership with two of his brothers, quarrelled with them, and having quarrelled with them he desired to destroy their business, and the other manufacturers in the town were equally injured by the modes which he adopted for that purpose. At that time, the Legislature had passed an Act commanding all manufacturers to specify by ticket whether the work which they gave out was fine or coarse, and as it was fine or coarse certain wages were obtained for it. The brother, who had quarrelled with his partners, adopted the plan of "mediums," instead of calling the work which he gave out "fine" or "coarse." Under that term of "mediums" he was enabled to give nearly the smallest price for nearly the finest fabrics ; the operation of which was, that it brought down the wages of labour from working 12 hours a day at about 16s. a week, to working 10 hours a day at only 4s. 9d. a week ; and during this operation all the other manufacturers in the same line were deeply injured, and were perfectly in the dark as to what they should do to combat the lower prices which the greatest man in the trade was enforcing by these means. The consequences were, that the weavers finding that they were constantly getting smaller wages, some of them, in isolated cases, refused to deliver up the work they had had given out to them, because they were still getting a less and less amount for their labour. This manufacturer went to his lawyer to ask what he should do with those workmen of his who had refused to give up his goods, and the lawyer said, "Well, I am a Justice of the Peace, you had better bring it before the Justices of the Peace," so that the lawyer acting as adviser in the morning, sat as judge in the afternoon between the manufacturer and his men ; and the consequence I believe, was, that the men felt that there was little justice to be obtained for them, and the result was a strike ; I believe 10,000 or 12,000 struck to get rid of the system, and the consequence to the manufacturer was that he could not complete his contracts, and I believe he went into the "Gazette."

1000. Is it your opinion that if there had been such a machinery existing as that proposed by the Bill which we have now before us it would have prevented that?—It would have prevented it entirely ; nearly every manufacturer in Glas-

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gow, except this unfortunate gentleman, would have joined most cordially such a council, and the workmen also, and justice would have been done to both parties. 1001. Which justice being denied, brought on the strike?—No doubt; there was no justice for the working classes.

*Martis, 24<sup>o</sup> die Aprilis, 1860.*

## MEMBERS PRESENT:

Mr. Ayrton.  
Mr. Baillie Cochrane.  
Mr. William Cubitt.  
Mr. Edward Egerton.  
Sir James Ferguson.  
Mr. Mackinnon.

Lord Robert Montagu.  
Sir Joseph Paxton.  
Sir Morton Peto.  
Mr. Slaney.  
Mr. Pollard Urquhart.

WILLIAM ALEXANDER MACKINNON, Esq., IN THE CHAIR.

Mr. Thomas Piper, called in; and Examined.

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1002. *Chairman.*] WHAT is your profession?—A Builder.

1003. I think you act as Secretary to the builders?—I have acted as Honorary Secretary to the Builders' Society for many years.

1004. Have you any observations to make to the Committee in reference to the late strike, or any paper to put in; you are aware that Mr. Potter stated in evidence that there might have been an arrangement come to between the masters and the operatives, but that the masters refused to come to any understanding?—The masters held a meeting with the operatives on the 26th of August 1858; thirteen masters met nine workmen, those workmen being joiners, the nine hours' movement, as it was called, having commenced with them.

1005. What was the result of that conference?—The passing of certain resolutions by the masters.

1006. Mr. *Cubitt.*] Were the workmen introduced by Mr. Potter?—They were introduced by Mr. Potter, who was then their leader. I will read those resolutions: "That the question, although raised by the carpenters and joiners, is really a question involving all trades. That, inasmuch as there is no compulsion by which workmen are obliged to labour for any given number of hours, it really only amounts to an alteration in the rate of wages. That within the last four or five years the price of skilled labour has been advanced 10 per cent., and that it does not appear to this meeting that there is anything in the circumstances of the present times to warrant a further increase to the extent suggested. That, looking at the very large amount of the interests involved, not only as it regards the building trade, but, obviously, even beyond these bounds, this meeting does not feel that they can accede to the request made; and they come to this resolution with the best possible feeling of good-will towards the workmen; and they are bound to say that the manner in which this question has been brought forward and discussed is very creditable to those who have appeared as its advocates." That was on the 26th of August 1858.

Vide Appendix.

1007. *Chairman.*] Have you a minute of that meeting which you can hand in?—This is a fair report of that meeting.—(*Handing in a Paper.*)

1008. What took place subsequently to this meeting?—Subsequently to that meeting the movement increased in size; other trades became associated, and a fresh application was made for a conference upon the subject.

1009. Did that conference take place?—The reply that was given to the application was that, if the parties moving in it had any new facts to adduce or any fresh arguments, the masters would be ready to meet them, but that if they had nothing more to say, the masters felt that it would be of no use merely to repeat what had already been said.

1010. Mr.

1010. Mr. *Pollard Urquhart.*] What was the date at which this took place?—I do not recollect the exact date.

1011. *Chairman.*] In 1858 or 1859?—In 1859.

1012. Mr. *Pollard Urquhart.*] It was several months after the first conference?—Yes; Mr. Wales informs me that it was on the 9th of December 1859; perhaps I may be permitted to read the letter signed by Mr. Wales, as assistant secretary to the Builders' Society: "Sir, I am desired to say that the master builders would willingly accede to your request for an interview on the subject of the circular note, dated the 18th November 1858, but upon a careful perusal they do not find that any facts are stated or arguments brought forward therein which have not already been adduced by the carpenters and joiners in the memorial, and which were not well and duly argued at length by them in the conference between that deputation and the master builders. It does not appear, therefore, that any benefit is likely to result from a second interview on the same subject, with no new or fresh ground of information or argument, and I subjoin a copy of the resolutions then passed, and with which you are already acquainted."

1013. Lord *Robert Montagu.*] Have you seen the Bill which is at present before the House of Commons?—I have.

1014. Do you think that that Bill would be applicable to the building trades, for instance?—I think that such a Bill, or a Bill upon that principle, would be welcomed very much indeed by the whole of the trades.

1015. By the masters?—By the masters; but I see great practical difficulty in the details of it.

1016. As to the principle, do you think the masters would approve of the principle of conciliation and arbitration?—Unquestionably.

1017. If there was a difference between them and the men, would the masters resort to the Council of Conciliation?—Were such a council fairly established, no doubt they would.

1018. As to the details, what objection do you find to the details?—The difficulty, in the first instance, is as to the selection of workmen to sit on the council; that they are not sufficiently publicly known to enable their brother workmen to make such a selection as would be probably wise.

1019. Does not it appear to you, that the building trades in London, numbering a great many thousands, are able to select certain people to sit on their own committees to manage their own affairs; the workmen have committees, have not they?—Yes.

1020. And they can elect members to sit on those committees?—There are several such committees, but the difficulty of which I speak, is the selection of those who would be the proper men to fill such a post for the trade generally.

1021. Do you comprise the carpenters, the masons, the plasterers, and the painters in that term "the trade generally"?—I do.

1022. Your difficulty amounts to this, that you do not see how the workmen could elect an arbitrator to arbitrate on questions of masonry, carpentering, and painting?—I mean, that the acquaintance of the workmen with each other is so limited to the acquaintance of the men in the individual employment in which they are accustomed to work, that, so to speak, the workmen would not be able to find workmen who could be fairly elected.

1023. Mr. *Pollard Urquhart.*] Who selected the nine joiners who met the 13 masters, in the case to which you have referred?—I apprehend they selected themselves.

1024. Lord *Robert Montagu.*] Was it not with the approbation of the workmen that they went to that conference?—I have no means of knowing that.

1025. You have no means of knowing how they were selected, so as to be able to say whether the workmen could not equally well select representatives to sit on the Councils of Conciliation?—To delegate four or five men to act for a special purpose is a very different thing from electing men to sit upon a judgment seat.

1026. What alteration would you suggest in that matter of detail, in order to make it more practicable?—I am not prepared to say, for the question is so exceedingly wide in its bearings, and the class of subjects with which they must necessarily deal do vary so extraordinarily, not only in different trades, but in different sections of the same trade, that I doubt its applicability.

1027. Would you propose one board of arbitration for the masons, and a different one for the carpenters, and a different one for the painters?—I do not think that it would be possible to work it without.

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1028. Still you approve of the principle of arbitration?—Yes.

1029. Is there any other detail to which you object?—There would be a difficulty in selecting the parties to act on the side of the masters.

1030. *Chairman.*] What would be the difficulty?—The difficulty would be in getting such men as would enjoy the confidence of the workmen; I do not think that the personal character of the masters is sufficiently known; they are not before the public, as barristers, and men in that position are.

1031. *Lord Robert Montagu.*] Is this your notion of a council of arbitration, that a certain number of masters enjoying the confidence of the masters should sit on one side, and a certain number of workmen enjoying the confidence of the whole body of workmen, should sit on the other side, and that those should confer together, and should strive to arrive at some satisfactory conclusion upon matters coming before them?—It is.

1032. Do you think that it is necessary that the masters who are appointed should enjoy the confidence of the workmen, as well as the confidence of the masters?—They should enjoy the confidence of the workmen, unquestionably; I think that it is quite possible for the masters to select masters in whom they would have confidence, but as to the workmen, I think that there is a difficulty in doing that.

1033. Do you propose any practical measure for doing that?—No; I am not prepared with any.

1034. Is there any other detail to which you object?—I do not object to the details; I do not wish to put the matter in that way.

1035. Is there any other detail which you think is faulty?—There is no provision for the election of a chairman, which of course is an important point, in order to secure the confidence of those resorting to the court.

1036. What plan would you propose for the appointment or election of a chairman?—I think it would be better that the chairman should be nominated by the Board of Trade, or some public office.

1037. Do you think that such a nominee would understand the feelings and technicalities of the trade?—That is the extreme difficulty of the whole case; the extreme technicality throughout: take this room for instance, and the joiners work in it, the questions that would arise upon it would be questions that would arise in no other trade; the great variety of the questions is the difficulty.

1038. *Mr. Egerton.*] Has it ever occurred to you to call in an arbitrator to determine disputes between your men and yourself, upon the subject of work?—Never at all.

1039. Upon the subject of price has it happened to you to have to do so?—Never.

1040. *Lord Robert Montagu.*] Do you think that the body of the masters agree with you in not objecting to the principle of the Bill; do you think they approve of it, but object merely to the details?—They do not object to the details, but they see great difficulty in the details.

1041. They agree with the principle of the Bill?—Unquestionably.

1042. Still you can suggest no other method which would be practically better than that proposed by the Bill?—No other method which would meet the question in such a way as really to compass the whole difficulty.

1043. *Sir Joseph Paxton.*] Supposing that a court were constituted according to the plan proposed, and that the men were properly selected, and the masters properly selected, what subjects would be brought before such a court in the general building trade in London?—That is one of the difficulties which I feel.

1044. Those men work by the day, do they not?—Almost all.

1045. Take the joiners' work in this place, for instance, what would occur in respect to the work in this room which could be brought before such a court?—I know of nothing.

1046. You stated that you think those courts would be of very great advantage to the trades of London; how could they be applied?—I say that the principle of the court is decidedly approved of. If they could fairly be brought to bear, they would be welcomed; but I see great difficulty, first of all, in the construction of the court, and then in the class of questions with which they would have to deal.

1047. Can you name any single question in which a court of this sort would be of use where the men were working by the day?—Where the men were working by the day I cannot imagine any question that would arise, because the question

question of the value of the workmen's wages must be a matter for the master; he must know the price he can afford to give, and though a man might prove himself to be worth more money, it might not be worth a master's while to give him more; hence that question could not come before the court.

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1048. *Chairman.*] You stated that one of the great difficulties in the machinery of the Bill would be in the operatives finding proper men, in whom they would have confidence, and also in the masters finding men who would act satisfactorily for them?—I did not state that I thought that would be so with respect to the masters. I think that the masters could select masters to represent them, but the difficulty would be in the selection of the operatives.

1049. Did you find any deficiency in intelligence or understanding in the nine operatives who met you in 1858?—On the contrary, they were all very intelligent men.

1050. Then the operatives can select proper men, cannot they, to take their part?—It is one thing for them to select delegates to enforce a particular movement, and it is another thing to elect judges to whom they should appeal in all cases that might arise.

1051. If the workmen on one occasion had sufficient understanding to select those nine men who, you say, were able and clever men, why should not they have the same intelligence to enable them to select men as delegates for themselves to appear at the Councils of Conciliation?—I do not see any impossibility about it, and to a certain extent no improbability, but I do not think the intelligent men are sufficiently known to be selected by the trade generally to be their representatives.

1052. How then were those nine men known?—That I have no means of knowing.

1053. Then, with regard to the masters; you said that the difficulty would be that the masters might select from themselves persons that were not acceptable to the workmen?—Yes.

1054. In the 13 masters who met the nine joiners were there any who were disagreeable to the workmen?—I have no means of knowing, but that was an accidental meeting of a society consisting of 60 or 70 of the principal master builders out of whom those happened to come.

1055. Were any of them deficient in any respect that you know of?—Not in the slightest degree that I am aware of.

1056. Why should not equally desirable members be appointed to these Councils of Conciliation from the masters?—I spoke with reference to the question whether the workmen themselves would be willing to accept them; it is one thing for them to meet and discuss a particular point, and it is another thing for them to be elected as judges to whom they could appeal on all questions that might arise.

1057. Is it not the case that in those Councils of Conciliation they would not be so much judges as moderators, the four or five masters would not be judges, because there would be four or five men of the operatives there?—The body would be a judicial body, as I understand.

1058. *Sir Joseph Paxton.*] Can you suggest any particular matter which would be brought before those courts with respect to men who were paid by the hour or the day?—I have already answered that; I do not think that there could be any question, where men were paid by the hour or the day, which could be the subject of arbitration in those courts.

1059. Then of what use would they be in respect to ordinary workmen who work by the day?—They might be resorted to in questions of task work or piece work; but not in questions of day work; at least I think not.

1060. *Mr. Pollard Urquhart.*] Were not almost all the operatives who struck last August working by day work?—Very nearly all.

