

MR. J. HANCOCK, in reply to Mr. HAUGHTON, stated that the act was permissive, and could be adopted by the inhabitants, on petition to the Lord Lieutenant. The reason certain towns had not the act extended to them was on the ground of taxation. With regard to fairs and markets it was better they should be perfectly free. The committee had power to regulate the thoroughfares of fairs and markets. The lodging-house clauses were in force in every town in which there were 3,000 inhabitants instead of 10,000, as stated. With respect to mendicancy there was ample power for the prosecution of beggars, but the public could not be induced to put these powers in force. The real reason why the eighteen towns under the old act did not seek to come under the new act, was that, under the old act houses under 5*l* were exempt from taxation. After some further explanations, Mr. Hancock concluded amid applause.

THE CHAIRMAN said the Society and the public must feel greatly indebted to Mr. Hancock for his very clear and useful explanation of the act.

VI.—*On Strikes with respect to Hours of Labour.*—By W. Neilson Hancock, LL.D.

[Read Tuesday, 25th September, 1865.]

IN old times, when business of all kinds was carried on in small establishments, the hours of labour were regulated by the hours kept by the employer and his family, who generally resided at the place of business, and personally superintended the work. The old hours in all common occupations were ten hours for work, with two hours for meals, twelve in all—usually from six a. m. to six p. m. Such I believe to be the natural hours for common occupations, allowing enough of time for sleep and for domestic or social life. The time for sleep being limited by natural laws, the effect of extending the hours of labour beyond the ten hours' limit, is to encroach on the time a man should devote to the discharge of the duties that he owes to his wife, to his children, to his parents, his family, his friends, his neighbours, his fellow-tradesmen, and his fellow-citizens. Hence the extension of hours of labour beyond their natural limit of ten hours destroys the character of the labouring man, and no increase of wages compensates for this injury to the workman and to all dependent on him or connected with him.

When capitalists get up large establishments like factories, and have a large capital sunk in machinery, they are tempted to make the machinery work as many hours as possible out of the twenty-four. In proportion to the size of the establishments, the capitalist is removed from the workmen; he knows less about them and cares less about them. He ceases to regard them as human beings with large family and social duties to discharge, but simply as animated machines. The capitalist is thus led to offer extra wages for

extra hours, to induce the men to overwork; and not the men only but women and children. It was to check this evil that the agitation for Factory Legislation commenced. Philanthropists observed the extent to which women and children were sacrificed to the greed and thoughtlessness of capitalists and of the more selfish of the working classes. They interposed, and got the hours of labour limited first to eleven and ultimately to ten hours.

This legislation met with the most determined opposition of the rigid economists of the *laissez faire* school, preaching non-interference. Now what the philanthropists were doing was not interfering with labour, but preventing labour interfering with domestic and social life. The factory limit of sixty hours a week, ten and a-half hours for five days, and seven and a-half on Saturday, and all between six a. m. and six p. m., corresponds practically with the natural hours I have above referred to; the only difference being half an hour a day extra work for a one-third holiday on Saturday. These hours have prevailed for nearly twenty years. The protection the factory legislation affords has been extended from time to time to different manufactures by ever increasing majorities in the House of Commons; and on a recent occasion Mr. Roebuck, M.P., one of the old opponents of factory legislation, averred that he had completely changed his opinions, and that he had found all that the manufacturers had said about being ruined if the ten hours' system was carried, was a mistake.

Towards the close of the session of parliament, 1861, Lord Shaftesbury obtained a commission to inquire into the employments in which women and children were engaged, with a view to the extension of the factory legislation to all such employments. The factory legislation does not in terms protect the labour of men, but in fact it does so; for the restriction on the hours of labour of women and children limits the hours of the machinery working profitably, and so practically limits the hours for the men.

If ten hours be the natural limit, it may perhaps be asked how I explain the nine hours' movements in London in the building trade. This I believe arises from the great distance men have to go to their work at the building trade in London. The new buildings are in the newest and best parts of London; the men live in the worst. Now if a workman in London has to go a mile and a half or two miles more to his work than a similar workman elsewhere, this implies half an hour more in the morning and half an hour more in the evening from the man's home, so that he cannot have the same time for the necessary paramount and dignified purposes of domestic and social life as the working classes have generally, unless he establishes nine hours instead of ten as his working time. The masters' proposal of paying by the hour is only a plan of bribing men to sacrifice their domestic life and to neglect their various duties for the sake of gain. In the London strike in the building trade the men were in my opinion in the right, and the masters wrong. The hours in business of any kind above the lowest *should* be less than ten hours, because those employed, besides their domestic and other duties, require time for a higher cultivation of their minds, to read newspapers and books;

and, in the case of wealthy men, to discharge public offices, and to have time to qualify for public life. The regular working hours should consequently be less than ten hours. The demand made by clerks and other employées for early closing is therefore of the greatest importance in a moral and social point of view. The precise number of hours, less than ten, is a question for each trade, depending on the amount of information and mental qualification required by the men.

It is often urged that the matter can be left to regulate itself; but experience shows that unless the hours be fixed by public opinion and some uniformity maintained, selfish men will try by keeping open for long hours to get business from those who close early. Those who adopt early closing become jealous and dissatisfied, and try to induce their employées to stay on. So a rivalry or bounty on encroaching by long hours on the labourer's domestic life is created.

In the view I take of the matter I think the question is primarily a moral and social question, and not an economic one. It follows then that strikes as to the hours of labour are different from strikes as to the rate of wages, and that, from the high moral and social interests involved, the public should lend their aid in the cases beyond the operation of the Factory Act, by strengthening the formation of a strong public opinion in favour of reasonable and moderate hours of labour.

#### DISCUSSION.

THE CHAIRMAN said he was aware that the builders of London insisted on limiting the period for labour from ten to nine hours a day. In the *Daily Express* of the 13th inst. he read an account of a strike which had taken place in Carlisle, which, so far as the bricklayers were concerned, was compromised by the masters withdrawing the hour system, and by the men being allowed walking time to all jobs outside the city. This case afforded a strong corroboration of the views put forward in DR. HANCOCK'S paper.

MR. GREGG thought, from his intercourse with workmen, they would ever be found willing to listen to reason.

COLONEL TORRENS, as a considerable employer of labour, found that he could always get as much work out of a man in eight or ten hours as he could in twelve.

MR. M'DONNELL was of opinion that the legislature should be very cautious in dealing with this subject.

#### VII.—*The Functions of Grand Juries in Criminal Cases.*—By James H. Monahan, Esq.

[Read Tuesday, 20th June, 1865.]

THE various branches of our criminal procedure are necessarily closely interwoven. The necessity or the usefulness of a particular step in the complex process by which criminals are brought to justice, is often dependent on, and inexplicable without, reference to the