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**SECTION 5**

**THE STRUGGLE FOR A NORMAL WORKING-DAY.  
COMPULSORY LAWS FOR THE EXTENSION OF THE WORKING-DAY FROM THE  
MIDDLE OF THE 14TH TO THE END OF THE 17TH CENTURY**

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“What is a working-day? What is the length of time during which capital may consume the labour-power whose daily value it buys? How far may the working-day be extended beyond the working-time necessary for the reproduction of labour-power itself?” It has been seen that to these questions capital replies: the working-day contains the full 24 hours, with the deduction of the few hours of repose without which labour-power absolutely refuses its services again. Hence it is self-evident that the labourer is nothing else, his whole life through, than labour-power, that therefore all his disposable time is by nature and law labour-time, to be devoted to the self-expansion of capital. Time for education, for intellectual development, for the fulfilling of social functions and for social intercourse, for the free-play of his bodily and mental activity, even the rest time of Sunday (and that in a country of Sabbatarians!) <sup>[72]</sup> — moonshine! But in its blind unrestrainable passion, its were-wolf hunger for surplus-labour, capital oversteps not only the moral, but even the merely physical maximum bounds of the working-day. It usurps the time for growth, development, and healthy maintenance of the body. It steals the time required for the consumption of fresh air and sunlight. It higgles over a meal-time, incorporating it where possible with the process of production itself, so that food is given to the labourer as to a mere means of production, as coal is supplied to the boiler, grease and oil to the machinery. It reduces the sound sleep needed for the restoration, reparation, refreshment of the bodily powers to just so many hours of torpor as the revival of an organism, absolutely exhausted, renders essential. It is not the normal maintenance of the labour-power which is to determine the limits of the working-day; it is the greatest possible daily expenditure of labour-power, no matter how diseased, compulsory, and painful it may be, which is to determine the limits of the labourers’ period of repose. Capital cares nothing for the length of life of labour-power. All that concerns it is simply and solely the maximum of labour-power, that can be rendered fluent in a working-day. It attains this end by shortening the extent of the labourer’s life, as a greedy farmer snatches increased produce from the soil by robbing it of its fertility.

The capitalistic mode of production (essentially the production of surplus-value, the absorption of surplus-labour), produces thus, with the extension of the working-day, not only the deterioration of human labour-power by robbing it of its normal, moral and physical, conditions of development and function. It produces also the premature exhaustion and death of this labour-power itself. <sup>[73]</sup> It extends the labourer’s time of production during a given period by shortening his actual life-time.

But the value of the labour-power includes the value of the commodities necessary for the reproduction of the worker, or for the keeping up of the working-class. If then the unnatural extension of the working-day, that capital necessarily strives after in its unmeasured passion for self-expansion, shortens the length of life of the individual labourer, and therefore the duration of his labour-power, the forces used up have to be replaced at a more rapid rate and the sum of the expenses for the reproduction of labour-power will be greater; just as in a machine the part of its

value to be reproduced every day is greater the more rapidly the machine is worn out. It would seem therefore that the interest capital itself points in the direction of a normal working-day.

The slave-owner buys his labourer as he buys his horse. If he loses his slave, he loses capital that can only be restored by new outlay in the slave-mart.

But “the rice-grounds of Georgia, or the swamps of the Mississippi may be fatally injurious to the human constitution; but the waste of human life which the cultivation of these districts necessitates, is not so great that it cannot be repaired from the teeming preserves of Virginia and Kentucky. Considerations of economy, moreover, which, under a natural system, afford some security for humane treatment by identifying the master’s interest with the slave’s preservation, when once trading in slaves is practiced, become reasons for racking to the uttermost the toil of the slave; for, when his place can at once be supplied from foreign preserves, the duration of his life becomes a matter of less moment than its productiveness while it lasts. It is accordingly a maxim of slave management, in slave-importing countries, that the most effective economy is that which takes out of the human chattel in the shortest space of time the utmost amount of exertion it is capable of putting forth. It is in tropical culture, where annual profits often equal the whole capital of plantations, that negro life is most recklessly sacrificed. It is the agriculture of the West Indies, which has been for centuries prolific of fabulous wealth, that has engulfed millions of the African race. It is in Cuba, at this day, whose revenues are reckoned by millions, and whose planters are princes, that we see in the servile class, the coarsest fare, the most exhausting and unremitting toil, and even the absolute destruction of a portion of its numbers every year.” <sup>[74]</sup>

*Mutato nomine de te fabula narratur* [It is of you that the story is told – Horace]. For slave-trade read labour-market, for Kentucky and Virginia, Ireland and the agricultural districts of England, Scotland, and Wales, for Africa, Germany. We heard how over-work thinned the ranks of the bakers in London. Nevertheless, the London labour-market is always over-stocked with German and other candidates for death in the bakeries. Pottery, as we saw, is one of the shortest-lived industries. Is there any want therefore of potters? Josiah Wedgwood, the inventor of modern pottery, himself originally a common workman, said in 1785 before the House of Commons that the whole trade employed from 15,000 to 20,000 people. <sup>[75]</sup> In the year 1861 the population alone of the town centres of this industry in Great Britain numbered 101,302.

“The cotton trade has existed for ninety years.... It has existed for three generations of the English race, and I believe I may safely say that during that period it has destroyed nine generations of factory operatives.” <sup>[76]</sup>

No doubt in certain epochs of feverish activity the labour-market shows significant gaps. In 1834, *e.g.* But then the manufacturers proposed to the Poor Law Commissioners that they should send the “surplus-population” of the agricultural districts to the north, with the explanation “that the manufacturers would absorb and use it up.” <sup>[77]</sup>

Agents were appointed with the consent of the Poor Law Commissioners. ... An office was set up in Manchester, to which lists were sent of those workpeople in the agricultural districts wanting employment, and their names were registered in books. The manufacturers attended at these offices, and selected such persons as they chose; when they had selected such persons as their ‘wants required’, they gave instructions to have them forwarded to Manchester, and they were sent, ticketed like bales of goods, by canals, or with carriers, others tramping on the road, and many of them were found on the way lost and half-starved. This system had grown up unto a

regular trade. This House will hardly believe it, but I tell them, that this traffic in human flesh was as well kept up, they were in effect as regularly sold to these [Manchester] manufacturers as slaves are sold to the cotton-grower in the United States.... In 1860, 'the cotton trade was at its zenith.' ... The manufacturers again found that they were short of hands.... They applied to the 'flesh agents, as they are called. Those agents sent to the southern downs of England, to the pastures of Dorsetshire, to the glades of Devonshire, to the people tending kine in Wiltshire, but they sought in vain. The surplus-population was 'absorbed.'”

The *Bury Guardian* said, on the completion of the French treaty, that “10,000 additional hands could be absorbed by Lancashire, and that 30,000 or 40,000 will be needed.” After the “flesh agents and sub-agents” had in vain sought through the agricultural districts,

“a deputation came up to London, and waited on the right hon. gentleman [Mr. Villiers, President of the Poor Law Board] with a view of obtaining poor children from certain union houses for the mills of Lancashire.” <sup>[78]</sup>

What experience shows to the capitalist generally is a constant excess of population, i.e., an excess in relation to the momentary requirements of surplus-labour-absorbing capital, although this excess is made up of generations of human beings stunted, short-lived, swiftly replacing each other, plucked, so to say, before maturity. <sup>[79]</sup> And, indeed, experience shows to the intelligent observer with what swiftness and grip the capitalist mode of production, dating, historically speaking, only from yesterday, has seized the vital power of the people by the very root — shows how the degeneration of the industrial population is only retarded by the constant absorption of primitive and physically uncorrupted elements from the country — shows how even the country labourers, in spite of fresh air and the principle of natural selection, that works so powerfully amongst them, and only permits the survival of the strongest, are already beginning to die off. <sup>[80]</sup> Capital that has such good reasons for denying the sufferings of the legions of workers that surround it, is in practice moved as much and as little by the sight of the coming degradation and final depopulation of the human race, as by the probable fall of the earth into the sun. In every stockjobbing swindle every one knows that some time or other the crash must come, but every one hopes that it may fall on the head of his neighbour, after he himself has caught the shower of gold and placed it in safety. *Après moi le déluge!* [*After me, the flood*] is the watchword of every capitalist and of every capitalist nation. Hence Capital is reckless of the health or length of life of the labourer, unless under compulsion from society. <sup>[81]</sup> To the out-cry as to the physical and mental degradation, the premature death, the torture of over-work, it answers: Ought these to trouble us since they increase our profits? But looking at things as a whole, all this does not, indeed, depend on the good or ill will of the individual capitalist. Free competition brings out the inherent laws of capitalist production, in the shape of external coercive laws having power over every individual capitalist. <sup>[82]</sup>