1061. If at the beginning of that dispute there had been a council of this sort established, and if that council had been able to show the men that the state of trade was not such as to justify an advance of wages, or a diminution of the hours of labour, do you think that that would have made any impression upon the majority of the working men, so as to convince them that it was not right for them to hold out any longer?—If such a court had been established, and had the confidence of the workmen, and if it had been resorted to, it might have done so.

1062. If a court had been established consisting of men like the nine men who met you before the strike, and the same number of masters, and if that court so constituted had shown fairly to the men that the state of trade was not such as to

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justify any further advance in wages, or any diminution of the hours of labour, do you think that that would have prevented the men to a very large extent from joining in the strike?—It might have done so, but from the manner in which the thing was worked out, I doubt it.

1063. Do you think that the men would continue on strike against the opinion of a court in whom they had confidence?—Certainly not.

1064. In that respect, might not the establishment of such a court do good, even in the case of men working by the day?—It might.

1065. At all events it would be worth the experiment, would it not?—I should think it would.

1066. Mr. Potter said, that taking off the last hour of the men's work was only equivalent to a diminution of  $7\frac{1}{2}$  per cent.; do you agree with him in that?—Certainly not.

1067. Sir *Morton Peto*.] If the proposed council had existed during the late strike, in your judgment, could that question have been settled by it?—I cannot conceive it possible; the question is so wide a one, and affects labour throughout the whole kingdom in every way.

1068. *Chairman*.] In what way then would you recommend the question to be settled; it is a great object to have no disputes between masters and workmen, and if there is a dispute, you say that it would not be settled by Councils of Conciliation such as that proposed; in what way would you recommend it to be arranged if it could not be done in that manner?—I have already expressed my opinion, that if such a council as that were in existence, and had the confidence of all parties, it would go a very long way towards settling the question; but I think so wide a question as that goes beyond the extent to which such a council would be applicable.

1069. You do not, I think, make sufficient allowance for the exasperation which takes place in any difference like that, which feeling of exasperation would not only be lessened, but entirely done away with, if a mild conference took place between so many workmen and so many masters, where each party might see that one ought to give way a little, and the other also that they ought to give way, and by that means the exasperation arising in both bodies might not only be lessened, but entirely done away with?—I am afraid we want a higher tone of moral feeling in both masters and men before such a result would follow as that of which you speak, and in this particular case the movement which was attempted was one which told upon the value of labour throughout the whole kingdom. It does not seem to me possible that such a Council of Conciliation appealed to in London could issue an edict which would at once raise the value of labour either 10 per cent. or any proportion of 10 per cent.; the labour market must be left open, and if questions such as that, which was the subject of the strike, are to come before the council, it would amount to a protection which would be objectionable.

1070. The object of the Council of Conciliation is not to fix wages nor to establish any value for labour, but to prevent asperities from arising, and to prevent unreasonable demands, which create unpleasant feeling on the part of the party upon whom they are made; the object of these councils is to promote dispassionate argument upon the subject between the well-informed persons on each side, so that the men going back each to their own party would soften matters, and prevent the necessity of a strike; whereas by the principle which you lay down a strike would become inevitable, and the result to both parties would be most injurious?—I understood the question to be put to me in reference to the late strike; however, I believe it still falls back to what was stated in the resolution of 1858, that it was a question of advance of wages, practically, in its bearing upon the trade. I do not see how it is possible for such a court as you have alluded to to deal with such a question of so wide a nature.

1071. Supposing that those 13 masters and nine workmen whom you have mentioned had met in a sort of conference, and had arranged the matter between themselves, and supposing that each had returned to their respective parties, and had explained to them that a very trifling difference in wages, perhaps, might be recommended, and supposing that that had been adopted, both by the workmen and by the masters, would the strike have ensued?—Though I have said that the matter resolved itself into a question of wages, practically that was not the view of it that was put forward by the deputation. The view that was pressed was getting more time for relaxation; that was one ground; and another ground was the



the desire that workmen out of employ should be taken into employ, those who were in employ working fewer hours, but still taking the same amount of wages. Therefore, the question when put as a question of wages was not accepted on the other side in that way; nor did the thing at that time take a shape, nor do I know that it ever has taken a shape in which it could be comprised within the question of an advance of wages. The simple question upon which the strife arose was the nine hours for ten question.

1072. That was a question of money, was not it?—It was not taken as a question of money. If the question had been “We want 10 per cent. advance,” and they had talked it out, the question might have been met, but it was not put upon that ground. It was, as I have already explained, put upon the ground of requiring time for relaxation and mental improvement, and getting admission to work for men not in employ.

1073. Still from your evidence it would appear, that if such Councils of Conciliation were not adopted, the only result of a dispute between masters and operatives must be a strike; is not that the result of your evidence?—I do not see that it is possible to dispute that; if the strife is irreconcilable a strike results.

1074. *Mr. Ayrton.*] If no attempt is made to reconcile the masters and the men is the question; if no attempt at reconciliation is made a strike is the result?—Unquestionably; if no attempt is made to reconcile the differences there can be but one result.

1075. *Mr. Cubitt.*] If the masters had conceded this point, and had yielded to the positive and absolute demand that they should allow the men to work nine hours only, and should pay them for 10 hours' work, and moreover should pay them 50 per cent. extra for any additional hour's work that would have affected the masters during their existing contracts, would it not?—Yes.

1076. But it would not have affected the masters pecuniarily after their existing contracts were finished?—Not at all.

1077. Then it would have been a matter purely between the public and the working men?—Entirely between the public and the working men.

1078. If the masters had only looked to their own interests, would not it have been better for them to have conceded the point, or to have made a compromise so as to concede the point when the existing contracts were finished?—Unquestionably.

1079. And, so far as the masters were concerned, there would have been no strike?—Just so.

1080. Do you think that the masters would have been doing their duty to the public if they had made such a concession?—It would have been impossible that the masters should have met the matter in that way.

1081. I mean could they consistently with the position which they held between the public and the men, consistently with the duty devolving upon them, have said to the workmen, “Allow us to finish our contracts, and in six or 12 months hence we will give you what you ask”?—I think that they could not have done so.

1082. If they could have done so there would have been no strike?—Of course, if they had given up the whole question there would have been no strike.

1083. If you had made such a proposition to the men as that at the end of the existing contracts a change should take place, the men, rather than enter upon a strike, would have accepted that proposal?—Decidedly; they themselves proposed such an arrangement.

1084. If the masters had yielded to that demand they would have sacrificed no interest of their own, but they would have been guilty of a great dereliction of duty as regards the public?—Certainly they would.

1085. *Mr. Egerton.*] Have you considered the provisions of this Bill at all?—Yes, I have.

1086. You said you thought that the provisions for the appointment of the chairman were faulty?—I said that I thought it desirable that some independent person should be nominated by the Board of Trade, or some public office.

1087. Do you think that an appointment by the Board of Trade would be accepted, both by the masters and by the workmen?—I think that it would.

1088. Do not you think that many a strike might be prevented, if there were the means of settling the dispute in the first instance?—Unquestionably.

1089. Do not you think that if the Board of Trade had the power to send down a referee where a dispute arose upon the subject of wages, many a dispute

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which becomes a strike ultimately, might be prevented?—My experience of strikes is very small indeed.

1090. Have you found a great increase of intelligence amongst the working classes of late years?—Unquestionably.

1091. Is there a greater disposition to listen to reason on their part?—Decidedly.

1092. Do not you think that any such council as that proposed by this Bill, that is, the appointment of an independent council, the members of which the workmen knew would take an unbiassed view of questions brought before them, would have a beneficial effect in preventing strikes?—Yes; if you could get the confidence of the workmen with reference to the technical details.

1093. Do you think that the appointment of a man, sent down by the Board of Trade, without any court of masters and workmen sitting as assessors with him, would be satisfactory?—I do not think that the Board of Trade would be able to select any one competent; the technicality of everything connected with my trade is so great, that unless you get a man engaged in the particular branch, he would not be able to decide questions that might come before him.

1094. Would not that objection apply equally to a chairman selected by masters and men themselves?—The masters and men might be able to select a chairman with sufficient knowledge of the matter to enable him to decide the point.

1095. You think taking the six masters and the six workmen, the appointment by them of one of their own body as chairman would work well?—There would be great difficulty in getting them to agree upon what class of chairman they should have.

1096. Mr. Ayrton.] Is it your opinion that in each branch of the trade in which you are concerned there could be found now, through the advance of education, a number of men possessed of all the qualities which would be requisite to enable them to take part in any tribunal like this?—Yes; I should think that there could.

1097. A number of them?—I expect there could.

1098. Your difficulty seems to be, that they would not be known to the general body of the workmen?—That is the difficulty.

1099. Do not you think that your trade, in bringing a great body of workmen together in large buildings, tends rather to diffuse amongst them a knowledge of men of superior ability in their trade?—Not of the superior class of ability which you want in this instance; you want a sort of judicial mind, and an exceedingly competent workman, perhaps the most competent workman, may be by no means the most competent man to judge a question brought before him.

1100. But the workmen also are associated together in benefit societies, which would enable them to form a very fair opinion of the qualities of their fellow-workmen, and of the intelligence of those men, which would best fit them for taking part in Councils of Conciliation?—They might do so; at the same time a really good committee-man, who has nothing to do but to take charge of the funds, and attend to the claims that arise in cases of sickness, is not quite the man you want; you want a man competent to judge of questions of labour as well.

1101. Do not you think that the meeting together of the men for these purposes would give them sufficient opportunity to enable them to form an opinion of their fellow-workmen?—It would, in the limited circle so meeting together; but the difficulty remains, because, if the court is to be of any use, it is to operate over a large circle.

1102. The workmen, probably, have as much opportunity as electors have in electing a Member of Parliament to decide his peculiar fitness for his position?—Generally, a Member of Parliament is a public character, and he is tested in a way in which there would not be the opportunity of testing those men.

1103. He is not a public character always before his election?—He has a reputation before his election, and it is a public reputation.

1104. Do not you think that they would have as good an opportunity as people have in electing a person to the office of coroner?—I should think not, because, as I understand the election for the office of coroner, a man is obliged to bring testimonials, as evidence of his ability and powers.

1105. Would not the individual electors have as good an opportunity of judging  
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of the fitness of their representative as the individual electors in a county have for judging of the fitness of a coroner?—I should think not.

1106. Do you think that they would have as good an opportunity as the inhabitants of a parish, the parish of Marylebone, for instance, have of judging of those proposed as guardians?—That is possible.

1107. If there were a system of registration and election, would not that of necessity, give on the part of the working men a consideration for their fellow workmen with a view to their appointment to this council, which would be a great object of ambition amongst the highest and best workmen?—I cannot see that the mere fact of writing down a man's name would enable them to judge better of him.

1108. When people were placed in such a relation to each other as that of a registered body of electors on the one hand, and a great and responsible appointment on the other, would not it lead to examination and discussion amongst the electors of the qualifications of persons likely to be elected?—I quite accede to your general principle, but I do not see how it is to be brought to bear upon the workmen.

1109. Would not it have an important bearing when they met together for any purposes of business, as they are in the habit of doing?—Their meeting together is for the mere arrangement and management of their particular societies.

1110. Having an ulterior object in view, would they not then direct their minds to a consideration of the qualifications of those most fit to be in the council?—I suppose that they would.

1111. You have said that you do not see how this council could apply to men paid by the day. If a man is engaged by the day to take part in a great work at which a thousand workmen are assembled, that man has to work under a great many implied rules and conditions, has he not; if a workman joins for a day an organised body of men carrying on a great work he must of necessity have to conform to a great many implied rules necessary to the carrying on of that conjoint work; he has to do it in a particular manner that will harmonize with the general conduct of the work, has he not?—He must do the work to which he is appointed, and do it in connexion with those with whom he has to work.

1112. When a number of men like that are assembled, every workman has to some extent an interest in the manner in which the work is carried on by the whole, if they are working together in one great work; if a joiner or a carpenter has to do work in conjunction with another joiner or carpenter, each has an interest, to some extent, in the manner in which the other conducts his work, has he not?—I cannot call to mind any instance in which one man would be so interested in the work of another; one man has to make a door, and other men are making doors too; he has an interest in the door which he is making, but not in the doors which the others are making.

1113. Do you mean that each acts so separately and independently, and that he is not brought into connexion with the other workmen in any way?—He is not brought into connexion with the other workmen, except those whose aid it is necessary that he should have in the particular work.

1114. Are not they all interested together in having certain rules for their common guidance?—I do not see that they are.

1115. In the case of a man who works for the day, is not there more necessity for having a council to lay down those rules, to regulate matters when he drops into work for half a day, than in the case of a workman who is working constantly, because then he knows all the conditions under which he can work?—I do not understand that there are any conditions, except that he should do the work which he undertakes to do.

1116. As to the time which he may have to eat his dinner, for example, is not that a subject of some interest?—To each individual man, unquestionably.

1117. Is not that a question, for instance, which it is important should be settled satisfactorily to the workman?—Yes.

1118. Is not it a matter of importance to the workman that those questions should be regulated in a manner conformable to his wishes and feelings?—All those rules are matters that custom works out, and there is no use in attempting to legislate or arbitrate upon questions of that kind.

1119. Are you aware that such questions give rise to the most serious misunderstanding between masters and operatives?—I have not heard of them.

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1120. Are you not aware that it was found necessary to pass an Act of Parliament to fix the time for the men's dinner?—Yes; in one of the Factory Acts.

1121. Is not that a case analogous to a number of workmen being united together in one common object?—There is a degree of analogy in it; it is a question of degree.

1122. Therefore, if misunderstandings arise upon those questions, would not it be an advantage that a number of workmen in whom the general body had confidence, should have the opportunity of examining those things in conjunction with the masters, and of prescribing rules, so that though a man worked only for an hour or a day, he might at once know that he would be able to work under those rules?—In my own business, in the place in which I carry it on, if there were anything objectionable in the general arrangements of my establishment, the practical working of such an objection would be that the workmen would refuse to work for me, and that would settle the question.

1123. That would be a strike, would not it?—No, they would not strike; but they would not come to me.

1124. Supposing that occurred generally in the trade, it would be a strike?—It would if a change were made, and the men left work.

1125. What would be the difference between their refusing to come to you and a strike, as regards yourself?—The difference is this, that my establishment might get such a bad name that workmen would if possible avoid it; that is distinct from their being in it, and going out and striking.