The establishment of a normal working-day is the result of centuries of struggle between capitalist and labourer. The history of this struggle shows two opposed tendencies. Compare, e.g., the English factory legislation of our time with the English labour Statutes from the 14th century to well into the middle of the 18th. <sup>[83]</sup> Whilst the modern Factory Acts compulsorily shortened the working-day, the earlier statutes tried to lengthen it by compulsion. Of course the pretensions of capital in embryo — when, beginning to grow, it secures the right of absorbing a *quantum sufficit* [sufficient quantity] of surplus-labour, not merely by the force of economic relations, but by the help of the State — appear very modest when put face to face with the concessions that, growling and struggling, it has to make in its adult condition. It takes centuries ere the “free” labourer, thanks to the development of capitalistic production, agrees, *i.e.*, is compelled by social

conditions, to sell the whole of his active life. his very capacity for work, for the price of the necessaries of life, his birth-right for a mess of pottage. Hence it is natural that the lengthening of the working-day, which capital, from the middle of the 14th to the end of the 17th century, tries to impose by State-measures on adult labourers, approximately coincides with the shortening of the working-day which, in the second half of the 19th century, has here and there been effected by the State to prevent the coining of children's blood into capital. That which to-day, *e.g.*, in the State of Massachusetts, until recently the freest State of the North-American Republic, has been proclaimed as the statutory limit of the labour of children under 12, was in England, even in the middle of the 17th century, the normal working-day of able-bodied artisans, robust labourers, athletic blacksmiths. <sup>[84]</sup>

The first "Statute of Labourers" (23 Edward III., 1349) found its immediate pretext (not its cause, for legislation of this kind lasts centuries after the pretext for it has disappeared) in the great plague that decimated the people, so that, as a Tory writer says, "The difficulty of getting men to work on reasonable terms (*i.e.*, at a price that left their employers a reasonable quantity of surplus-labour) grew to such a height as to be quite intolerable." <sup>[85]</sup> Reasonable wages were, therefore, fixed by law as well as the limits of the working-day. The latter point, the only one that here interests us, is repeated in the Statute of 1496 (Henry VII.). The working-day for all artificers and field labourers from March to September ought, according to this statute (which, however, could not be enforced), to last from 5 in the morning to between 7 and 8 in the evening. But the meal-times consist of 1 hour for breakfast, 1½ hours for dinner, and ½ an hour for "noon-meate," *i.e.*, exactly twice as much as under the factory acts now in force. <sup>[86]</sup> In winter, work was to last from 5 in the morning until dark, with the same intervals. A statute of Elizabeth of 1562 leaves the length of the working-day for all labourers "hired for daily or weekly wage" untouched, but aims at limiting the intervals to 2½ hours in the summer, or to 2 in the winter. Dinner is only to last 1 hour, and the "afternoon-sleep of half an hour" is only allowed between the middle of May and the middle of August. For every hour of absence 1d. is to be subtracted from the wage. In practice, however, the conditions were much more favourable to the labourers than in the statute-book. William Petty, the father of Political Economy, and to some extent the founder of Statistics, says in a work that he published in the last third of the 17th century:

"Labouring-men (then meaning field-labourers) work 10 hours per diem, and make 20 meals per week, *viz.*, 3 a day for working-days, and 2 on Sundays; whereby it is plain, that if they could fast on Friday nights, and dine in one hour and an half, whereas they take two, from eleven to one; thereby thus working 1/20 more, and spending 1/20 less, the above-mentioned (tax) might be raised." <sup>[87]</sup>

Was not Dr. Andrew Ure right in crying down the 12 hours' bill of 1833 as a retrogression to the times of the dark ages? It is true these regulations contained in the statute mentioned by Petty, apply also to apprentices. But the condition of child-labour, even at the end of the 17th century, is seen from the following complaint:

"'Tis not their practice (in Germany) as with us in this kingdom, to bind an apprentice for seven years; three or four is their common standard: and the reason is, because they are educated from their cradle to something of employment, which renders them the more apt and docile, and consequently the more capable of attaining to a ripeness and quicker proficiency in business. Whereas our youth, here in England, being bred to nothing before they come to be apprentices, make a very slow progress and require much longer time wherein to reach the perfection of accomplished artists." <sup>[88]</sup>

Still, during the greater part of the 18th century, up to the epoch of Modern Industry and machinism, capital in England had not succeeded in seizing for itself, by the payment of the weekly value of labour-power, the whole week of the labourer, with the exception, however, of the agricultural labourers. The fact that they could live for a whole week on the wage of four days, did not appear to the labourers a sufficient reason that they should work the other two days for the capitalist. One party of English economists, in the interest of capital, denounces this obstinacy in the most violent manner, another party defends the labourers. Let us listen, *e.g.*, to the contest between Postlethwayt whose Dictionary of Trade then had the same reputation as the kindred works of MacCulloch and MacGregor to-day, and the author (already quoted) of the “Essay on Trade and Commerce.” <sup>[89]</sup>

Postlethwayt says among other things:

“We cannot put an end to those few observations, without noticing that trite remark in the mouth of too many; that if the industrious poor can obtain enough to maintain themselves in five days, they will not work the whole six. Whence they infer the necessity of even the necessaries of life being made dear by taxes, or any other means, to compel the working artisan and manufacturer to labour the whole six days in the week, without ceasing. I must beg leave to differ in sentiment from those great politicians, who contend for the perpetual slavery of the working people of this kingdom; they forget the vulgar adage, all work and no play. Have not the English boasted of the ingenuity and dexterity of her working artists and manufacturers which have heretofore given credit and reputation to British wares in general? What has this been owing to? To nothing more probably than the relaxation of the working people in their own way. Were they obliged to toil the year round, the whole six days in the week, in a repetition of the same work, might it not blunt their ingenuity, and render them stupid instead of alert and dexterous; and might not our workmen lose their reputation instead of maintaining it by such eternal slavery? ... And what sort of workmanship could we expect from such hard-driven animals? ... Many of them will execute as much work in four days as a Frenchman will in five or six. But if Englishmen are to be eternal drudges, ‘tis to be feared they will degenerate below the Frenchmen. As our people are famed for bravery in war, do we not say that it is owing to good English roast beef and pudding in their bellies, as well as their constitutional spirit of liberty? And why may not the superior ingenuity and dexterity of, our artists and manufacturers, be owing to that freedom and liberty to direct themselves in their own way, and I hope we shall never have them deprived of such privileges and that good living from whence their ingenuity no less than their courage may proceed.”<sup>[90]</sup>

Thereupon the author of the “Essay on Trade and Commerce” replies:

“If the making of every seventh day an holiday is supposed to be of divine institution, as it implies the appropriating the other six days to labour” (he means capital as we shall soon see) “surely it will not be thought cruel to enforce it .... That mankind in general, are naturally inclined to ease and indolence, we fatally experience to be true, from the conduct of our manufacturing populace, who do not labour, upon an average, above four days in a week, unless provisions happen to be very dear.... Put all the necessaries of the poor under one denomination; for instance, call them all wheat, or suppose that ... the bushel of wheat shall cost five shillings and that he (a manufacturer) earns a shilling by his labour, he then would be obliged to work five days only in a week. If the bushel of wheat should cost but four shillings, he would be obliged to work but four days; but as wages in this kingdom are much higher in proportion to the price of necessaries ... the manufacturer, who labours four days, has a surplus of money to live idle with the rest of the week . ... I hope I have said enough to make it appear that the moderate labour of six days in a week is no slavery. Our labouring people do this, and to all appearance are the happiest of all our

labouring poor, <sup>[91]</sup> but the Dutch do this in manufactures, and appear to be a very happy people. The French do so, when holidays do not intervene. <sup>[92]</sup> But our populace have adopted a notion, that as Englishmen they enjoy a birthright privilege of being more free and independent than in any country in Europe. Now this idea, as far as it may affect the bravery of our troops, may be of some use; but the less the manufacturing poor have of it, certainly the better for themselves and for the State. The labouring people should never think themselves independent of their superiors.... It is extremely dangerous to encourage mobs in a commercial state like ours, where, perhaps, seven parts out of eight of the whole, are people with little or no property. The cure will not be perfect, till our manufacturing poor are contented to labour six days for the same sum which they now earn in four days.” <sup>[93]</sup>

To this end, and for “extirpating idleness debauchery and excess,” promoting a spirit of industry, “lowering the price of labour in our manufactories, and easing the lands of the heavy burden of poor’s rates,” our “faithful Eckart” of capital proposes this approved device: to shut up such labourers as become dependent on public support, in a word, paupers, in “an *ideal workhouse*.” Such ideal workhouse must be made a “House of Terror,” and not an asylum for the poor, “where they are to be plentifully fed, warmly and decently clothed, and where they do but little work.” <sup>[94]</sup> In this “House of Terror,” this “ideal workhouse, the poor shall work 14 hours in a day, allowing proper time for meals, in such manner that there shall remain 12 hours of neat-labour.” <sup>[95]</sup>

Twelve working-hours daily in the Ideal Workhouse, in the “House of Terror” of 1770! 63 years later, in 1833, when the English Parliament reduced the working-day for children of 13 to 18, in four branches of industry to 12 full hours, the judgment day of English Industry had dawned! In 1852, when Louis Bonaparte sought to secure his position with the bourgeoisie by tampering with the legal working-day, the French working people cried out with one voice “the law that limits the working-day to 12 hours is the one good that has remained to us of the legislation of the Republic!” <sup>[96]</sup> At Zürich the work of children over 10, is limited to 12 hours; in Aargau in 1862, the work of children between 13 and 16, was reduced from 12½ to 12 hours; in Austria in 1860, for children between 14 and 16, the same reduction was made. <sup>[97]</sup> “What a progress,” since 1770! Macaulay would shout with exultation!

The “House of Terror” for paupers of which the capitalistic soul of 1770 only dreamed, was realised a few years later in the shape of a gigantic “Workhouse” for the industrial worker himself. It is called the Factory. And the ideal this time fades before the reality.

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## SECTION 6

### THE STRUGGLE FOR THE NORMAL WORKING-DAY. COMPULSORY LIMITATION BY LAW OF THE WORKING-TIME. THE ENGLISH FACTORY ACTS, 1833 TO 1864

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After capital had taken centuries in extending the working-day to its normal maximum limit, and then beyond this to the limit of the natural day of 12 hours,<sup>[98]</sup> there followed on the birth of machinism and modern industry in the last third of the 18th century, a violent encroachment like that of an avalanche in its intensity and extent. All bounds of morals and nature, age and sex, day and night, were broken down. Even the ideas of day and night, of rustic simplicity in the old statutes, became so confused that an English judge, as late as 1860, needed a quite Talmudic sagacity to explain “judicially” what was day and what was night.<sup>[99]</sup> Capital celebrated its orgies.

As soon as the working-class, stunned at first by the noise and turmoil of the new system of production, recovered, in some measure, its senses, its resistance began, and first in the native land of machinism, in England. For 30 years, however, the concessions conquered by the workpeople were purely nominal. Parliament passed 5 labour Laws between 1802 and 1833, but was shrewd enough not to vote a penny for their carrying out, for the requisite officials, &c.<sup>[100]</sup>

They remained a dead letter. “The fact is, that prior to the Act of 1833, young persons and children were worked all night, all day, or both *ad libitum*.”<sup>[101]</sup>

A normal working-day for modern industry only dates from the Factory Act of 1833, which included cotton, wool, flax, and silk factories. Nothing is more characteristic of the spirit of capital than the history of the English Factory Acts from 1833 to 1864.

The Act of 1833 declares the ordinary factory working-day to be from half-past five in the morning to half-past eight in the evening and within these limits, a period of 15 hours, it is lawful to employ young persons (*i.e.*, persons between 13 and 18 years of age), at any time of the day, provided no one individual young person should work more than 12 hours in any one day, except in certain cases especially provided for. The 6th section of the Act provided. “That there shall be allowed in the course of every day not less than one and a half hours for meals to every such person restricted as hereinbefore provided.” The employment of children under 9, with exceptions mentioned later was forbidden; the work of children between 9 and 13 was limited to 8 hours a day, night-work, *i.e.*, according to this Act, work between 8:30 p.m. and 5:30 a.m., was forbidden for all persons between 9 and 18.

The law-makers were so far from wishing to trench on the freedom of capital to exploit adult labour-power, or, as they called it, “the freedom of labour,” that they created a special system in order to prevent the Factory Acts from having a consequence so outrageous.

“The great evil of the factory system as at present conducted,” says the first report of the Central Board of the Commission of June 28th 1833, “has appeared to us to be that it entails the necessity of continuing the labour of children to the utmost length of that of the adults. The only remedy for this evil, short of the limitation of the labour of adults which would, in our opinion, create an evil greater than that which is sought to be remedied, appears to be the plan of working double sets of children.”

... Under the name of System of Relays, this “plan” was therefore carried out, so that, e.g., from 5.30 a.m. until 1.30 in the afternoon, one set of children between 9 and 13, and from 1.30 p.m. to 8.30 in the evening another set were “put to,” &c.

In order to reward the manufacturers for having, in the most barefaced way, ignored all the Acts as to children’s labour passed during the last twenty-two years, the pill was yet further gilded for

them. Parliament decreed that after March 1st, 1834, no child under 11, after March 1st 1835, no child under 12, and after March 1st, 1836, no child under 13 was to work more than eight hours in a factory. This “liberalism,” so full of consideration for “capital,” was the more noteworthy as. Dr. Farre, Sir A. Carlisle, Sir B. Brodie, Sir C. Bell, Mr. Guthrie, &c., in a word, the most distinguished physicians and surgeons in London, had declared in their evidence before the House of Commons, that there was danger in delay. Dr. Farre expressed himself still more coarsely.

“Legislation is necessary for the prevention of death, in any form in which it can be prematurely inflicted, and certainly this (i.e., the factory method) must be viewed as a most cruel mode of inflicting it.”

That same “reformed” Parliament, which in its delicate consideration for the manufacturers, condemned children under 13, for years to come, to 72 hours of work per week in the Factory Hell, on the other hand, in the Emancipation Act, which also administered freedom drop by drop, forbade the planters, from the outset, to work any negro slave more than 45 hours a week.

But in no wise conciliated, capital now began a noisy agitation that went on for several years. It turned chiefly on the age of those who, under the name of children, were limited to 8 hours’ work, and were subject to a certain amount of compulsory education. According to capitalistic anthropology, the age of childhood ended at 10, or at the outside, at 11. The more nearly the time approached for the coming into full force of the Factory Act, the fatal year 1836, the more wildly raged the mob of manufacturers. They managed, in fact, to intimidate the government to such an extent that in 1835 it proposed to lower the limit of the age of childhood from 13 to 12. In the meantime the pressure from without grew more threatening. Courage failed the House of Commons. It refused to throw children of 13 under the Juggernaut Car of capital for more than 8 hours a day, and the Act of 1833 came into full operation. It remained unaltered until June, 1844.