1126. Would not it be an advantage to the trade if, instead of arriving at that extremity, the parties should be able to discuss the matter in the presence of selected masters and workmen, who would be able to express an opinion upon the subject for the guidance of the masters or the workmen?—I have said that I thought, if such a Council of Conciliation could be established, it would be desirable, but that I could not see a point upon which it would be applicable in my own trade.

1127. In fact, is not it correct to say, that though your workmen are paid by the day, yet they are continuously employed by you for a long time?—Very many of them are.

1128. You have spoken of this council acting as if it were a court; do you clearly understand that it is to have no legal power of enforcing its decrees or orders, either as against the masters or as against the workmen, but merely to use its influence over them?—I perfectly understand that; I made use of the expression which I did, because I did not quite know how else to convey my impression of the necessity that those sitting upon that council should take a judicial view of the matters that came before them, and not be mere advocates to look after the interests of their own party; that is the reason I made use of that expression.

1129. Do you think that the masters dispose of any questions that arise between them and their workmen from a sense of duty to the public, or from a regard to their own interests?—I think that is a question which hardly needs an answer.

1130. You think that they look to their own interests, and you do not think that they are moved by a consideration of duty to the public in regulating contracts between themselves and their workmen?—I think there are times and circumstances when they are called upon to act as between the public and their workmen, when the public are interested in the result; but to say that men carried on business for the public, would be an absurdity.

1131. Do you think that a master in paying wages to a workman is moved by a sense of duty to the public or by a regard to his own profit?—He carries on business with a view to profit to himself.

1132. Has it come within your observation that there is a great difference in the offers made by masters to undertake work in the business to which you belong?—There is.

1133. In making those offers, do you think they are moved by a sense of duty to the public or by a regard to their own interests?—They make the offers with a view of obtaining the work for their own interests.

1134. When you find a tender made which is, for example, 150,000 *l.* higher than another tender, you do not think that that increased tender results from anything but the desire for increased profit, do you?—I do not know how the question of increased profit applies. Each man takes his own view of the work for which he tenders, and tenders so as to give him a rate of profit at which he thinks it worth while to do it.

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1135. On any occasion within your recollection in which the masters have tendered for work, has not there been a greater difference between one tender and another than 10 per cent. ?—There have been occasions when such large differences have arisen which might possibly be very easily explained in different ways, by the facilities of markets, and so on.

1136. Those differences are generally more than 10 per cent. in large contracts, are they not ?—I think not, generally.

1137. Have you looked at all, recently, through the list given in the " Builder " ?—Yes, frequently ; but not with a view to arrive at a general result with respect to the rate of difference.

1138. Have you made any special arrangement throughout the trade to alter the hours of work on Saturday as compared with other days ?—The custom of the trade in London is to leave off work at four on Saturday ; that was a matter of deliberation as between the masters and the operatives, the feeling on the part of the masters being that it was fair.

1139. The public did not rebel against the arrangement you made ?—They did not.

1140. Is not it as reasonable a thing to propose, for instance, that the workmen should work till 5 on Saturday, and work for half an hour less on other days in the week, as that they should work till 4 o'clock on Saturday and the full time for the rest of the week ; are not those arrangements which might well be discussed between the masters and the men, inasmuch as you seem to have arrived at a general understanding, by discussion, with regard to working on Saturday ; do you see any reason why you should not arrive at a general understanding with reference to work on other days ?—Taking it as a general principle, there unquestionably is no such reason ; but I think that the late strike involved a great deal more than the mere question of a personal arrangement as between the masters and the men ; the alteration of the whole of the hours of labour to the extent of one-tenth every day would necessarily interfere very largely with the arrangements of labour of the whole community.

1141. The principle upon which you left off work on Saturday at 4 was that of making an arrangement which would be conducive to the social comfort of the working people, was not it ?—Yes ; certainly.

1142. Was not that also one of the principles upon which it was proposed to fix the hours of work throughout the rest of the week, and do you see any reason why an amicable adjustment of that principle should not take place for the rest of the week, as it has already taken place for the Saturday ?—I see no reason why such an arrangement might not be made in the view you take, but I see a great public inconvenience in the labour of the country being thrown away to that extent.

1143. If the charge to the master builder is 10 per cent. greater by the hours of labour being reduced so as to contribute to the welfare of the working people, the master would have to add 10 per cent. to his tender, would he not ?—Certainly.

1144. You seem to think that it would be impossible for a question of this sort to be examined into by a Council of Conciliation, because the masters would be under some supposed obligation not to give way ; I am asking you whether the practical effect, if they gave way, would not be to add, in your view, 10 per cent. to the charge upon the public, as between them and the masters ?—I have not said that the masters would go into any such inquiry with a pledge not to give way.

1145. I understood you to say that questions of hours of work, the masters would not be able to submit for the consideration of the Councils of Conciliation ?—I say I do not see how they could enter into such a large question. A general arrangement that is to alter altogether the relations of labour throughout the whole of the country is a larger question than the question with which, as I understand, it is proposed this council should deal.

1146. Mr. Baillie Cochrane.] Mr. Potter stated that the system of one man letting out work to another at a small profit, and that man again letting out the work to a third person existed, which resulted in the work being badly done. Are you aware of the existence of that system of sub-letting contracts ?—I believe it exists, but to a very limited extent indeed.

1147. Do you know of any particular cases in which that system exists ?—No.

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1148. Are you aware whether it exists in the best establishments?—Not in the best establishments unquestionably; it exists to a very limited extent.

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1149. *Mr. Pollard-Urquhart.*] Though it is quite true that those Councils of Conciliation could not attempt to fix the value of labour, might not they show the masters and men what the real market value of labour for the time being was?—They might, but I do not know how they are to get the information to enable them to do so.

1150. If the masters and the men met together in this way in a Council of Conciliation, could not the masters show the men that the state of trade at the time did not justify an advance of wages? For instance, could not the 13 masters who, you said, met the nine operatives in 1858, have convinced them that the state of trade did not admit of any advance of wages, if such was the case?—With reference to that particular case the circumstances were these: the ground upon which the application was made, which was practically for an advance of wages, was that so many men were out of employment; that is generally considered a reason for lowering rather than raising wages.

1151. Did you attempt to show the men that?—Unquestionably; they themselves stated it.

1152. Did you attempt to show them that a great number of people being out of employ would justify a lowering of the wages rather than a raising of them?—Certainly.

1153. Did they understand that?—They could not but understand it.

1154. In cases of disputes arising about wages, if these councils were established, might not the men be made to understand the laws that regulate wages, the masters saying, we could not afford to employ you at higher wages; would not it be possible to convince the men of that at times?—I should think it would be possible, but the general state of business is a matter of which all of them are to a certain extent informed; the workmen know whether there is a demand for wages or not; a man must seek the places where what he has to sell, namely, his labour, obtains the best price, and therefore information as to that matter is circulated amongst the men, and it does not need a Council of Conciliation to tell the men that there is a great demand at one time and a small demand at another time.

1155. Would not the Councils of Conciliation be useful in making the information known among the workmen generally?—I imagine that the means of information which now exist would be more complete.

*Mr. Daniel Butler*, called in; and Examined.

Mr. D. Butler.

1156. *Chairman.*] WHAT are you by profession?—A Book-keeper. I have been an operative weaver.

1157. Book-keeper to what?—To various societies; amongst others to the Coventry Ribbon Weavers' Association.

1158. Have you taken at all into your consideration the expediency of establishing Councils of Conciliation?—I have.

1159. Will you state your opinion upon that subject?—The first cause of establishing the association I have named proves the necessity; it was a dispute with respect to wages, in 1842, about 18 years since; the manufacturers at that time had determined on a reduction of wages of about 10 per cent., and the weavers resisted it; it was not of long continuance. The magistrates, seeing the necessity of matters being brought to a conclusion, adopted the principle of conciliation; they employed the chief constable of the city to go round with a committee of men to see if terms could not be come to, and ultimately they came to terms, and the manufacturers agreed to pay the price without any reduction. The principle of conciliation had a very good effect there.

1160. Did it prevent a strike in that case?—It prevented a long continuance of disagreement that might have occurred.

1161. Have you looked at the Bill that has been prepared for the establishment of Councils of Conciliation, and, if you have, will you state what you consider to be the faults of it?—I think it would be of great good if it were carried out; there may be certain difficulties in carrying it out, but I think that those might be obviated. There are several instances which I could give to show the necessity of those Councils of Conciliation, I having had an experience of 18 years as secretary to the Association. I can state some cases, not mentioning names, which

which cases I can prove if necessary. The first case which I shall allude to occurred in 1846, four years after the establishment of our association. A manufacturer had determined to reduce his weavers on a certain addition to the ribbon. The workmen were making a ribbon with a plain edge; there is an addition to the ribbon, called "a purl;" this manufacturer had given warps out to these men making plain edges, and ordered them to put a purl to the ribbon, and when they took the work in he said he should pay nothing extra for that purl; the men objected, and they turned out against it; it should have been 3 *d.* a piece additional; it caused a strike amongst those hands, and it continued between two and three months.

1162. *Sir James Fergusson.*] Did that addition involve greater work to those employed?—Yes; and it cost the association upwards of 200 *l.*, and I dare say a great deal of uneasiness to the manufacturer himself. The manufacturer, when the men had stopped work for eight days, summoned them before the magistrates, and of course the men were obliged to return to work, but they issued a public notice stating that they should complete their contract, but that they would make no more work for this manufacturer unless he paid the same price as the rest of the trade, there being a custom in the trade to pay it. They ultimately determined on summoning the manufacturer. Two of the men went to the magistrates to state their case, desiring a summons for the price of this addition to the ribbon; the magistrates stated that one case would be sufficient to try the matter, and the summons was granted; there was four or five hours' discussion on the subject, and the magistrates then determined that the men should be paid for the addition to the ribbon, which was the custom of the trade. If in the first instance there had been Councils of Conciliation established, or Boards of Arbitration, this difficulty might have been overcome, and it would have saved the working men a great deal of money and loss of work; and it would have been a benefit to the public. There was another case which I might state: there was a certain manufacturer who had given warps out, and had given shute out to make the work; the men have to make the work at most warehouses to a certain weight; those warps were eight half lengths long; 18 yards to each half length. When the individual had taken the first 18 yards in, the manufacturer says, "These will not do for me; I cannot do with them at all; they must be made stiffer." The workman says, "There is all the silk in which you allowed." The master says, "That does not matter; you must adopt some plan to make this work handle better." The next half length the man made was an ounce heavier than the weight allowed; the manufacturer said, "That will do;" and the man made the next half length nearly as heavy, and the next as heavy, so that when he came to the last half length he had used more shute than the manufacturer allowed. He applied at the warehouse for the shute; the master says, "Well, I cannot give it you, unless you agree to pay for it;" the man says, "I shall do nothing of the kind; I shall not pay for the silk which is in your work." "Well," the master says, "You will not have it;" so the man did not go on with the work. He went day after day to ask for the shute; and in the meantime the loom stood.

1163. *Chairman.*] Without entering into particulars, there was a dispute between the master and the men?—Yes.

1164. Which in your opinion might have been obviated, if a Council of Conciliation had been in existence?—Yes, for the case was settled by arbitration after being brought twice before the County Court. There was another case of a different character: a man had taken some work in, and three months after the work was taken in, the manufacturer told him that there was a loss on the work; this man had engaged to have a piece of machinery of the master, and to pay so much a week for it; the machinery was almost paid for when this case occurred; the man had some work given him, with which he had a great deal of trouble, and at the price offered him he refused to take it, and he determined to take his work and machinery to another warehouse. The master says, "What am I to do for the money owing me?" The man says, "You shall have it honestly and fairly; I will pay so much a month." "That will not do," said the master. When the man left he commenced proceedings in the County Court for the money owing for the machinery, and the loss he stated he had on his work; it was never proved; no work was brought in to prove the fact, but he merely stated that he had a loss. It came before the County Court and the judge of the County Court could not decide on the subject that afternoon; it stood over till the next County Court day; after occupying the court the chief part of the day the judge decided against

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the workman. There was such feeling against that decision amongst the workmen and amongst the public generally in Coventry, that a memorial was presented to Sir George Grey, then Secretary of State for the Home Department, praying to take the power out of the hands of the County Court Judge, of deciding in such cases for the future, and to refer it to some other tribunal; the memorialists said that they would prefer the magistrates in the absence of Courts of Arbitration.

1165. What you have been stating shows the necessity of such a tribunal as that which has been proposed?—Yes.

1166. Have you looked over the Bill before the Committee?—Yes.

1167. You approve of the principle; what can you state to the Committee about the details, for instance; how the tribunal should be chosen?—I would choose them by the votes of those engaged in the trade.

1168. How would you qualify the operatives to vote; should it be every man, or should he be registered, or in what manner should you define the person who should give his vote?—Every man with a certain residence in a locality, of a certain age.

1169. Who had worked, how long?—I would make it six months' residence.

1170. How would you recommend the chairman to be selected?—I should recommend an independent chairman, separate from either party, if he could be obtained.

1171. To be elected by the council themselves, or appointed by the Board of Trade?—In failure of their being able to come to a decision themselves, I should think the local authorities might appoint a chairman.

1172. Sir Joseph Parton.] Are you aware that the opinion in Coventry is very strong, that Courts of Arbitration could be established, composed of masters and workmen, understanding the particular business of the town, and that that would be a great advantage, and very greatly facilitate the settling of those differences that arise between masters and operatives, with regard to their work?—Yes, the opinion of the working men is universally in favour of it.

1173. Is not it at the same time the general opinion of persons residing in Coventry that, with regard to wages, and everything connected with the future, the court should have nothing to do?—It might be beneficially adopted there; certain circumstances occur to alter the rate of wages, but yet, if the working men and the masters were to come to terms with respect to those matters, from time to time, that might obviate the difficulty; at present there is a question of wages at stake, at Coventry, and the working-men are saying to the masters, "Only meet us, and show us the necessity of reduction, and we are ready to hear reason"; I think those matters might be arranged from time to time, as necessity arose.