In the ten years during which it regulated factory work, first in part, and then entirely, the official reports of the factory inspectors teem with complaints as to the impossibility of putting the Act into force. As the law of 1833 left it optional with the lords of capital during the 15 hours, from 5.30 a.m. to 8.30 p.m., to make every “young person,” and “every child” begin, break off, resume, or end his 12 or 8 hours at any moment they liked, and also permitted them to assign to different persons, different times for meals, these gentlemen soon discovered a new “system of relays,” by which the labour-horses were not changed at fixed stations, but were constantly re-harnessed at changing stations. We do not pause longer on the beauty of this system, as we shall have to return to it later. But this much is clear at the first glance: that this system annulled the whole Factory Act, not only in the spirit, but in the letter. How could factory inspectors, with this complex bookkeeping in respect to each individual child or young person, enforce the legally determined work-time and the granting of the legal mealtimes? In a great many of the factories, the old brutalities soon blossomed out again unpunished. In an interview with the Home Secretary (1844), the factory inspectors demonstrated the impossibility of any control under the newly invented relay system. <sup>[102]</sup> In the meantime, however, circumstances had greatly changed. The factory hands, especially since 1838, had made the Ten Hours’ Bill their economic, as they had made the Charter their political, election-cry. Some of the manufacturers, even, who had managed their factories in conformity with the Act of 1833, overwhelmed Parliament with memorials on the immoral competition of their false brethren whom greater impudence, or more fortunate local circumstances, enabled to break the law. Moreover, however much the individual manufacturer might give the rein to his old lust for gain, the spokesmen and political leaders of the manufacturing class ordered a change of front and of speech towards the workpeople. They had entered upon the contest for the repeal of the Corn Laws, and needed the workers to help them to



victory. They promised therefore, not only a double-sized loaf of bread, but the enactment of the Ten Hours' Bill in the Free-trade millennium. <sup>[103]</sup> Thus they still less dared to oppose a measure intended only to make the law of 1833 a reality. Threatened in their holiest interest, the rent of land, the Tories thundered with philanthropic indignation against the "nefarious practices" <sup>[104]</sup> of their foes.

This was the origin of the additional Factory Act of June 7th, 1844. It came into effect on September 10th, 1844. It places under protection a new category of workers, viz., the women over 18. They were placed in every respect on the same footing as the young persons, their work time limited to twelve hours, their night-labour forbidden, &c. For the first time, legislation saw itself compelled to control directly and officially the labour of adults. In the Factory Report of 1844-1845, it is said with irony:

"No instances have come to my knowledge of adult women having expressed any regret at their *rights* being thus far interfered with." <sup>[105]</sup> The working-time of children under 13 was reduced to 61, and in certain circumstances to 7 hours a-day. <sup>[106]</sup>

To get rid of the abuses of the "spurious relay system," the law established besides others the following important regulations: —

"That the hours of work of children and young persons shall be reckoned from the time when any child or young person shall begin to work in the morning."

So that if A, *e.g.*, begins work at 8 in the morning, and B at 10, B's work-day must nevertheless end at the same hour as A's. "The time shall be regulated by a public clock," for example, the nearest railway clock, by which the factory clock is to be set. The occupier is to hang up a "legible" printed notice stating the hours for the beginning and ending of work and the times allowed for the several meals. Children beginning work before 12 noon may not be again employed after 1 p.m. The afternoon shift must therefore consist of other children than those employed in the morning. Of the hour and a half for meal-times,

"one hour thereof at the least shall be given before three of the clock in the afternoon ... and at the same period of the day. No child or young person shall be employed more than five hours before 1 p.m. without an interval for meal-time of at least 30 minutes. No child or young person [or female] shall be employed or allowed to remain in any room in which any manufacturing process is then [*i.e.*, at mealtimes] carried on," &c.

It has been seen that these minutiae, which, with military uniformity, regulate by stroke of the clock the times, limits, pauses of the work were not at all the products of Parliamentary fancy. They developed gradually out of circumstances as natural laws of the modern mode of production. Their formulation, official recognition, and proclamation by the State, were the result of a long struggle of classes. One of their first consequences was that in practice the working-day of the adult males in factories became subject to the same limitations, since in most processes of production the co-operation of the children, young persons, and women is indispensable. On the whole, therefore, during the period from 1844 to 1847, the 12 hours' working-day became general and uniform in all branches of industry under the Factory Act.

The manufacturers, however, did not allow this "progress" without a compensating "retrogression." At their instigation the House of Commons reduced the minimum age for

exploitable children from 9 to 8, in order to assure that additional supply of factory children which is due to capitalists, according to divine and human law. [\[107\]](#)

The years 1846-47 are epoch-making in the economic history of England. The Repeal of the Corn Laws, and of the duties on cotton and other raw material; Free-trade proclaimed as the guiding star of legislation; in a word, the arrival of the millennium. On the other hand, in the same years, the Chartist movement and the 10 hours' agitation reached their highest point. They found allies in the Tories panting for revenge. Despite the fanatical opposition of the army of perjured Free-traders, with Bright and Cobden at their head, the Ten Hours' Bill, struggled for so long, went through Parliament.

The new Factory Act of June 8th, 1847, enacted that on July 1st, 1847, there should be a preliminary shortening of the working-day for "young persons" (from 13 to 18), and all females to 11 hours, but that on May 1st, 1848, there should be a definite limitation of the working-day to 10 hours. In other respects, the Act only amended and completed the Acts of 1833 and 1844.

Capital now entered upon a preliminary campaign in order to hinder the Act from coming into full force on May 1st, 1848. And the workers themselves, under the presence that they had been taught by experience, were to help in the destruction of their own work. The moment was cleverly chosen.

"It must be remembered, too, that there has been more than two years of great suffering (in consequence of the terrible crisis of 1846-47) among the factory operatives, from many mills having worked short time, and many being altogether closed. A considerable number of the operatives must therefore be in very narrow circumstances many, it is to be feared, in debt; so that it might fairly have been presumed that at the present time they would prefer working the longer time, in order to make up for past losses, perhaps to pay off debts, or get their furniture out of pawn, or replace that sold, or to get a new supply of clothes for themselves and their families." [\[108\]](#)

The manufacturers tried to aggravate the natural effect of these circumstances by a general reduction of wages by 10%. This was done so to say, to celebrate the inauguration of the new Free-trade era. Then followed a further reduction of 8 1/3% as soon as the working-day was shortened to 11, and a reduction of double that amount as soon as it was finally shortened to 10 hours. Wherever, therefore, circumstances allowed it, a reduction of wages of at least 25% took place. [\[109\]](#) Under such favourably prepared conditions the agitation among the factory workers for the repeal of the Act of 1847 was begun. Neither lies, bribery, nor threats were spared in this attempt. But all was in vain. Concerning the half-dozen petitions in which workpeople were made to complain of "their oppression by the Act," the petitioners themselves declared under oral examination, that their signatures had been extorted from them. "They felt themselves oppressed, but not exactly by the Factory Act." [\[110\]](#) But if the manufacturers did not succeed in making the workpeople speak as they wished, they themselves shrieked all the louder in press and Parliament in the name of the workpeople. They denounced the Factory Inspectors as a kind of revolutionary commissioners like those of the French National Convention ruthlessly sacrificing the unhappy factory workers to their humanitarian crotchet. This manoeuvre also failed. Factory Inspector Leonard Horner conducted in his own person, and through his sub-inspectors, many examinations of witnesses in the factories of Lancashire. About 70% of the workpeople examined declared in favour of 10 hours, a much smaller percentage in favour of 11, and an altogether insignificant minority for the old 12 hours. [\[111\]](#)

Another “friendly” dodge was to make the adult males work 12 to 15 hours, and then to blazon abroad this fact as the best proof of what the proletariat desired in its heart of hearts. But the “ruthless” Factory Inspector Leonard Horner was again to the fore. The majority of the “over-times” declared:

“They would much prefer working ten hours for less wages, but that they had no choice; that so many were out of employment (so many spinners getting very low wages by having to work as piecers, being unable to do better), that if they refused to work the longer time, others would immediately get their places, so that it was a question with them of agreeing to work the longer time, or of being thrown out of employment altogether.” [\[112\]](#)

The preliminary campaign of capital thus came to grief, and the Ten Hours’ Act came into force May 1st, 1848. But meanwhile the fiasco of the Chartist party whose leaders were imprisoned, and whose organisation was dismembered, had shaken the confidence of the English working-class in its own strength. Soon after this the June insurrection in Paris and its bloody suppression united, in England as on the Continent, all fractions of the ruling classes, landlords and capitalists, stock-exchange wolves and shop-keepers, Protectionists and Freetraders, government and opposition, priests and freethinkers, young whores and old nuns, under the common cry for the salvation of Property, Religion, the Family and Society. The working-class was everywhere proclaimed, placed under a ban, under a virtual law of suspects. The manufacturers had no need any longer to restrain themselves. They broke out in open revolt not only against the Ten Hours’ Act, but against the whole of the legislation that since 1833 had aimed at restricting in some measure the “free” exploitation of labour-power. It was a pro-slavery rebellion in miniature, carried on for over two years with a cynical recklessness, a terrorist energy all the cheaper because the rebel capitalist risked nothing except the skin of his “hands.”