1174. Would not it be better done in those special cases, by calling in special persons for the purpose of doing that independently of these courts, because these courts would be for the daily use of persons bringing their questions about their work to be adjusted. Supposing those courts of arbitration established for the purpose of settling the points at issue, which you have described to the Committee, would not the submitting to the council any question of the general character of wages, rather take away the confidence which would otherwise be reposed in them by both the masters and the men?—It might act in that way; there is that feeling displayed sometimes between the parties, for the manufacturers are seldom willing to meet upon that subject; that is the difficulty.

1175. Supposing that to be one of the points that they should have to consider, would not that rather deter them from acceding to those courts of arbitration?—Perhaps it would, if the question of wages was mixed up with it.

1176. Mr. Slaney.] The words put to you are "Courts of Arbitration," if they were Councils of Conciliation, that is to say if, where it could be done properly, the parties could be brought together to conciliate them upon points of difference; supposing, for instance, there was a case in which from a change of circumstances, the masters thought there should be some slight reduction in wages, because the profits were not so high, or the demand not so great, or the season not so good, do not you think that if there was any mode by which the masters and the men could be brought together in what we call Councils of Conciliation, such matters might be adjusted sometimes in a friendly manner?—I think they might.

1177. Do you think if so many were to meet on each side in a spirit of fairness that the men would be willing in many instances to be convinced that, in consequence



quence of a reduction in price, a reduction in demand, or a change of circumstances, they should be paid less wages, and that they would be willing to submit to such a reduction when such reasons were shown to them?—I am sure they would.

1178. Do not you think that a mode of that kind by which the two parties could be brought together in a friendly spirit would very often prevent that kind of excitement and hostility which we are told usually prevails in disputes of this kind?—According to all the experience I have had, I believe it would.

1179. It not being compulsory, but being a mode by which they might come together to discuss the matter, and perhaps agree to split the difference, or agree to a reference, or some other method of settling it?—Just so.

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*Henry Fawcett, Esq., called in; and Examined.*

1180. *Chairman.*] HAVE you paid any attention to the subject now before us?—Yes, I have. I have read a paper upon the subject of disputes between masters and operatives before the Social Science Meeting, and I have also lectured on the subject.

H. Fawcett, Esq.

1181. Will you state to the Committee generally what your ideas are upon the expediency of forming these Councils of Conciliation?—As far as I have considered the matter, I am decidedly opposed to them.

1182. Will you state why?—In the first place, I do not see any use in legislation unless you arm legislation with certain sanctions. In the next place, I see many practical difficulties; and in the third place, I think everything that could be done would be done without the Legislature interfering at all. The principle of conciliation everybody would be glad to see adopted, but I do not see how the Government can encourage the principle of conciliation unless you give them at the same time the power to enforce it.

1183. Are you aware that the advantage of these Courts of Conciliation which have been found to answer so well in France and Belgium, is this, that they soften asperities between masters and men, and induce both parties to yield a little to the other by a kind of confidential arrangement between themselves?—If those objects could be effected it would be desirable, but I do not see how legislation would assist it; it seems to me that everything which these councils are intended to effect has already been tried at the commencement of every dispute; each party has generally shown itself ready to agree to arbitration; the labourers, on the one hand, have sent representatives to arbitrate, and the employers have also sent representatives, and there have been certain disputes as to which they could come to no conclusion, and a strike has taken place upon them. I do not see any greater chance that a council recognised by legislation would be more able to settle those disputes than the arbitration which always takes place now.

1184. Is not there a great difference between having a council which might talk over the matter quietly previously to the two parties being heated against each other and an arbitration appointed after the men and the masters have become heated and exasperated?—In all those strikes I fancy those attempts at conciliation have been made before you can say that the movement has grown into a flame; take the great strike of 1852, of the amalgamated engineers; every attempt was made that could be possibly made, by arbitration.

1185. But there was no established council existing at that time?—There was an established council in this way: that the masters had an established committee to whom they delegated their authority, and whose opinion they would accept; and also the labourers had an established council.

1186. But they did not meet one another, did they?—They communicated by letter, which was perhaps just as well.

1187. They did not meet?—No.

1188. *Mr. Stacey.*] They did not assemble?—Letters were sent from one party to the other; you cannot suppose that either the masters or the men would like to have a strike; you would rather suppose that each party would endeavour to avoid it; and therefore if, at the commencement of a strike like that, they thought there would be much chance of settling the dispute by meeting it, would seem that feelings of self-interest would prompt them to meet without the interference of legislation; no labourer would come forward and say he would like a strike.

Sir Joseph Paxton, a Member of the Committee ; Examined.

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1189. *Chairman.*] WILL you state to the Committee what your impression is with reference to the desirability of forming Councils of Conciliation?—For the last 30 years I have had great experience among workmen of all kinds; I have had several thousands of men under me at different times: I have also had experience with workmen in France on a large scale. I have formed a strong opinion as to the advantage of these Courts of Conciliation, or, more properly, what I should consider courts of arbitration; there is a point at which they can be of very great value, and that point is attained in France, because in France strikes occur as they do here, but the questions that come before the courts there are entirely as to matters that have been settled between the masters and operatives beforehand; the courts do not take cognizance of questions arising among builders, and masons, and carpenters, and all such persons, at all. About two years ago I was the architect and designer of a large mansion connected with a large property about 30 miles from Paris, in which work were employed a great number of men; an eminent builder in London, Mr. Myers, carrying out the contract. I had nearly 140 English mechanics; we had, perhaps, on the same work, very nearly 200 French mechanics. One morning, without the slightest notice, all the French mechanics left the work. You are probably aware that in France they do not allow trades' unions, as in England. They gave us no intimation whatever as to their leaving their work; they left their work, too, just at a busy time, when we were employing a great many men, both English and French. The French carpenters did not strike at the same time. There was no occasion whatever for the strike beyond this, that the French masons, who are very inferior masons to the English masons, did not receive so much pay as the English masons; the peculiar character of English masonry is much better than that of the French masonry; and for the highly ornamental work it was necessary to take a very large proportion of the masons from this country, and they were paid very high wages. The Frenchmen were given the same wages as they generally receive in France, for the best work in France; but working with the Englishmen, they thought that they ought to have the same wages as the Englishmen. Mr. Myers found that he could not afford to give those wages; the men were not competent to do the work that the Englishmen did, either in respect to quality or quantity; they left their work without the slightest notice. Mr. Myers and his foreman sent to Paris to try and engage some more masons, but they could not get any; it was found that though trades' unions did not exist, there was an understanding, by some means or other, circulated among them; those men could not be got. The work stood still for a month or six weeks, and then Mr. Myers had to adjust the difference by giving the men more wages than were given in any other place in France, but not so much as he was giving to the English workmen. I allude to that case because we are following altogether in this question the French and Belgian schemes. In France the system has existed for a long period, in fact, since 1806, and it has worked admirably in almost every place there, but the courts are specially appointed to consider questions as to work already executed, and for which a previous agreement has been made. Now, I believe that that is the only point you can go to in this country. I believe, with regard to the silk weavers, the potters, the stockingers, and a great variety of trades, they have work of a special character, in which arrangements have already been made, and that questions arising out of those arrangements can be brought and examined before the Councils of Arbitration; I consider that such Councils of Arbitration would be of the very greatest possible value, both to the masters and to the men. I am, moreover, satisfied that the men in all those cases would be most reasonable to deal with. I believe that a court, constituted with a certain number of workmen, and a certain number of masters, might be left themselves to choose their own chairman; it would be of great service if they were not pitted against each other, because that is the great point in this question; if the court is to be established at all it should be in a friendly spirit, and if it is not done in a friendly spirit it will answer no purpose. If the masters and the men go with an antagonistic feeling, the one with a determination to have this advantage, and the other to have another, all your arrangements will be of no use whatever; therefore, my notion is, that it would be a very desirable plan if you passed a permissive Bill; by which large communities could establish those courts in their own way (for I would rather give

give them their own way than dictate exactly the way in which they should carry them on), and if, during the time they so co-operated in carrying them, their decisions should have legal effect. As far as I can understand from all that has taken place at Macclesfield, these Councils of Conciliation failed entirely on account of being called upon to arbitrate on questions of the future; I consider if you are to deal with such questions you must have a differently constituted body altogether from these courts; I think it would be much better that in a large place where a strike was impending upon that subject, the chief magistrate of the place should himself call together the best-informed masters and the best-informed workmen, in order, if possible, to adjust this difficulty of future wages. Where that was the case, you would have left these courts questions which are daily and constantly occurring, and which would be brought forwards in a friendly spirit with regard to what is past. Then I believe they would be put on a solid foundation, and they would be found to be of so much advantage to the masters themselves that they would be the first to adopt them. If it were left to them to settle the arrangements themselves, and you did not dictate to them who to appoint, and so on, they would be speedily established wherever they were wanted. With regard to the builders, carpenters, and masons of London, who work by the day, I have studied this question very much, and I am perfectly satisfied that these courts would not be of any avail in the case of those men. The men will, under no circumstances, give up their combinations; they have their trades' unions, and they have their understanding with each other; they would continue to have that organization after this Bill was carried out. And, probably, the masters take their course under the circumstances, when difficulties arise, so as to fortify them upon their side of the question. A general strike in London cannot take place without a long preparation; if, when such a strike was impending, the parties could meet, and they came to an arrangement that so many masters and so many workmen should meet together, and if they could be presided over by some entirely independent party appointed by the Board of Trade, I think that would very likely be of very great advantage, and I think it might lead to good results, that is, at the beginning of a strike; but the trades are so ramified in London, that you would hardly find persons acquainted sufficiently with each other to deal with this question; that is to say, there would not be persons found in whom those deputed to act would have confidence. I believe there will be great difficulty with regard to this question of strikes. So long as you confined these Courts of Conciliation or Arbitration to the business of the past, they would be most invaluable; but if you attempted to delegate to them anything with regard to the future, I am quite sure they would be a failure. I speak so strongly upon that point, because I am very anxious to have these courts established upon the same principles, as nearly as possible, as those upon which they are established in France, where they have acted so well.

1190. You are aware that the Bill does not apply to the future, but is only intended to adjust differences between masters and men?—Yes, but the tendency of the evidence which has been given has been that way; when Mr. Potter was examined here, I questioned him as to how these courts would be of use to the building trade, in the case of men who work by the hour or the day; at last, after I had pressed him considerably upon the point, he thought, with regard to the question of scaffolding, they might be of use. Now, any practical man would know perfectly well that it would be impossible to call in Councils of Conciliation upon a question of scaffolding; first of all, as a rule, I believe the large builders themselves are most particular with regard to their scaffolding, that they set the best men they have to work upon them, because the builder is very careful of his own reputation upon this question of scaffolding; then, if a workman were to come and make a complaint to this court that there was such a scaffold not safe, I think they could not settle the question, they would have to adjourn, and to send some one to examine the scaffold, and to see whether it was sound or not; there ought to be a general law upon that rather than that it should be settled by Courts of Conciliation; that was all that Mr. Potter could name, that the building trades could possibly bring before those Courts of Conciliation, supposing they were formed.

1191. Mr. Slaney.] If I understand you rightly, you think, in the main, that these Courts of Conciliation, or Courts of Arbitration, would be useful for deciding differences or disputes between masters and men, relative to the way in which

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work has been done, so as to prevent disputes of that kind arising, and that they would be exceedingly useful in preventing irritation?—Most useful; they would be of very great value indeed. As I have stated, they failed in the Potteries and in Macclesfield, on account of their attempting to deal with the question of wages.

1192. Do not you think that if the benefit to be derived from these courts was confined to the points you have spoken to, as being those in which they would be likely to be of benefit, that would alone justify the establishment of them?—Undoubtedly.

1193. If I understood you rightly, you agreed that though you thought with respect to a question of future wages it would be almost impracticable to carry out anything upon that subject, yet if the masters and the men could be brought together in a friendly spirit when such disputes were impending, and if the Board of Trade, for instance, were to appoint some man as to whom there would be no suspicion on the part of either party of his being biassed, you thought it possible that out of that some good might arise, though you are not at all confident in your expectations?—I call that question a special question. I think there would be great advantage, both in London and in the provincial towns, if a special tribunal were appointed, before whom this question of wages might come; but I would not mix that up with the Court of Arbitration; the one question is entirely distinct from the other.

1194. With reference not to the amount of wages to be given, but with reference to the mode in which wages are paid, might not the parties meet together, the men on one side and the masters on the other; might not they, for instance, come to an adjustment as to the notice that was necessary on the part of the men before they left work, and as to the time at which wages should be paid on the part of the masters. You have stated that great inconvenience arose in France from the men leaving off work suddenly, would not it be, therefore, an advantage if the masters and the men, meeting together, come to some such arrangement, as that there should be a certain period of notice to the master builders before the men should be allowed to leave off work, or from the masters to the men before they turned them off work?—I think in all places I know, they have what I call conventionalities of their own with regard to such things, and they generally settle those questions pretty well; I would call in a special Board for that particular purpose also. I would keep the court, which I want to see established, free from those other questions about which there might in some degree be a strong difference of opinion; I think if you had a question of that sort arising, if a special Board could be called in for that purpose, it would be a very good thing indeed, but I would always keep that question distinct from the other; and I think the chief magistrate of any place, who would necessarily be a person in whom a large number of residents in the place would have confidence, might put into nomination a proper Board to settle both those points you have mentioned.

1195. You think, though such an arrangement is not provided for in this particular Bill, still any mode by which the masters and the men could be brought together in friendly conference with fair men in regard to those questions would be useful?—Most undoubtedly.

1196. With reference, for instance, to the point of a certain period of notice being required before the men should be discharged by the master, or before the men should leave work?—Quite so. The evidence of Mr. Winters has been most admirable evidence, and Mr. Winters has drawn up a memorandum which I have read over, and which I think is worthy of being printed (*handing in the same*). I think these courts so desirable that I do not want to mix up their organization with other questions; just let us get something that all will agree is right, and the establishment of that will bring other things about with it. If you first start with questions which can have a speedy adjustment (as no doubt they will have) by a proper tribunal, as to business, the arrangements of which have been settled between the parties, no doubt, if kept then within a proper scope, other points will show themselves as being advisable to be brought before the same tribunal.