To understand that which follows we must remember that the Factory Acts of 1833, 1844, and 1847 were all three in force so far as the one did not amend the other: that not one of these limited the working-day of the male worker over 18, and that since 1833 the 15 hours from 5.30 a.m. to 8.30 p.m. had remained the legal “day,” within the limits of which at first the 12, and later the 10 hours’ labour of young persons and women had to be performed under the prescribed conditions.

The manufacturers began by here and there discharging a part of, in many cases half of the young persons and women employed by them, and then, for the adult males, restoring the almost obsolete night-work. The Ten Hours’ Act, they cried, leaves no other alternative. [\[113\]](#)

Their second step dealt with the legal pauses for meals. Let us hear the Factory Inspectors.

“Since the restriction of the hours of work to ten, the factory occupiers maintain, although they have not yet practically gone the whole length, that supposing the hours of work to be from 9 a.m. to 7 p.m. they fulfil the provisions of the statutes by allowing an hour before 9 a.m. and half an hour after 7 p.m. [for meals]. In some cases they now allow an hour, or half an hour for dinner, insisting at the same time, that they are not bound to allow any part of the hour and a half in the course of the factory working-day.” [\[114\]](#) The manufacturers maintained therefore that the scrupulously strict provisions of the Act of 1844 with regard to meal-times only gave the operatives permission to eat and drink before coming into, and after leaving the factory — i.e., at home. And why should not the workpeople eat their dinner before 9 in the morning? The crown lawyers, however, decided that the prescribed meal-times

“must be in the interval during the working-hours, and that it will not be lawful to work for 10 hours continuously, from 9 a.m. to 7 p.m., without any interval.” [\[115\]](#)

After these pleasant demonstrations, Capital precluded its revolt by a step which agreed with the letter of the law of 1844, and was therefore legal.

The Act of 1844 certainly prohibited the employment after 1 p.m. of such children, from 8 to 13, as had been employed before noon. But it did not regulate in any way the 6½ hours' work of the children whose work-time began at 12 midday or later. Children of 8 might, if they began work at noon, be employed from 12 to 1, 1 hour; from 2 to 4 in the afternoon, 2 hours; from 5 to 8.30 in the evening, 3½ hours; in all, the legal 6½ hours. Or better still. In order to make their work coincide with that of the adult male labourers up to 8.30 p.m., the manufacturers only had to give them no work till 2 in the afternoon, they could then keep them in the factory without intermission till 8.30 in the evening.

“And it is now expressly admitted that the practice exists in England from the desire of mill-owners to have their machinery at work for more than 10 hours a-day, to keep the children at work with male adults after all the young persons and women have left, and until 8.30 p.m. if the factory-owners choose.” [\[116\]](#)

Workmen and factory inspectors protested on hygienic and moral grounds, but Capital answered:

“My deeds upon my head! I crave the law,  
The penalty and forfeit of my bond.”

In fact, according to statistics laid before the House of Commons on July 26th, 1850, in spite of all protests, on July 15th, 1850, 3,742 children were subjected to this “practice” in 257 factories. [\[117\]](#) Still, this was not enough. The Lynx eye of Capital discovered that the Act of 1844 did not allow 5 hours' work before mid-day without a pause of at least 30 minutes for refreshment, but prescribed nothing of the kind for work after mid-day. Therefore, it claimed and obtained the enjoyment not only of making children of 8 drudge without intermission from 2 to 8.30 p.m., but also of making them hunger during that time.

“Ay, his heart.  
So says the bond.”

This Shylock-clinging [\[118\]](#) to the letter of the law of 1844, so far as it regulated children's labour, was but to lead up to an open revolt against the same law, so far as it regulated the labour of “young persons and women.” It will be remembered that the abolition of the “false relay system” was the chief aim and object of that law. The masters began their revolt with the simple declaration that the sections of the Act of 1844 which prohibited the *ad libitum* use of young persons and women in such short fractions of the day of 15 hours as the employer chose, were “comparatively harmless” so long as the work-time was fixed at 12 hours. But under the Ten Hours' Act they were a “grievous hardship.” [\[119\]](#) They informed the inspectors in the coolest manner that they should place themselves above the letter of the law, and re-introduce the old system on their own account. [\[120\]](#) They were acting in the interests of the ill-advised operatives themselves, “in order to be able to pay them higher wages.”

“This was the only possible plan by which to maintain, under the Ten Hours' Act, the industrial supremacy of Great Britain.” “Perhaps it may be a little difficult to detect irregularities under the

relay system; but what of that? Is the great manufacturing interest of this country to be treated as a secondary matter in order to save some little trouble to Inspectors and Sub-Inspectors of Factories?" [\[121\]](#)

All these shifts naturally were of no avail. The Factory Inspectors appealed to the Law Courts. But soon such a cloud of dust in the way of petitions from the masters overwhelmed the Home Secretary, Sir George Grey, that in a circular of August 5th, 1848, he recommends the inspectors not

“to lay informations against mill-owners for a breach of the letter of the Act, or for employment of young persons by relays in cases in which there is no reason to believe that such young persons have been actually employed for a longer period than that sanctioned by law.” Hereupon, Factory Inspector J. Stuart allowed the so-called relay system during the 15 hours of the factory day throughout Scotland, where it soon flourished again as of old. The English Factory Inspectors, on the other hand, declared that the Home Secretary had no power dictatorially to suspend the law, and continued their legal proceedings against the pro-slavery rebellion.

But what was the good of summoning the capitalists when the Courts in this case the country magistrates — Cobbett’s “Great Unpaid” — acquitted them? In these tribunals, the masters sat in judgment on themselves. An example. One Eskrigge, cotton-spinner, of the firm of Kershaw, Leese, & Co., had laid before the Factory Inspector of his district the scheme of a relay system intended for his mill. Receiving a refusal, he at first kept quiet. A few months later, an individual named Robinson, also a cotton-spinner, and if not his Man Friday, at all events related to Eskrigge, appeared before the borough magistrates of Stockport on a charge of introducing the identical plan of relays invented by Eskrigge. Four Justices sat, among them three cottonspinners, at their head this same inevitable Eskrigge. Eskrigge acquitted Robinson, and now was of opinion that what was right for Robinson was fair for Eskrigge. Supported by his own legal decision, he introduced the system at once into his own factory. [\[122\]](#) Of course, the composition of this tribunal was in itself a violation of the law. [\[123\]](#)

These judicial farces, exclaims Inspector Howell, “urgently call for a remedy — either that the law should be so altered as to be made to conform to these decisions, or that it should be administered by a less fallible tribunal, whose decisions would conform to the law ... when these cases are brought forward. I long for a stipendiary magistrate.” [\[124\]](#)

The crown lawyers declared the masters’ interpretation of the Act of 1848 absurd. But the Saviours of Society would not allow themselves to be turned from their purpose. Leonard Horner reports,

“Having endeavoured to enforce the Act ... by ten prosecutions in seven magisterial divisions, and having been supported by the magistrates in one case only ... I considered it useless to prosecute more for this evasion of the law. That part of the Act of 1848 which was framed for securing uniformity in the hours of work, ... is thus no longer in force in my district (Lancashire). Neither have the sub-inspectors or myself any means of satisfying ourselves, when we inspect a mill working by shifts, that the young persons and women are not working more than 10 hours a-day.... In a return of the 30th April, ... of millowners working by shifts, the number amounts to 114, and has been for some time rapidly increasing. In general, the time of working the mill is extended to 13½ hours’ from 6 a.m. to 7½ p.m., .... in some instances it amounts to 15 hours, from 5½ a.m. to 8½ p.m.” [\[125\]](#)

Already, in December, 1848, Leonard Horner had a list of 65 manufacturers and 29 overlookers who unanimously declared that no system of supervision could, under this relay system, prevent enormous over-work. <sup>[126]</sup> Now, the same children and young persons were shifted from the spinning-room to the weaving-room, now, during 15 hours, from one factory to another. <sup>[127]</sup> How was it possible to control a system which,

“under the guise of relays, is some one of the many plans for shuffling ‘the hands’ about in endless variety, and shifting the hours of work and of rest for different individuals throughout the day, so that you may never have one complete set of hands working together in the same room at the same time.” <sup>[128]</sup>

But altogether independently of actual over-work, this so-called relay system was an offspring of capitalistic fantasy, such as Fourier, in his humorous sketches of “Courses Seances,” has never surpassed, except that the “attraction of labour” was changed into the attraction of capital. Look, for example, at those schemes of the masters which the “respectable” press praised as models of “what a reasonable degree of care and method can accomplish.” The *personnel* of the workpeople was sometimes divided into from 12 to 14 categories, which themselves constantly changed and recharged their constituent parts. During the 15 hours of the factory day, capital dragged in the labourer now for 30 minutes, now for an hour, and then pushed him out again, to drag him into the factory and to thrust him out afresh, hounding him hither and thither, in scattered shreds of time, without ever losing hold of him until the full 10 hours’ work was done. As on the stage, the same persons had to appear in turns in the different scenes of the different acts. But as an actor during the whole course of the play belongs to the stage, so the operatives, during 15 hours, belonged to the factory, without reckoning the time for going and coming. Thus the hours of rest were turned into hours of enforced idleness, which drove the youths to the pot-house, and the girls to the brothel. At every new trick that the capitalist, from day to day, hit upon for keeping his machinery going 12 or 15 hours without increasing the number of his hands, the worker had to swallow his meals now in this fragment of time, now in that. At the time of the 10 hours’ agitation, the masters cried out that the working mob petitioned in the hope of obtaining 12 hours’ wages for 10 hours’ work. Now they reversed the medal. They paid 10 hours’ wages for 12 or 15 hours’ lordship over labour-power. <sup>[129]</sup> This was the gist of the matter, this the masters’ interpretation of the 10 hours’ law! These were the same unctuous Free-traders, perspiring with the love of humanity, who for full 10 years, during the Anti-Corn Law agitation, had preached to the operatives, by a reckoning of pounds, shillings, and pence, that with free importation of corn, and with the means possessed by English industry, 10 hours’ labour would be quite enough to enrich the capitalists. <sup>[130]</sup> This revolt of capital, after two years was at last crowned with victory by a decision of one of the four highest Courts of Justice in England, the Court of Exchequer, which in a case brought before it on February 8th, 1850, decided that the manufacturers were certainly acting against the sense of the Act of 1844, but that this Act itself contained certain words that rendered it meaningless. “By this decision, the Ten Hours’ Act was abolished.” <sup>[131]</sup> A crowd of masters, who until then had been afraid of using the relay system for young persons and women, now took it up heart and soul. <sup>[132]</sup>

But on this apparently decisive victory of capital, followed at once a revulsion. The workpeople had hitherto offered a passive, although inflexible and unremitting resistance. They now protested in Lancashire and Yorkshire in threatening meetings. The pretended Ten Hours’ Act was thus simple humbug, parliamentary cheating, had never existed! The Factory Inspectors urgently warned the Government that the antagonism of classes had arrived at an incredible tension. Some of the masters themselves murmured:



“On account of the contradictory decisions of the magistrates, a condition of things altogether abnormal and anarchical obtains. One law holds in Yorkshire, another in Lancashire, one law in one parish of Lancashire, another in its immediate neighbourhood. The manufacturer in large towns could evade the law, the manufacturer in country districts could not find the people necessary for the relay system, still less for the shifting of hands from one factory to another,” &c.

And the first birthright of capital is equal exploitation of labour-power by all capitalists.

Under these circumstances a compromise between masters and men was effected that received the seal of Parliament in the additional Factory Act of August 5th, 1850. The working-day for “young persons and women,” was raised from 10 to 10 — hours for the first five days of the week, and shortened to 7½ on the Saturday. The work was to go on between 6 a.m. and 6 p.m., [\[133\]](#) with pauses of not less than 1½ hours for meal-times, these meal-times to be allowed at one and the same time for all, and conformably to the conditions of 1844. By this an end was put to the relay system once for all. [\[134\]](#) For children’s labour, the Act of 1844 remained in force.

One set of masters, this time as before, secured to itself special seigniorial rights over the children of the proletariat. These were the silk manufacturers. In 1833 they had howled out in threatening fashion, “if the liberty of working children of any age for 10 hours a day were taken away, it would stop their works.” [\[135\]](#) It would be impossible for them to buy a sufficient number of children over 13. They extorted the privilege they desired. The pretext was shown on subsequent investigation to be a deliberate lie. [\[136\]](#) It did not, however, prevent them, during 10 years, from spinning silk 10 hours a day out of the blood of little children who had to be placed upon stools for the performance of their work. [\[137\]](#) The Act of 1844 certainly “robbed” them of the “liberty” of employing children under 11 longer than 6½ hours a day. But it secured to them, on the other hand, the privilege of working children between 11 and 13, 10 hours a day, and of annulling in their case the education made compulsory for all other factory children. This time the pretext was

“the delicate texture of the fabric in which they were employed, requiring a lightness of touch, only to be acquired by their early introduction to these factories.” [\[138\]](#)

The children were slaughtered out-and-out for the sake of their delicate fingers, as in Southern Russia the horned cattle for the sake of their hide and tallow. At length, in 1850, the privilege granted in 1844, was limited to the departments of silk-twisting and silk-winding. But here, to make amends to capital bereft of its “freedom,” the work-time for children from 11 to 13 was raised from 10 to 10½ hours. Pretext: “Labour in silk mills was lighter than in mills

for other fabrics, and less likely in other respects also to be prejudicial to health.” [\[139\]](#) Official medical inquiries proved afterwards that, on the contrary,

“the average death-rate is exceedingly high in the silk districts and amongst the female part of the population is higher even than it is in the cotton districts of Lancashire.” [\[140\]](#)

Despite the protests of the Factory Inspector, renewed every 6 months, the mischief continues to this hour. [\[141\]](#)

The Act of 1850 changed the 15 hours’ time from 6 a.m. to 8.30 p.m., into the 12 hours from 6 a.m. to 6 p.m. for “young persons and women” only. It did not, therefore, affect children who

could always be employed for half an hour before and 2½ hours after this period, provided the whole of their labour did not exceed 6½ hours. Whilst the bill was under discussion, the Factory Inspectors laid before Parliament statistics of the infamous abuses due to this anomaly. To no purpose. In the background lurked the intention of screwing up, during prosperous years, the working-day of adult males to 15 hours by the aid of the children. The experience of the three following years showed that such an attempt must come to grief against the resistance of the adult male operatives. The Act of 1850 was therefore finally completed in 1853 by forbidding the “employment of children in the morning before and in the evening after young persons and women.” Henceforth with a few exceptions the Factory Act of 1850 regulated the working-day of all workers in the branches of industry that come under it. <sup>[142]</sup> Since the passing of the first Factory Act half a century had elapsed. <sup>[143]</sup>

Factory legislation for the first time went beyond its original sphere in the “Printworks’ Act of 1845.” The displeasure with which capital received this new “extravagance” speaks through every line of the Act. It limits the working-day for children from 8 to 13, and for women to 16 hours, between 6 a.m. and 10 p.m., without any legal pause for meal-times. It allows males over 13 to be worked at will day and night. <sup>[144]</sup> It is a Parliamentary abortion. <sup>[145]</sup>

However, the principle had triumphed with its victory in those great branches of industry which form the most characteristic creation of the modern mode of production. Their wonderful development from 1853 to 1860, hand-in-hand with the physical and moral regeneration of the factory workers, struck the most purblind. The masters from whom the legal limitation and regulation had been wrung step by step after a civil war of half a century, themselves referred ostentatiously to the contrast with the branches of exploitation still “free.” <sup>[146]</sup> The Pharisees of “Political Economy” now proclaimed the discernment of the necessity of a legally fixed working-day as a characteristic new discovery of their “science.” <sup>[147]</sup> It will be easily understood that after the factory magnates had resigned themselves and become reconciled to the inevitable, the power of resistance of capital gradually weakened, whilst at the same time the power of attack of the working-class grew with the number of its allies in the classes of society not immediately interested in the question. Hence the comparatively rapid advance since 1860.