*Vide Appendix.*

**LIST OF APPENDIX.**

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**Appendix, No. 1.**

List of Prices of all Branches of Framework-knitting in Hinckley and District,  
July 1859- - - - - p. 100

**Appendix, No. 2.**

Paper delivered in by Mr. Thomas Piper, 24 April 1860:

Builders' Society.—26th August 1858.—Special Meeting to receive a Deputation from the Carpenters and Joiners relative to Working only Nine Hours per Day - - - - - p. 102

**Appendix, No. 3.**

Paper delivered in by Sir Joseph Paxton, M.P., 24 April 1860:

Memorandum by Thomas Winters, relative to the Laws relating to the Settlement of Disputes between Masters and Workmen; the Causes of Failure of the various Acts; the necessity for further Legislation in order to meet the requirements of the times and the necessities of the age in which we live - - - - - p. 103

**Appendix, No. 4.**

Bill laid before the Committee, and proposed for their consideration on Monday, 30 April, together with the Bill before Parliament - - - - - p. 108

A P P E N D I X.

Appendix, No. 1.

LIST of PRICES of all Branches of FRAMEWORK-KNITTING in *Hinchley* and District. July 1859.

(21 GAUGE.)				(21 GAUGE.)				(21 Gauge—continued.)						
STRAIGHT-DOWN BRANCH.				WIDE WROUGHT BRANCH.				Men's Half-hose—continued. Price.						
Boys'.	Leads.	s.	d.	Boys'.	Leads.	s.	d.	74	-	-	-	2	10	
1's -	- 44 -	-	- 1 5	1's -	- 52 -	-	- 2 1½	76	-	-	-	- 2	11½	
2's -	- 48 -	-	- 1 7	2's -	- 56 -	-	- 2 4½	78	-	-	-	- 3	1	
3's -	- 52 -	-	- 1 9	3's -	- 60 -	-	- 2 7½	Nar. heels. Gusseted, extra, 2 d.						
4's -	- 56 -	-	- 1 11	4's -	- 64 -	-	- 2 10½	Out-sizes and slenders same as men's.						
5's -	- 60 -	-	- 2 1	5's -	- 68 -	-	- 3 1½							
6's -	- 64 -	-	- 2 3	6's -	- 72 -	-	- 3 4½							
7's -	- 68 -	-	- 2 5	7's -	- 76 -	-	- 3 7½							
8's -	- 72 -	-	- 2 7	8's -	- 80 -	-	- 3 10½							
Wetted and narrowed heels,				Narrowed heels. Wetted, extra, 1 ½ d.										
HALF-HOSE.				Boys' (best.) Leads.										
Boys'.	Leads.	s.	d.	1's	- 56 -	-	- 2 3							
1's -	- 50 -	-	- 1 1	2's	- 60 -	-	- 2 11							
2's -	- 52 -	-	- 1 2	3's	- 64 -	-	- 3 2							
3's -	- 54 -	-	- 1 3	4's	- 68 -	-	- 3 5							
4's -	- 56 -	-	- 1 4	5's	- 72 -	-	- 3 8							
5's -	- 58 -	-	- 1 5	6's	- 76 -	-	- 3 11							
6's -	- 60 -	-	- 1 8	7's	- 80 -	-	- 4 2							
7's -	- 62 -	-	- 1 7	8's	- 84 -	-	- 4 5							
8's -	- 64 -	-	- 1 8	Wetted. Narrowed heels and gusseted.										
Cleared tops, extra, 1 d. Narrowed heels.				HALF-HOSE.										
Boys'.	Leads.	s.	d.	1's	- 48 -	-	- 1 6							
1's -	- 50 -	-	- 1 1	2's	- 50 -	-	- 1 7							
2's -	- 52 -	-	- 1 2	3's	- 52 -	-	- 1 8							
3's -	- 54 -	-	- 1 3	4's	- 54 -	-	- 1 9							
4's -	- 56 -	-	- 1 4	5's	- 56 -	-	- 1 10							
5's -	- 58 -	-	- 1 5	6's	- 59 -	-	- 1 11½							
6's -	- 60 -	-	- 1 8	7's	- 62 -	-	- 2 1							
7's -	- 62 -	-	- 1 7	8's	- 65 -	-	- 2 2½							
8's -	- 64 -	-	- 1 8	Narrowed heels and cleared tops.										
Wetted and narrowed heels.				Nar. gussets, extra, 2 d.										
WOMEN'S.				Boys'.										
Leads.		s.	d.	1's	- 48 -	-	- 1 6							
62	-	-	- 2 1½	2's	- 50 -	-	- 1 7							
64	-	-	- 2 2½	3's	- 52 -	-	- 1 8							
66	-	-	- 2 3½	4's	- 54 -	-	- 1 9							
68	-	-	- 2 4½	5's	- 56 -	-	- 1 10							
70	-	-	- 2 5½	6's	- 59 -	-	- 1 11½							
72	-	-	- 2 6½	7's	- 62 -	-	- 2 1							
Wetted and narrowed heels.				Narrowed heels and cleared tops.										
MEN'S.				Leads.										
Leads.		s.	d.	72 <td>-</td> <td>-</td> <td>- 3 5</td> <td colspan="4"></td>	-	-	- 3 5							
62	-	-	- 2 2½	74	-	-	- 3 6½							
64	-	-	- 2 3½	76	-	-	- 3 9½							
66	-	-	- 2 4½	78	-	-	- 3 11							
68	-	-	- 2 6	80	-	-	- 4 -½							
70	-	-	- 2 7½	82	-	-	- 4 2							
72	-	-	- 2 9	84	-	-	- 4 3½							
74	-	-	- 2 10½	86	-	-	- 4 5							
76	-	-	- 3 -	88	-	-	- 4 6½							
Wetted and narrowed heels.				80				-	-	- 4 -½				
Out-sizes, extra, 2 d.				82				-	-	- 4 2				
MEN'S HALF-HOSE.				84				-	-	- 4 3½				
Leads.		s.	d.	86				-	-	- 4 5				
50	- chop-offs -	-	- 10	88				-	-	- 4 6½				
52	- bound-heels	-	- 11½	90				-	-	- 4 8				
54	- nar. toes	-	- 1 2	92				-	-	- 4 9½				
56	-	-	- 1 3	94				-	-	- 4 11				
58	-	-	- 1 4	Wetted. Narrowed heels.										
60	- nar. heels	-	- 1 6	Gusseted, extra, 2 d.										
62	-	-	- 1 7	Out-sizes, extra, 2 d.										
64	-	-	- 1 8½	Women's, under 76, less, 1 ½ d.										
66	-	-	- 1 10	76 and above - less, 3 d.										
68	-	-	- 1 11½	Cut heels, less, 2 d. Sq. heels, less, 2 d.										
70	-	-	- 2 1	MEN'S HALF-HOSE.										
Cleared tops, extra, 1 d.				Leads.										
If any of the above be cleared toes, extra, 1 ½ d.				62	-	-	- 2 1							
				64	-	-	- 2 2½							
				66	-	-	- 2 4							
				68	-	-	- 2 5½							
				70	-	-	- 2 7							
				72	-	-	- 2 8½							

(21 Gauge—continued.)			
Men's Half-hose—continued.	Price.		
74	-	-	- 2 10
76	-	-	- 2 11½
78	-	-	- 3 1
Nar. heels. Gusseted, extra, 2 d.			
Out-sizes and slenders same as men's.			

(21 GAUGE.)			
SINGLE WROUGHT BRANCH.			
Boys'.	Leads.	s.	d.
1's	- 52 -	-	- 2 6
2's	- 56 -	-	- 2 9
3's	- 60 -	-	- 3 -
4's	- 64 -	-	- 3 3
5's	- 68 -	-	- 3 6
6's	- 72 -	-	- 3 9
7's	- 76 -	-	- 4 -
8's	- 80 -	-	- 4 3
Wetted and narrowed heels.			

HALF-HOSE.			
Boys'.	Leads.	s.	d.
1's	- 44 -	-	- 1 6½
2's	- 47 -	-	- 1 8
3's	- 50 -	-	- 1 9½
4's	- 53 -	-	- 1 11
5's	- 56 -	-	- 2 -
6's	- 59 -	-	- 2 2
7's	- 62 -	-	- 2 3½
8's	- 65 -	-	- 2 5

Narrowed heels.			
Cleared tops, extra, 1 d.			
Leads.	MEN'S.	s.	d.
75	-	-	- 4 -
78	-	-	- 4 3
81	-	-	- 4 6
84	-	-	- 4 9
87	-	-	- 5 -
90	-	-	- 5 3
93	-	-	- 5 6
96	-	-	- 5 9
99	-	-	- 6 -

Wetted. Narrowed heels.			
Gusseted, extra - 3 d.			
Spliced heels, extra - 3			
Cut heels, less - 3			
Square heels, less - 3			
Out-sizes, extra - 3			
Women's, less - 3			

(24 GAUGE.)			
SINGLE WROUGHT BRANCH.			
Boys'.	Leads.	s.	d.
1's	- 66 -	-	- 3 6
2's	- 72 -	-	- 4 -
3's	- 78 -	-	- 4 6
4's	- 84 -	-	- 5 -
5's	- 90 -	-	- 5 6
6's	- 96 -	-	- 6 -
7's	- 102 -	-	- 6 6
8's	- 108 -	-	- 7 -
Nar. heels, gusseted, and spliced heels			

(24 Gauge—continued.)			(24 Gauge—continued.)			(24 Gauge—continued.)		
Boys' HALF-HOSE.			HALF-HOSE.			MEN'S HALF-HOSE.		
Boys'.	Leads.	Price.	Boys'.	Leads.	Price.	Leads.	Price.	Price.
		s. d.			s. d.		s. d.	s. d.
1's	54	2 5	1's	54	2 3½	94	4 10½	
2's	57	2 6½	2's	57	2 4½	97	5 1½	
3's	60	2 8	3's	60	2 5½	100	5 4½	
4's	63	2 9½	4's	63	2 6½	103	5 7½	
5's	66	2 11	5's	66	2 7½	106	5 10½	
6's	69	3 1	6's	69	2 8½	Narrow heels and gusseted.		
7's	72	3 2	7's	72	2 9½	Out-sizes, extra, 3 d.		
8's	75	3 3½	8's	75	2 10½	(21 GAUGE.)		
Cleared tops, nar. heels, and gusseted.			Narrow heels, and gusseted.			CIRCULAR FEET, &c.		
MEN'S.			MEN'S.			Boys'.		
Leads.		s. d.	Leads.		s. d.	Leads.		s. d.
99		6 -	91		4 8	1's	23	7
102		6 3	95		4 11	2's	24	7½
105		6 6	99		5 2	3's	25	8
108		6 9	103		5 5	4's	26	8½
111		7 -	107		5 8	5's	27	9½
114		7 3	111		5 11	6's	28	10
117		7 6	Narrow heels and gusseted.			7's	29	10½
120		7 9	Spliced heels, extra, 3 d.			8's	30	11½
Narrow heels and gusseted.			Out-sizes, extra, 2 d.			Cut feet. Frized toes.		
Spliced heels, extra, 3 d.			Women's less, 2 d.			WOMEN'S.		
Outsized, extra, 3 d.			MEN'S HALF-HOSE.			Leads.		s. d.
Women's less, 3 d.			Leads.		s. d.	30	plain	11
MEN'S HALF-HOSE.			80		3 4½	32		11½
Leads.		s. d.	84		3 7½	30	heeled	1 5
79		3 8½	88		3 10½	32		1 5½
82		3 11½	92		4 1½	30	heeled and gusseted	1 7½
85		4 2½	Nar. heels, gusseted, and cleared tops.			32		1 8
88		4 5½	(30 GAUGE.)			MEN'S.		
91		4 8½	SINGLE WROUGHT.			32	plain	1 -
94		4 11½	Boys'.	Leads.	s. d.	34		1 -½
Cleared tops, nar. heels, and gusseted.			1's	83	4 8	32	heeled	1 6
Spliced heels, extra, 3 d.			2's	90	5 -	34	ditto	1 6½
(24 GAUGE.)			3's	97	5 6	32	heeled and gusseted	1 8½
WIDE WROUGHT.			4's	104	6 -	34	ditto	1 9
Boys'.	Leads.	s. d.	5's	111	6 6	OUT-SIZES.		
1's	66	3 4½	6's	118	7 -	34	heeled and gusseted	1 10
2's	72	3 9½	7's	125	7 6	36	ditto	1 10½
3's	78	4 2½	8's	132	8 -	4 leads, 1 d., frized toes.		
4's	84	4 7½	Nar. heels, gusseted, and spliced heels.			If cut feet, less, 1½ d.		
5's	90	5 1½	MEN'S.			If cleared toes, extra, 1½ d.		
6's	96	5 7½	Leads.		s. d.			
7's	102	6 1½	129		8 3			
8's	108	6 7½	132		8 6			
Wetted. Nar. heels and gusseted.			135		8 9			
			138		9 -			
			147		10 3			
			Full fashioned and spliced heels.					
			Out-sizes, extra, 3 d.					
			Women's less, 3 d.					

Notes.—It is requested that in no case Slender Men's be given out to the workmen for Out-size Women's.

Notice.—If any dispute arises in reference to any kind of work not included in the above, the party must apply to the Secretary of the Trade.

We, the undersigned manufacturers, agree to give the above list of prices, so long as they are not infringed upon in the district.

Mr. G. Woodcock.  
Messrs. Flavell & Abell.  
Mr. T. Payne.  
Mr. S. Davis.

Mr. J. Atkins.  
Mr. G. Neale.  
Mr. T. Murcott.

We, the undersigned, on behalf of the workmen of the district, agree to accept the above list of prices, and hereby pledge ourselves to do our best to prevent any infringement of the same in the district; and we hereby request every workman to refuse any work that is not paid for as above.

W. Watts,  
J. Goddard,  
G. Rice,  
J. Ginns, Chairman,  
J. Sketchley, Sec.  
— Goodwin,  
— Needham,  
Step. Herbert, Sec.

Hinckley Committee.

Barwell Committee.

W. Langham,  
J. Lee,  
I. Abbott, Sec.

Earl Shilton Committee.

J. Moore,  
B. Whitmore,  
W. Bennett, Sec.

Burbage Committee.

## Appendix, No. 2.

PAPER delivered in by Mr. *Thomas Piper*, 24 April 1860.

Appendix, No. 2.

## BUILDERS' SOCIETY.—28th August 1858.

SPECIAL MEETING to receive a Deputation from the Carpenters and Joiners relative to Working only Nine Hours per Day.

## PRESENT:

Mr. SMITH, in the Chair.

Mr. Kelk.	Mr. Watts.
„ Newson.	„ W. Watts.
„ Dunnage.	„ Myers.
„ Willson.	„ Mansfield.
„ J. Bird.	„ Holland.
„ Nixon.	„ T. Piper, jun.
„ Browne.	

George Potter, as secretary to the committee, introduced the business.

The names of the Deputation and the Employers were handed in.

George Potter, in the employ of Elliott & Co.	
Martin - „ - Holland.	
Peperell - „ - Kelk.	
Ball - „ - Myers.	
Mead - „ - Piper & Son.	
Fordham - „ - Jay.	
Browne, representing a Society.	
Good - ditto.	
Kennedy, Government Works, Houses of Parliament.	

The main arguments adduced by the speakers were as follows:—

The introduction of machinery into the manufacture of joinery had so greatly diminished labour, to the profit of the master, that it was considered the operative should share the benefit by diminishing his hours of labour from 10 to 9 hours.

Next, that by the absorption of a large amount of joiners' labour by the use of machinery, a large number of men were out of employment very constantly, and by reducing the hours of labour a larger number of men could be employed to do the work.

Some of the speakers dwelt at length on their need of a longer period of relaxation after their daily labour, for mental culture.

The question of wages was discussed; the deputation said it was a main point with them that the present standard of 5s. 6d. per day should not be lowered; and one of the speakers gave an elaborate account of his weekly expenditure for wife and three children.

The chairman made a few remarks as to the advantage of machinery to the operative in the manufacture of joiners' work; that the hardest and most toilsome parts of the work were done by the machine; that the employment of machinery naturally increased the amount of trade to be done; that the prices of provisions and clothing were now so manifestly in favour of the operative class, that the claim to diminish the hours of daily labour, and keep up the standard rate of payment at 5s. 6d., was an anomaly that could not be reconciled.

The deputation having withdrawn, a discussion ensued as to the reply, when the following resolutions were unanimously agreed on:

That the question, although raised by the carpenters and joiners, is really a question involving all trades.

That inasmuch as there is no compulsion by which workmen are obliged to labour for any given number of hours, it really only amounts to an alteration in the rate of wages.

That



That within the last four or five years the price of skilled labour has been advanced 10 per cent., and that it does not appear to this meeting that there is anything in the circumstances of the present times to warrant a further increase to the extent suggested.

Appendix, No. 2.

That, looking at the very large amount of the interests involved, not only as it regards the building trade, but obviously even beyond these bounds, this meeting does not feel that they can accede to the request made, and they come to this resolution with the best possible feeling of good-will towards the workmen, and they are bound to say that the manner in which this question has been brought forward and discussed is very creditable to those who have appeared as its advocates.

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### Appendix, No. 3.

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PAPER delivered in by Sir *Joseph Paxton*, M. P., 24 April 1860.

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MEMORANDUM by *Thomas Winters*, relative to the Laws relating to the Settlement of Disputes between Masters and Workmen; the Causes of Failure of the various Acts; the necessity for further Legislation in order to meet the requirements of the times and the necessities of the age in which we live.

Appendix, No. 3.

It appears, from early records, that the customs in most of the enfranchised cities and towns favoured the principle of settling disputes between various classes by equitable means and in an easy and satisfactory manner.

Subsequent to the reign of Edward the Third, successive Parliaments were often engaged in the consideration of laws having for their object the prevention of litigation between masters and workmen, and also the security of the workman's wages. This principle was more directly acknowledged during the reign of his Majesty King George the Second, when the laws relating to this subject were improved and simplified, and further extended during the reign of his Majesty King George the Third, and again extended and consolidated during the reign of his Majesty King George the Fourth.

It may be desirable to allude briefly to the progress made by the Legislature in furtherance of the object contemplated by the Bill of Mr. Mackinnon, intitled, "Masters and Operatives." Passing by the various enactments prior to the reign of George the Second, I find that under the provisions of the 20 Geo. 2, c. 19, "all complaints, differences, and disputes which shall happen or arise between masters, mistresses, and artificers, handicraftsmen, miners, colliers, keelmen, pitmen, glassmen, potters, and other labourers, shall be heard and determined by one or more justice or justices of the peace of the county, riding, city, liberty, town corporate, or place where such master or mistress shall inhabit, although no rate or assessment of wages has been made that year by the justices of the peace, or by the mayor, bailiffs, or other head officer where such complaints shall be made, or where such differences or disputes shall arise." Doubts having arisen after the passing of this Act whether it applied to servants in husbandry who should be hired for one year or a less time, it was declared by the 27 Geo. 2, that it be deemed and construed to extend to all servants employed in husbandry, though hired for a less time than one year.

These Acts proved very useful to the people engaged in the particular trades referred to, and a demand was afterwards made to Parliament to extend the principle to the cotton manufacture of England. A difficulty however arose in applying the Act as it stood, because the justices were unacquainted with the technicalities of the cotton manufacture and the mode of working, and therefore unable to decide disputes in a satisfactory manner. It was therefore considered desirable to select persons as arbitrators from among the masters and workmen engaged in the cotton manufacture, who might be considered by the justice of the peace competent persons to form a correct judgment in the matters referred to them. The Act 39 Geo. 3, c. 90, declared that "each party might appoint his own referee, at his own discretion." This mode, however, did not produce the beneficial effects expected; and it was deemed expedient to amend the Act, so far as related to the settlement of disputes by arbitration in manner therein mentioned; and under the 44 Geo. 3, c. 87, it was declared that at the request of either parties to a dispute, the justice should "propose not less than four nor more than six persons, one-half of whom should be master manufacturers, or agents or foremen of some master manufacturer, and the other half of whom shall be weavers in such manufacture; out of which master manufacturers, agents, or foremen, the master engaged in such dispute, or his agent, shall choose one, and out of which weavers so proposed, the weaver or his agent shall choose another, who shall have full power to hear and finally determine such dispute."

Under the 43 Geo. 3, c. 151, the provisions relating to arbitration were extended to the cotton manufacture of Scotland. The preamble of the Act states that "it is desirable a proper mode should be devised which may tend to prevent, and that a cheap and summary mode should be adopted for settling all disputes which may arise between masters and weavers in the cotton manufacture in Scotland;" and that it shall be lawful for a justice of

Appendix, No. 3.

the peace, and he is hereby required, at the request of either party, to nominate referees for the settling the matters in dispute. But unlike the Act relating to England, the justice was authorised to appoint one on each side, and the parties to the dispute had each two peremptory challenges, a principle which caused great delay and inconvenience. Under this Act, however, the justice of the peace had power to appoint, in the absence of a master manufacturer, or his agent, or foreman, some workman having a competent knowledge of the manufacture, who should act for and on the part of the master manufacturer.

Under the provisions of the 53 Geo. 3, c. 75, the principles and most of the details of the 43 Geo. 3, c. 151, were extended to the cotton manufacture in Ireland.

The settlement of disputes in other branches of manufacture by arbitration under the Statute Law were left in abeyance until the consolidation of the statutes referring to this subject took place, in 1824.

In that year a Committee of the House of Commons was appointed to consider the laws relating to combination and arbitration, artisans, and machinery. The Committee consisted of the following eminent individuals and statesmen :

Mr. JOSEPH HUME (Chairman),

Mr. Sturges Bourne,  
Mr. G. R. Dawson,  
Mr. Davis Gilbert,  
Mr. Stuart Wortley,  
Mr. Thomas Pares,  
Mr. Huskisson,

Mr. Charles Grant,  
Mr. R. Bernal,  
Mr. Frankland Lewis,  
Mr. Littleton,  
Mr. Egerton,  
Mr. Grey Bennett,

Mr. Attorney General,  
Mr. George Philips,  
Mr. Peter Moore,  
Mr. Birch,  
Mr. Hobhouse,

Sir Thomas Acland, and Sir Henry Parnell.

LIST of Members subsequently added :

Lord Milton,

Lord Sandon,

Lord Brecknock.

Sir John Newport,

Sir George Clerk,

Mr. W. W. Whitmore,  
Mr. Chas. Arbuthnott,  
Mr. Pascal Grenfell,  
Mr. E. C. Desbrow,  
Mr. J. E. Denison,  
Mr. James Gratton,  
Mr. M. S. Lascelles,  
Mr. F. Lawley,

Mr. A. Baring,  
Mr. E. G. S. Stanley,  
Mr. Daniel Sykes,  
Mr. John Mansfield,  
Mr. G. R. Philips,  
Mr. J. W. Maxwell,  
Mr. W. Astell,  
Mr. John Gladstone,

Mr. C. Ross,  
Mr. T. E. Kennedy,  
Mr. T. S. Rice,  
Mr. J. Walker,  
Mr. Hudson Gurney,  
and  
Mr. T. Ellia

The Committee, after sitting 36 days, and examining 122 witnesses, Reported, among other Resolutions,

“ That the practice of settling disputes by arbitration between masters and workmen has been attended with good effects, and it is desirable that the laws which direct and regulate arbitration should be consolidated, amended, and made applicable to all trades.”

A Bill was introduced into the House of Commons by Mr. Hume, on the 21st of June 1824, repealing all the statutes on this subject, and enacting, in their stead, the present Act, 5 Geo. 4, c. 96.

At the time this consolidation of the statutes was effected, the provisions of the present Act appeared sufficient and satisfactory. Since that period many statutes, which then crippled the energies of the capitalists and fettered the action of workmen, have been repealed, and their repeal has been the precursor of many causes which have tended to make the present Act in many respects inoperative.

Its failure, also, has been hastened through the increase of the population, the extension of commerce into new districts that were then a waste, improvements in machinery, development of skill, the extension of the arts and sciences, the creation of new branches of industry, and an extended system of division of labour in all our mechanical and industrial operations.

At the time the consolidation was effected the justices were nearly all gentlemen unconnected with manufacturing pursuits, and in whose judgment, honour, and impartiality (so far as related to questions between masters and workmen) the people placed implicit confidence.

The Legislature, in the 12th section of the 5 Geo. 4, c. 96, declared “ that no justice of the peace, being also a master manufacturer or agent, shall act as such justice under this Act.”

Since the passing of the Parliamentary and Municipal Reform Acts, there has been a great increase of justices in many cities and boroughs, who are by this Act not entitled to administer the law, and this fact alone has still further rendered the present Act inoperative, arising from the difficulty experienced in finding gentlemen in the commission of the peace who are not so connected.

It is also very invidious, even where justices are to be found, when cases contemplated by this Act come before the Bench, that those connected with manufacture must retire, and who, probably, would be the best qualified to give a correct opinion. Again, in most large and populous districts, the working classes engaged in trade and manufacture have

a prejudice

a prejudice against justices deciding these cases, from a want of faith in their ability to decide, or some local cause occasioned by or arising out of their connexion with traders and commercial men. Appendix, No. 3.

In addition to these reasons, I may add—

First. That there is a mutual dislike on the part of masters and workmen to refer a dispute to the decision of an unknown set of men who are nominated by a justice of the peace, without reference to the general body of masters and operatives.

Second. Going before a justice, under the order of a summons delivered by a police officer, bears the impress of a criminal proceeding, and when resorted to by workmen often terminates in the loss of employment.

Third. There is no power under the present Act to compel the arbitrators or referees when appointed to appear and adjudicate in any case; and, should they refuse, the matter is left solely in the hands of the justice to decide upon, and he, under the very terms of the Act, is incompetent to give a practical opinion in consequence of his entire unacquaintance with the particulars of the dispute as a practical man of business.

Fourth. A reference being demanded in each separate case, and a new set of arbitrators to be appointed, causes long and unnecessary delays in the settlement of disputes, extending over (in some cases) 14 days, during which period the workman would be without employment.

Fifth. Disputes are as frequent among females and young persons as they are among adults, and they being entirely ignorant of the laws and means of redress, suffer wrongs to go unredressed.

There are numerous disputes arising out of existing contracts, where custom assumes the form of law, under various pretences and pretexts; in some, where the operatives work by the piece, and are liable to losses for alleged damage done to work or delay in finishing the work, or not finishing it in a good and workmanlike manner, or in losses occasioned by delays in altering machines for the making of new patterns; for reductions in wages, which assume different forms in different branches of industry, and are too numerous to mention in this memorandum.

On the other hand, the masters, in periods of extraordinary trade, or even in ordinary times, will receive work indifferently executed, and pay above its true value, rather than appeal to a justice of the peace or run the risk of a long strike and contention with his workmen by incurring their ill-will, or constituting himself sole judge in his own case.

The numerous disputes which continually arise could easily be adjusted if a permanent equitable council of arbitration was appointed in the district where they are likely to arise, instead of being left in abeyance, as they now are, to accumulate and fester, eventually becoming a grievance as annoying and oppressive to the workmen as it is unjust to the fairly-disposed master.

Discrepancies in a general list of prices to be paid for a given description of manufacture (being the same in quantity, quality, weight, length, and breadth), in the same town or neighbourhood, soon produces uneasiness and inquiry among the best paying masters, and who, to retain a market, are compelled to descend in the scale of prices paid for labour. When it arrives at that pitch, the workmen often resist, although, if all the circumstances could have been explained and made known, they would have paused before entering into a contest which must end in a waste of time, capital, and labour, and impoverishing those connected with it.

In addition to the more immediate local causes of disputes arising out of existing contracts, there are others of a more general and extended character, which interfere in a great degree with the future prospects of others, viz., those engaged in trades dependent upon the continued industry of those directly employed in the trade where the dispute exists, which can only be regulated or controlled by the mutual sympathy and action of masters and operatives.