The dye-works and bleach-works all came under the Factory Act of 1850 in 1860; <sup>[148]</sup> lace and stocking manufactures in 1861.

In consequence of the first report of the Commission on the employment of children (1863) the same fate was shared by the manufacturers of all earthenwares (not merely pottery), Lucifer-matches, percussion caps, cartridges, carpets, fustian-cutting, and many processes included under the name of “finishing.” In the year 1863 bleaching in the open air <sup>[149]</sup> and baking were placed under special Acts, by which, in the former, the labour of young persons and women during the night-time (from 8 in the evening to 6 in the morning), and in the latter, the employment of journeymen bakers under 18, between 9 in the evening and 5 in the morning were forbidden. We shall return to the later proposals of the same Commission, which threatened to deprive of their “freedom” all the important branches of English Industry, with the exception of agriculture, mines, and the means of transport. <sup>[150]</sup>

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## SECTION 7

## THE STRUGGLE FOR THE NORMAL WORKING-DAY. RE-ACTION OF THE ENGLISH FACTORY ACTS ON OTHER COUNTRIES

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The reader will bear in mind that the production of surplus-value, or the extraction of surplus-labour, is the specific end and aim, the sum and substance, of capitalist production, quite apart from any changes in the mode of production, which may arise from the subordination of labour to capital. He will remember that as far as we have at present gone only the independent labourer, and therefore only the labourer legally qualified to act for himself, enters as a vendor of a commodity into a contract with the capitalist. If, therefore, in our historical sketch, on the one hand, modern industry, on the other, the labour of those who are physically and legally minors, play important parts, the former was to us only a special department, and the latter only a specially striking example of labour exploitation. Without, however, anticipating the subsequent development of our inquiry, from the mere connexion of the historic facts before us it follows:

*First.* The passion of capital for an unlimited and reckless extension of the working-day, is first gratified in the industries earliest revolutionised by water-power, steam, and machinery, in those first creations of the modern mode of production, cotton, wool, flax, and silk spinning, and weaving. The changes in the material mode of production, and the corresponding changes in the social relations of the producers <sup>[151]</sup> gave rise first to an extravagance beyond all bounds, and then in opposition to this, called forth a control on the part of Society which legally limits, regulates, and makes uniform the working-day and its pauses. This control appears, therefore, during the first half of the nineteenth century simply as exceptional legislation. <sup>[152]</sup> As soon as this primitive dominion of the new mode of production was conquered, it was found that, in the meantime, not only had many other branches of production been made to adopt the same factory system, but that manufactures with more or less obsolete methods, such as potteries, glass-making, &c., that old-fashioned handicrafts, like baking, and, finally, even that the so-called domestic industries, such as nail-making, <sup>[153]</sup> had long since fallen as completely under capitalist exploitation as the factories themselves. Legislation was, therefore, compelled to gradually get rid of its exceptional character, or where, as in England, it proceeds after the manner of the Roman Casuists, to declare any house in which work was done to be a factory. <sup>[154]</sup>

*Second.* The history of the regulation of the working-day in certain branches of production, and the struggle still going on in others in regard to this regulation, prove conclusively that the isolated labourer, the labourer as “free” vendor of his labour-power, when capitalist production has once attained a certain stage, succumbs without any power of resistance. The creation of a normal working-day is, therefore, the product of a protracted civil war, more or less dissembled, between the capitalist class and the working-class. As the contest takes place in the arena of modern industry, it first breaks out in the home of that industry — England. <sup>[155]</sup> The English factory workers were the champions, not only of the English, but of the modern working-class generally, as their theorists were the first to throw down the gauntlet to the theory of capital. <sup>[156]</sup> Hence, the philosopher of the Factory, Ure, denounces as an ineffable disgrace to the English working-class that they inscribed “the slavery of the Factory Acts” on the banner which they bore against capital, manfully striving for “perfect freedom of labour.” <sup>[157]</sup>

France limps slowly behind England. The February revolution was necessary to bring into the world the 12 hours’ law, <sup>[158]</sup> which is much more deficient than its English original. For all that,

the French revolutionary method has its special advantages. It once for all commands the same limit to the working-day in all shops and factories without distinction, whilst English legislation reluctantly yields to the pressure of circumstances, now on this point, now on that, and is getting lost in a hopelessly bewildering tangle of contradictory enactments. <sup>[159]</sup> On the other hand, the French law proclaims as a principle that which in England was only won in the name of children, minors, and women, and has been only recently for the first time claimed as a general right. <sup>[160]</sup>

In the United States of North America, every independent movement of the workers was paralysed so long as slavery disfigured a part of the Republic. Labour cannot emancipate itself in the white skin where in the black it is branded. But out of the death of slavery a new life at once arose. The first fruit of the Civil War was the eight hours' agitation, that ran with the seven-leagued boots of the locomotive from the Atlantic to the Pacific, from New England to California. The General Congress of labour at Baltimore (August 16th, 1866) declared:

“The first and great necessity of the present, to free the labour of this country from capitalistic slavery, is the passing of a law by which eight hours shall be the normal working-day in all States of the American Union. We are resolved to put forth all our strength until this glorious result is attained.” <sup>[161]</sup>

At the same time, the Congress of the International Working Men's Association at Geneva, on the proposition of the London General Council, resolved that “the limitation of the working-day is a preliminary condition without which all further attempts at improvement and emancipation must prove abortive... the Congress proposes eight hours as the legal limit of the working-day.”

Thus the movement of the working-class on both sides of the Atlantic, that had grown instinctively out of the conditions of production themselves, endorsed the words of the English Factory Inspector, R. J. Saunders

“Further steps towards a reformation of society can never be carried out with any hope of success, unless the hours of labour be limited, and the prescribed limit strictly enforced.” <sup>[162]</sup>

It must be acknowledged that our labourer comes out of the process of production other than he entered. In the market he stood as owner of the commodity “labour-power” face to face with other owners of commodities, dealer against dealer. The contract by which he sold to the capitalist his labour-power proved, so to say, in black and white that he disposed of himself freely. The bargain concluded, it is discovered that he was no “free agent,” that the time for which he is free to sell his labour-power is the time for which he is forced to sell it, <sup>[163]</sup> that in fact the vampire will not lose its hold on him “so long as there is a muscle, a nerve, a drop of blood to be exploited.” <sup>[164]</sup> For “protection” against “the serpent of their agonies,” the labourers must put their heads together, and, as a class, compel the passing of a law, an all-powerful social barrier that shall prevent the very workers from selling, by voluntary contract with capital, themselves and their families into slavery and death. <sup>[165]</sup> In place of the pompous catalogue of the “inalienable rights of man” comes the modest Magna Charta of a legally limited working-day, which shall make clear “when the time which the worker sells is ended, and when his own begins.” Quantum mutatus ab illo! [What a great change from that time! – Virgil] <sup>[166]</sup>