Under this head may be classed all disputes arising out of demands to increase or decrease the general tariff of wages; to increase or decrease the number of hours which shall constitute a working day; changes in the mode of working, and other causes of differences, which are influenced more or less by the changes and vicissitudes of trade, caprices of fashion, the increase or decrease of bullion, the alteration of tariffs, the opening of new or the closing of old markets, improvements in machinery, increased facilities or impediments of transit, the price of raw material, the competition of foreign or of female labour, the advantage of local or general circumstances that one nation may possess over others; these and other influences all contribute more or less to cause changes in our arrangements, and which it is impossible, from the isolated position of the masters and the isolated position of the workmen, to duly appreciate, in their separate relations to each other, in fixing the price of labour.

The want of sympathy, and a common understanding with each other, causes as much bitterness as though they were of different races coming from different climes. It is to reconcile these unseemly conflicting elements in our social arrangements that equitable councils of conciliation are advocated.

Whenever and wherever they have been tried, they have been successful in promoting good-will. Difficult and intricate questions have been solved under the genial influence of a common cause, and a common understanding. Yet, notwithstanding these great and important advantages, they have fell into disuse for the want of a legal authorisation to act.

## Appendix, No. 3.

Their success has been made manifest in France, Belgium, and other countries, by a long practical experience (in France fifty-two years), during which period they have been gradually extended to all the principal manufactures in the empire. They have been proved of advantage to the interests of manufactures and commerce, have conciliated the differences between masters and workmen, and have been a benefit to the community in general.

The Chancellor of the French Embassy, in 1856, testified to the usefulness of the *conseils des prud'hommes* in France, and said they were a benefit, and that France had benefited by these institutions.

His Excellency M. Van de Weyer, minister from the Court of Belgium in 1856, said they had proved of great value since their introduction into Belgium.

In 1832, Dr. Bowring, when examined before a Select Committee of the House of Commons on the silk trade, said, that when he was in France he attended the sittings of the *conseils des prud'hommes* in Lyons, and "was very much struck with the general good sense of their proceedings. The men who represented the weavers appeared to me," said the Dr., "to be men of sound discretion and sober judgment. The tribunal sits in open court, and their discussions were an object of great interest, and their decisions gave general satisfaction; they act as a court of conciliation." "I," said the Dr., "was a disinterested observer; I listened to the evidence given, watched the course of their proceedings, and thought the conseil exhibited appropriate knowledge, and applied it with a deal of sagacity. Few institutions in France have greater claims to regard."

Monsieur Arles Dufour, a very extensive silk merchant in Lyons (1852), testified to the usefulness of these conseils. Monsieur Brisson, president of the Lyons conseil, also bore evidence of their usefulness and tendency to maintain a good understanding.

Monsieur Michel Chevalier, the well-known political economist, says, "each centre of manufacture ought to have its conseil des prud'hommes." The power of reconciliation which these courts possess is really wonderful; and he adds, "the time is come when the sphere of the powers of these valuable bodies ought to be enlarged."

The constitution of these courts is set forth in a Parliamentary Paper, No. 526, Session 1855, intituled, "*Conseils des Prud'hommes*" (France and Belgium); and Sir Henry Halford, Bart., gives a complete history of them at page 286 of the Report, "*Masters and Operatives*," 1856, No. 343.

The people of this country have long expressed a desire at their meetings, and by petitions to the House of Commons, to have councils of conciliation; they believe they would be of great utility and public advantage, and have further expressed their feelings on this subject before a Committee of the House of Commons in 1856. These councils would produce confidence and sympathy between masters and operatives and a more intimate acquaintance of each other's views, and a greater knowledge of the fundamental laws which regulate trade, commerce, capital, and wages. They therefore feel a necessity for some tribunal of ready access, capable of securing the respect and confidence of all parties in cases of dispute, and of exercising salutary moral influence with regard to matters affecting trade in general.

They believe that institutions in which the interests of both classes are fairly represented is not foreign to the spirit of our laws; being well calculated to promote a just understanding, and due appreciation of mutual rights, interests, and duties.

In furtherance of this object, I beg to set forth the principles of a Bill I have the honour to submit for the consideration of the Committee, which I believe will carry out the views herein expressed.

I have in the preamble mentioned three statutes which councils of conciliation should take cognisance of, because they are Acts amending the 5 Geo. 4, c. 96, extending the time allowed for appeal, and providing in certain cases for the delivery of tickets of work to be produced in case of dispute about the same.

I propose to make it lawful for the chairman, recorder, or other presiding magistrate in quarter session, or the justices, or any number of them, then and there assembled, for any city, borough, county, or other place, to establish in any town over which they have magisterial jurisdiction, equitable councils of conciliation and arbitration in any trade or trades, and to be composed of an equal number of masters and an equal number of workmen, who shall exercise the same power and authority, as respects the settlement of disputes, as set forth and explained in the 5 Geo. 4, c. 96, and in the other Acts referred to; viz., the 1 Vict. c. 67; 8 & 9 Vict. c. 77; and the 8 & 9 Vict. c. 128.

I further propose to make it lawful for these councils to hear and determine other cases of dispute, if submitted by the mutual consent of both parties; and in any case of strike or lock-out they shall have power to make inquiries into all the facts and circumstances of such strike or lock-out, and report to the chairman of quarter session, whether sitting or not; and such report to be published immediately, for public information.

I conceive that these councils can only take legal cognisance of that class of disputes as are already acknowledged in the statute before referred to, without unduly interfering with the individual and collective rights of both masters and operatives, and leading to results affecting the liberty of the subject in the highest degree; but while I would confine their legal judicial functions to that class of cases set forth in the Act, I think the other permissive and conciliatory powers would have a general tendency to put a wholesome check upon any unreasonable proceedings of either masters or workmen.

The possibility of a lock-out or a strike taking place, unless under the most paramount necessity, could not, I think, occur without the conduct of the parties entering into such a contest being severely and immediately censured by public opinion.

Any check, however distant, to a system which brings misery and ruin in its train, should receive the calm attention of those who are desirous of improving the social relations of

masters

masters and operatives, and the moral and physical condition of those who live by manual labour.

How often do we see the evil effects of these misunderstandings and trials of strength throw out of employment thousands of persons engaged in affinitive occupations, who have nothing to do with the cause of dispute which others may originate.

It is to give speedy and easy justice, to check the prevalence of strikes, and to bring about a more friendly feeling, that these councils are proposed.

The magistrates are proposed in order to give consistency to these councils, because they are already authorised to appoint referees for each separate case, but which principle is not suited to the present requirement of the times, and therefore should be extended.

I propose to leave with those who may desire these councils the power to fix the number of persons which shall compose them, on the ground that in some places there are very few masters in any one particular branch of manufacture, while in others there are large numbers of both masters and workmen; and where there is an affinity in the occupations of the people they might amalgamate; then there would be a greater necessity to have a larger number, in order to make the duties as light as possible, and to give as great a prestige and moral power over their neighbours as would be consistent with public convenience.

To ensure some degree of unanimity of desire and fitness for duty, there should be a joint petition of masters and operatives, they having been seven years in the trade; in order to secure men of intelligence and experience, men with whom masters would act, and masters in whom the workmen would place confidence, for without confidence the value of the institution would soon cease.

I propose that the ultimate appointment should rest with the justices, but upon the nomination of the masters and the workmen, each from their own class. I propose this mode, because—

First, it is necessary, in conformity with the law, that all ulterior proceedings of a penal character should be vested, as at present, in the justices.

Second, that the justices who may be called upon to carry out the awards of the council should have a voice in the appointment.

At the time of appointment the justices should deliver a certificate, differing very little from the form now granted. After the first appointment the clerk of the peace or his deputy shall, in the month of December in each year, convene a meeting or meetings of masters and workmen, together or separate, for the purpose of nominating persons for the year ensuing, and who shall return the names, when so nominated, to the justices in quarter session for ratification.

When the council are appointed they shall appoint a chairman during pleasure, in such form as they may agree to. Provided they cannot agree upon the name of the person to be chairman, each member of the council may propose one, and the names so proposed shall be submitted to the presiding magistrate of quarter session, whether sitting or not, whose choice and decision shall be final and conclusive.

The selection of the presiding magistrate is made, because he is a gentleman above suspicion of acting unfairly, and whose acts would be always open to the criticism of the public.

The chairman should be invested with the power of carrying out the awards of the council; and in cases of an equality of votes he should decide.

To ensure attendance at the Council Board, I propose to give the council power to inflict a small fine upon members who may disobey the orders, unless good and satisfactory reasons are produced in excuse for non-attendance; and in order to lighten the duties as much as possible, and secure speedy settlement of disputes, I propose that one master and one workman, and the chairman, may hear and determine cases. To prevent any undue influence, I would prevent any relation of plaintiff or defendant, or the employer or servant, adjudicating in any case which affected them personally.

In order to provide rooms, fuel, furniture, &c. for the council, I propose that the justices of the city, borough, county, or other place shall do so at the cost of the same, and be defrayed out of the city, borough, or county funds, as the case may be; and the councils be empowered to charge fees not higher than those set forth in the Act 5 Geo. 4, c. 96, to levy fines for non-attendance, and receive voluntary contributions or rates towards defraying their expenses.

The present laws to remain in full force and effect; but in all cases of dispute the Acts referred to shall be read with this Act as one Act.

It closes with an interpretation clause, forms, and schedules, all of which I humbly submit to the Committee for their careful attention.

## Appendix, No. 4.

## Appendix, No. 4.

BILL laid before the COMMITTEE, and proposed for their consideration on Monday, 30 April, together with the Bill before Parliament.

## Preamble.

5 Geo. 4, c. 96.

WHEREAS an Act was passed in the fifth year of the reign of King George the Fourth, intituled, "An Act to Consolidate and Amend the Laws relative to the Arbitration of Disputes between Masters and Workmen:"

1 Vict. c. 67.

And whereas another Act was passed in the first year of the reign of Her present Majesty Queen Victoria (chapter sixty-seven), intituled, "An Act to Amend an Act of the fifth year of His Majesty King George the Fourth, for Consolidating and Amending the Laws relative to the Arbitration of Disputes between Masters and Workmen:"

8 &amp; 9 Vict. c. 77.

And whereas another Act was passed in the eighth and ninth years of the reign of Her present Majesty (chapter seventy-seven), intituled, "An Act to make further regulations respecting the Tickets of Work to be delivered to persons employed in the Manufacture of Hosiery in certain cases:"

8 &amp; 9 Vict. c. 123.

And whereas another Act was passed in the eighth and ninth years of the reign of Her present Majesty (chapter one hundred and twenty-eight), intituled, "An Act to make further regulations respecting the Tickets of Work to be delivered to Silkweavers in certain cases:"

And whereas it is expedient to alter and amend the said recited Acts so far as they relate to the mode of the appointment of arbitrators and referees therein mentioned, and to further increase or lessen the number of arbitrators and referees in certain cases, and to extend the period of their appointment to one year:

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Lawful for chairman, recorder, or justices in quarter session to appoint councils of conciliation, &c.

Councils to have same powers as referees and others under 5 Geo. 4, c. 96.

Councils may determine other disputes by mutual consent.

Councils may inquire into the cause of any strike, &c.

Report to chairman of quarter session.

Report to be published at the cost of city, borough, or county rates.

Councils to be composed of not more than twelve masters and twelve workmen and a chairman, nor less than two masters and two workmen and a chairman.

1. That from and after the *first day of January, One thousand eight hundred and sixty-one*, it shall be lawful for the chairman, recorder, or other presiding magistrates, or the justices or any number of them in quarter session assembled for any city, borough, town, stewartry, riding, division, barony, liberty, or other place within the United Kingdom of Great Britain and Ireland, to establish in any such city, borough, town, stewartry, riding, division, barony, liberty, or other place equitable councils of conciliation and arbitration. Such councils to be composed of an equal number of masters and of workmen engaged in any one particular trade, manufacture, or occupation, or trades, manufactures or occupations having affinity one to another, which said council or councils when so established as in manner hereafter set forth shall be authorised to have, and shall have, hold, and exercise all and every authority and power whatsoever as is at present granted to and held by arbitrators and referees as set forth and awarded under the various enactments and provisions of the hereinbefore mentioned recited Acts, as if all and every of the said enactments and provisions were herein set forth and specified; and the said councils shall be, and are hereby further authorised and empowered to hear and determine any other dispute or difference than those specified and set forth in the before mentioned recited Acts, and make their award thereon, provided such dispute or difference has been submitted to such council for their award by the mutual consent of the parties having a dispute and difference between them; and any award the said council may make in any such case or cases, shall have the same force and effect as all other awards made by them, and the same proceedings shall be had to enforce their decision as is had in their other proceedings; and the said councils are hereby further authorised and empowered to make full inquiry into the cause and effect of any case of strike or lockout within their several jurisdictions, and the said councils shall after due inquiry make a report of all the facts and circumstances, with such remarks as they may deem expedient to annex thereto, to the chairman, recorder, or other presiding magistrate of quarter session of the district, and such report when so made shall be published, whether the quarter sessions are being holden or not, and the cost of such publication shall be paid out of the city, borough, or county rates wherever such strike or lockout takes place.

2. That the hereinbefore mentioned councils shall be composed of not less than two masters and two workmen and a chairman, nor more than twelve masters and twelve workmen and chairman. The exact number which shall in each case constitute the said council shall be inserted in the petition praying for the establishment of the same, and the said number shall in like manner be inserted in the certificate authorising the said petitioners to form such council.

3. Any

3. Any number of masters and workmen of full age, and having been engaged or employed in their occupations or employments for seven years, and having resided within the district of any proposed council for a period of twelve calendar months last past, shall be entitled to petition the justices or others for the establishment of a council under the provisions of this Act; and if the said persons so qualified shall, at a meeting specially convened for that purpose, agree to and jointly petition the chairman, recorder (or other presiding magistrate, as the case may be), and justices in quarter session, to form a council of conciliation and arbitration; and provided the petition so agreed to containeth the Christian and surname, and the occupation and the place of abode of each petitioner, and the proposed number of masters, the proposed number of workmen to form such council, and the name of the parish or parishes or place where the aforesaid petitioners reside, and when formed into a council they intend to hold their meetings, the chairman, recorder (or other presiding magistrate), or justices, or any number of them at such quarter sessions, shall appoint from among the said petitioners such number of masters and such number of workmen to form a council as is hereinbefore mentioned; and such persons, when so appointed, shall receive from such chairman, recorder (or other presiding magistrate), or justices, a certificate (according to the form to this Act annexed) unto the persons so appointed; and the said certificate shall be a sufficient authority for the said council so appointed to act; and the said council shall be appointed from that day forward until the last day of January next ensuing.

Masters and workmen of seven years' standing may petition for councils.

Petition to contain name in full, occupation, and place of abode, and the parish or place where the council intend to hold their meetings.

Chairman or justices to appoint council from petitioners.

Certificate to be sufficient authority to act.

Council to be appointed till the last day of January.

4. The clerk of the peace for the city, borough, town, stewartry, riding, division, barony, liberty, or other place where a council of conciliation has been established, shall, either by himself or his deputy, on or about the *twenty-eighth day of December* in each year convene (by advertisement or other published notice, fourteen clear days' notice having been given) a general meeting of such masters and such workmen (either together or separate) as are engaged or employed in a trade or trades, manufactures, or other occupations or employments having a council under the provisions of this Act, for the purpose of the said masters and the said workmen nominating the requisite number of masters and the requisite number of workmen to constitute the aforesaid council for the year ensuing; and the said masters and the said workmen, when so assembled in such meeting or meetings, shall then and there nominate a list of persons each from their own class or calling (such persons to be so nominated must have been a master or a workman for seven years); and the names of the persons so nominated as aforesaid, together with their occupation and place of abode, shall be returned to the chairman, recorder (or other presiding magistrate, as the case may be), and justices at the ensuing Epiphany quarter sessions; and the said chairman, recorder (or other presiding magistrate, as the case may be), or the justices, or any number of them so assembled, shall then and there appoint from the list of names so nominated and returned as aforesaid mentioned the requisite number of masters and the requisite number of workmen to form such council as aforesaid mentioned, in accordance with the original certificate granted unto them; and the said persons, when so appointed, shall be appointed for one year, namely, from the first day of February next ensuing, and continue in office until the last day of January following. The chairman, recorder (or other presiding magistrate, as the case may be), shall renew the certificate forming such council as aforesaid mentioned.

Clerk of the peace to summon meetings of masters and workmen to nominate councils.

Persons nominated, to have been in the trade seven years.

To be returned to justices.

Chairman of justices to appoint councils.

To be appointed for one year.

Certificate to be renewed.

5. The council shall at their first meeting, after receiving their certificate, proceed to the appointment of a chairman in such form and manner as they may agree to, and when so appointed his name, occupation, and place of abode shall be returned to the chairman, recorder (or other presiding magistrate, as the case may be) and justices, who granted the certificate forming the said council; and the said chairman, when so appointed and the return made, shall preside at the meetings of the said council, and in the event of an equality of votes he shall have the casting vote. He shall sign all orders, notices, summonses, awards, and other proceedings of the council; but in all proceedings of distress, sale, and imprisonment the same power shall be had towards enforcing any award or other proceeding by application to any justice of the peace of the city, borough, town, stewartry, riding, division, barony, liberty, or other place within which the parties shall reside, as is now held in accordance with the Act passed in the fifth year of the reign of his late majesty King Geo. 4, c. 96, as are therein prescribed for enforcing awards made under and by virtue of its various enactments and provisions.

Chairman to be appointed by council.

Name to be returned to chairman of quarter sessions.

Chairman to have casting vote.

In all proceedings of distress, sale, and imprisonment, same process to be had as awarded under 5 Geo. 4, c. 96.

6. The council shall appoint the chairman during pleasure; provided the council cannot agree upon the name of the person who shall be chairman, each member of the said council may nominate one person, and the names of the persons so nominated shall be referred to the chairman, recorder, or other presiding magistrate of quarter session of the district where such councils shall hold their sittings, and his decision shall be final and conclusive. In Scotland it shall be referred to the sheriff of the burgh or district, as the case may be.

Chairman to be appointed during pleasure.

In case the council cannot agree, decision left with the clerk of the peace; In Scotland, with the sheriff.

Councils may appoint clerk and other officers.

7. The councils are further hereby authorised to appoint a clerk and such other officer or officers as they may deem necessary in order to carry out the orders and other proceedings of the council.

8. Any person appointed to the office of arbitrator, referee, chairman, or other office, and being summoned by the clerk or other proper officer to hear and determine any case of dispute or other cause, and who shall neglect or refuse to attend at the time and place

Penalties on referees and others for refusing or neglecting to attend cases.

## Appendix, No. 4

therein notified when so summoned, shall pay for such neglect or refusal such fine as the council may order, not exceeding one pound; and the same proceedings shall be had for enforcing payment thereof, as is given for enforcing awards under the before-mentioned recited Acts, unless the person so liable to be fined is prevented by illness from attending, or other unavoidable cause.

Quorum of three may hear and decide cases.

9. In any case of dispute one master and one workman, and the chairman, may proceed to the hearing and adjudication of any cause submitted to them for settlement, provided nevertheless, that no member of the hereinbefore mentioned council is hereby or shall be authorised to adjudicate in any case in which he or his relations, employers or workmen is plaintiff or defendant.

No relation, employer, or workmen of plaintiff or defendant to adjudicate.

Room, fuel, lights, and furniture to be provided by justices.

10. Each city, borough, town, stewardry, riding, division, barony, liberty, or other place wherever councils are appointed shall provide for the use of the said councils a room, lights, fuel, and furniture. The same to be ordered by the justices in quarter session, and charged upon the rates of the said city, borough, town, stewardry, riding, division, barony, or other place where the said councils may meet for the transaction of business.

List of fees, charges, &c.

11. Each council shall be empowered to make out a list of fees which shall be taken for any proceedings under this Act, the said fees not to exceed the fees allowed to be taken by the clerks to justices, and the constable or other peace officer, under the before-mentioned Act (5 Geo. 4, c. 96, s. 30), and to inflict such fines for non-compliance with the orders of the council as may be sanctioned by the justices in quarter session; and the said council are hereby authorised to receive voluntary contributions or rates in aid of their expenses, and the said fees, fines and contributions shall form a fund from which the costs for stationery, payments to arbitrators and others, and incidental charges shall be defrayed.

5 Geo. 4, c. 96, &c. to remain in force, but for the purposes of this Act to be read with it.

12. All and every enactment of the Acts hereinbefore recited shall remain in full force and effect as though this Act was not enacted into a law; but for the purposes of this Act each and every enactment and provision of the Acts before recited shall be read and considered with this Act as one Act.

Citation of Act.

13. In citing this Act for any purpose whatever, it shall be sufficient to use the expression, "Councils of Conciliation and Arbitration Act."

Construction of terms.

14. The word "master" in this Act shall be understood to mean any person employing workmen on his own account, such person not being a middleman, subcontractor, undertaker, or other person making or manufacturing goods for another, for hire or wages. That the word "workman" shall be understood to mean any person working by the year, month, week, or day, or for any other period, or by the piece, for hire or wages, he not being an apprentice, or domestic servant, or servant in husbandry. That in all cases under this Act, the singular is to include the plural, and the masculine the feminine, and in any proceedings against partners, joint stock companies, trustees, or others, it shall be sufficient to proceed against one partner, trustee, and another or others, and in all cases of complaint one person may appear for another, he being connected with the trade, occupation or calling in which such case, dispute or difference may arise.

## SCHEDULE OF FORMS.

### 1. Form of Petition for Certificate.

To the Chairman [*Recorder, or other presiding magistrate, as the case may be*], and Justices in General Quarter Session assembled, for the [*here state the name of the city, borough, town, stewardry, riding, division, barony, liberty, or other place, as the case may be*].

The humble Petition of the Undersigned [*here state the trade or occupation in which the petitioners are engaged or employed in*] of the [*here state the name of the city, borough, or other place, as the case may be*],

Humbly sheweth,

That we whose names, occupation, and place of abode are hereunto annexed, are desirous of establishing a council of conciliation and arbitration, in accordance with the provisions of an Act passed in the \_\_\_\_\_ year of the reign of Her Majesty Queen Victoria, chapter intituled, An Act [*here state the title of this Act*]; the council to be composed of [*here state the number*] masters, and [*here state the number*] workmen, and a chairman, in accordance with and pursuant to a resolution agreed to at a special general meeting, duly convened for that purpose, held at [*here state the name of the place*], on the \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_.

We therefore humbly solicit your worships to grant a certificate, authorising the formation of a council of conciliation and arbitration to the beforementioned trade or trades [*as the*  
the



SELECT COMMITTEE ON MASTERS AND OPERATIVES.

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the case may be]; and further, that you will appoint from the subscribers hereunto annexed, Appendix, No. 4. from those names marked C, the requisite number of persons to constitute the council, which said persons shall be appointed until the last day of January next ensuing.

Signed this      day of      18 .

NAME.	OCCUPATION.	PLACE OF ABODE.

2. Form of Certificate authorising Councils.

City of [or as] WE, the undersigned, being justices of the peace for the [here state the city, the case may] borough, county, or as the case may be] do hereby certify that—  
be], to wit.

	NAME.	RESIDENCE.	TRADE OR CALLING.
Masters - - -			
Workmen - - -			

are duly appointed a council of conciliation and arbitration, under the provisions, and pursuant to the Act of the      year of the reign of Her Majesty Queen Victoria, intituled, "An Act [here state the title]; and this certificate, from the date hereof, shall be sufficient authority to the persons herein named to hear, determine, and make any award, according to the Act before recited, from this day forward until the      day of 18 . . . As witness [our or my hand or hands, seal or seals, as the case may be], this day of      18 .

(L. S.) \_\_\_\_\_ }  
 (L. S.) \_\_\_\_\_ } Justice (or Justices) of  
 (L. S.) \_\_\_\_\_ } the Peace for the [here  
 (L. S.) \_\_\_\_\_ } state the city, borough,  
 county, as the case may  
 be].

## I N D E X.

[*N. B.*—In this Index the Figures following the Names of the Witnesses refer to the Questions in the Evidence; those following *App. p.* to the Paging of the Appendix; and the Numerals following *Rep. p.* to the Paging of the Report.]

## A.

**ACT 4 Geo. 4, c. 96.** See *Magistrates.*

**Arbitration.** Settlement by arbitration of several disputes in different trades within the last few years, *Humphrey* 39-43—Failures arise oftener from obstinacy on the part of the men than of their employers, *ib.* 43—In some cases only is the obstinacy of the men the cause of failure in arbitration, *Winters* 300-302.

See also *Councils of Conciliation. Magistrates. Strikes.*

**Atkins, John.** (Analysis of his Evidence.)—Manufacturer of hosiery at Hinckley, 723, 724—Approves of the object of the Bill before the Committee; the Hinckley masters generally do not approve of the Bill, 725, 738-740, 750-753—Great difficulty on account of the election of the chairman of the proposed Councils; objections to his appointment either by Government or by the quarter sessions, the former plan being, however, the least objectionable, 725-731, 734, 745, 781-784—Satisfactory list of prices (*App. p.* 100, 101) agreed upon in July last between the masters and operatives in the Hinckley district; repeated consultations necessary for this purpose, 731-737—Very bad and clumsy way in which disputes at Hinckley have been settled, 741, 742.

Doubt whether the French plan of selecting the council is a good one, 746, 747, 771—A chairman might be balloted for by the council, 748, 749—Objection to the losing side being obliged to pay costs, 754-758—Practice as to frame rents in the Hinckley district, 759-764—Course pursued in cases of inferior work, 765-767—Less combination among the operatives in Hinckley than at Leicester and Nottingham, 768-770, 772-774—Decreasing occurrence of strikes through the operatives being more reasonable in their applications for advances, 775-778.

## B.

**Buckmaster, John Charles.** (Analysis of his Evidence.)—Was formerly secretary to a trades' union, which comprised 4,000 members, 511-513, 519-522—Instance of a strike by carpenters, which might have been prevented by a reference of the dispute to a council of conciliation, 514, 515, 533-536, 551—Want of an amicable understanding between masters and operatives adverted to, as accounting for the non-prevention of many strikes, 516-518—Non-objection of carpenters to be paid by the piece, 523, 524.

Objects and operation of trades' unions; the good which they do more than counterbalances any evil which may be imputed to them in regard to strikes, 525-532, 537-549, 564-577—Better results now anticipated from councils of conciliation as compared with former years; the men are more amenable to reasonable influences, 537-542, 549-551—Government should appoint the chairman or umpire at the proposed councils, 551, 556-563—If the chairman were not appointed by Government, a third of the tribunal might be nominated by Government, 551.

Expediency of its being compulsory to refer to the tribunal disputes which cannot otherwise be arranged, and of giving the force of law to the decisions of the tribunal, 552-555, 572-577—The functions and operations of trades' unions would be almost exclusively as benefit societies or relief clubs, if by councils of conciliation strikes were obviated, 564-570—Great social good anticipated from the proposed councils, 571.

**Building Trade.** Disapproval expressed by the Association of United Trade in regard to the strike in the London building trade, *Humphries* 61, 62—Probable prevention of the strike in the building trade if there had been a council of conciliation sitting, *Winters* 272-278, 372.

## Report, 1860—continued.

*Building Trade*—continued.

Witness believes that the late strike in the building trade might have been avoided if the Bill now before the House had been in operation, *Potter* 787-789. 851-854. 906. 923. 924. 993-995—Opinion that the men in the building trade would gladly support the present Bill if they believed that it was intended to be acted upon honestly and fairly, and that they would be willing to abide by the result of any arbitration in which they had confidence, *ib.* 798-801. 819. 820. 836-839. 848-850. 880-893. 903-906. 993-995—System of contribution by which, during the late strike in the building trade, relief was distributed to the operatives, *ib.* 821-831—The reduction of the builders' hours, by one hour daily, would have been equal to a rise of about 7½ per cent. in their wages, *ib.* 852. 969—Absence of complaint by the men in the building trades in regard to the present laws bearing upon the relations between employers and employed, *ib.* 891—Practically a reduction of the hours of labour is no pecuniary advantage to the operative, whilst it makes him a more useful workman, *ib.* 982-986.

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