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## Footnotes

1. “A day’s labour is vague, it may be long or short.” (“An Essay on Trade and Commerce, Containing Observations on Taxes, &c.” London. 1770, p. 73.)
2. This question is far more important than the celebrated question of Sir Robert Peel to the Birmingham Chamber of Commerce: What is a pound? A question that could only have been proposed, because Peel was as much in the dark as to the nature of money as the “little shilling men” of Birmingham.
3. “It is the aim of the capitalist to obtain with his expended capital the greatest possible quantity of labour (d’obtenir du capital dépense la plus forte somme de travail possible).” J. G. Courcelle-Seneuil. “Traité théorique et pratique des entreprises industrielles.” 2nd ed. Paris, 1857, p. 63.
4. “An hour’s labour lost in a day is a prodigious injury to a commercial State.... There is a very great consumption of luxuries among the labouring poor of this kingdom: particularly among the manufacturing populace, by which they also consume their time, the most fatal of consumptions.” “An Essay on Trade and Commerce, &c.,” p. 47, and 153.
5. “Si le manouvrier libre prend un instant de repos, l’économie sordide qui le suit des yeux avec inquiétude, prétend qu’il la vole.” [If the free labourer allows himself an instant of rest, the base and petty management, which follows him with wary eyes, claims he is stealing from it.] N. Linguet, “Théorie des Lois Civiles. &c.” London, 1767, t. II., p. 466.
6. During the great strike of the London builders, 1860-61, for the reduction of the working-day to 9 hours, their Committee published a manifesto that contained, to some extent, the plea of our worker. The manifesto alludes, not without irony, to the fact, that the greatest profit-monger amongst the building masters, a certain Sir M. Peto, was in the odour of sanctity (This same Peto, after 1867, came to an end a la Strousberg.)
7. “Those who labour ... in reality feed both the pensioners ... [called the rich] and themselves.” (Edmund Burke, l.c., p. 2.)
8. Niebuhr in his “Roman History” says very naively: “It is evident that works like the Etruscan, which in their ruins astound us, pre-suppose in little (!) states lords and vassals.” Sismondi says far more to the purpose that “Brussels lace” pre-supposes wage-lords and wage-slaves.
9. “One cannot see these unfortunates (in the gold mines between Egypt, Ethiopia, and Arabia) who cannot even have their bodies clean, or their nakedness clothed, without pitying their miserable lot. There is no indulgence, no forbearance for the sick, the feeble, the aged, for woman’s weakness. All must, forced by blows, work on until death puts an end to their sufferings and their distress.” (“Diod. Sic. Bibl. Hist.,” lib. 2, c. 13.)
10. That which follows refers to the situation in the Rumanian provinces before the change effected since the Crimean war.
11. This holds likewise for Germany, and especially for Prussia east of the Elbe. In the 15th century the German peasant was nearly everywhere a man, who, whilst subject to certain rents paid in produce and labour was otherwise at least practically free. The German colonists in Brandenburg, Pomerania, Silesia, and Eastern Prussia, were even legally acknowledged as free

men. The victory of the nobility in the peasants' war put an end to that. Not only were the conquered South German peasants again enslaved. From the middle of the 16th century the peasants of Eastern Prussia, Brandenburg, Pomerania, and Silesia, and soon after the free peasants of Schleswig-Holstein were degraded to the condition of serfs. (Maurer, *Fronhöfe* iv. vol., — Meitzen, "Der Boden des preussischen Staats" — Hanssen, "Leibeigenschaft in Schleswig-Holstein." — *F. E.*)

[12.](#) Further details are to be found in E. Regnault's "Histoire politique et sociale des Principautés Danubiennes," Paris, 1855.

[13.](#) "In general and within certain limits, exceeding the medium size of their kind, is evidence of the prosperity of organic beings. As to man, his bodily height lessens if his due growth is interfered with, either by physical or local conditions. In all European countries in which the conscription holds, since its introduction, the medium height of adult men, and generally their fitness for military service, has diminished. Before the revolution (1789), the minimum for the infantry in France was 165 centimetres; in 1818 (law of March 10th), 157; by the law of March 21, 1832, 156 cm.; on the average in France more than half are rejected on account of deficient height or bodily weakness. The military standard in Saxony was in 1780, 178 cm. It is now 155. In Prussia it is 157. According to the statement of Dr. Meyer in the Bavarian Gazette, May 9th, 1862, the result of an average of 9 years is, that in Prussia out of 1,000 conscripts 716 were unfit for military service, 317 because of deficiency in height, and 399 because of bodily defects.... Berlin in 1858 could not provide its contingent of recruits, it was 156 men short." J. von Liebig: "Die Chemie in ihrer Anwendung auf Agrikultur und Physiologie. 1862," 7th Ed., vol. 1, pp. 117, 118.

[14.](#) The history of the Factory Act of 1850 will be found in the course of this chapter.

[15.](#) I only touch here and there on the period from the beginning of modern industry in England to 1845. For this period I refer the reader to "Die Lage der arbeitenden Klasse in England," [Condition of the Working Class in England] von Friedrich Engels, Leipzig, 1845. How completely Engels understood the nature of the capitalist mode of production is shown by the Factory Reports, Reports on Mines, &c., that have appeared since 1845, and how wonderfully he painted the circumstances in detail is seen on the most superficial comparison of his work with the official reports of the Children's Employment Commission, published 18 to 20 years later (1863-1867). These deal especially with the branches of industry in which the Factory Acts had not, up to 1862, been introduced, in fact are not yet introduced. Here, then, little or no alteration had been enforced, by authority, in the conditions painted by Engels. I borrow my examples chiefly from the Free-trade period after 1848, that age of paradise, of which the commercial travellers for the great firm of Free-trade, blatant as ignorant, tell such fabulous tales. For the rest England figures here in the foreground because she is the classic representative of capitalist production, and she alone has a continuous set of official statistics of the things we are considering.

[16.](#) "Suggestions, &c. by Mr. L. Horner, Inspector of Factories," in Factories Regulation Acts. Ordered by the House of Commons to be printed, 9th August, 1859, pp. 4, 5.

[17.](#) Reports of the Inspector of Factories for the half year. October, 1856, p. 35.

[18.](#) Reports, &c., 30th April, 1858, p. 9.



[19.](#) Reports, &c., l.c., p. 10.

[20.](#) Reports &c., l.c., p. 25.

[21.](#) Reports &c., for the half year ending 30th April, 1861. See Appendix No. 2; Reports, &c., 31st October, 1862, pp. 7, 52, 53. The violations of the Acts became more numerous during the last half year 1863. Cf Reports, &c., ending 31st October, 1863, p. 7.

[22.](#) Reports, &c., October 31st, 1860, p. 23. With what fanaticism, according to the evidence of manufacturers given in courts of law, their hands set themselves against every interruption in factory labour, the following curious circumstance shows. In the beginning of June, 1836, information reached the magistrates of Dewsbury (Yorkshire) that the owners of 8 large mills in the neighbourhood of Batley had violated the Factory Acts. Some of these gentlemen were accused of having kept at work 5 boys between 12 and 15 years of age, from 6 a.m. on Friday to 4 p.m. on the following Saturday, not allowing them any respite except for meals and one hour for sleep at midnight. And these children had to do this ceaseless labour of 30 hours in the “shoddyhole,” as the hole is called, in which the woollen rags are pulled in pieces, and where a dense atmosphere of dust, shreds, &c., forces even the adult workman to cover his mouth continually with handkerchiefs for the protection of his lungs! The accused gentlemen affirm in lieu of taking an oath — as quakers they were too scrupulously religious to take an oath — that they had, in their great compassion for the unhappy children, allowed them four hours for sleep, but the obstinate children absolutely would not go to bed. The quaker gentlemen were mulcted in £20. Dryden anticipated these gentry:

Fox full fraught in seeming sanctity,  
That feared an oath, but like the devil would lie,  
That look'd like Lent, and had the holy leer,  
And durst not sin! before he said his prayer!”

[23.](#) Rep., 31st Oct., 1856, p. 34.

[24.](#) l.c., p. 35.

[25.](#) l.c., p. 48.

[26.](#) l.c., p. 48.

[27.](#) l.c., p. 48.

[28.](#) l.c., p. 48.

[29.](#) Report of the Insp. &c., 30th April 1860, p. 56.

[30.](#) This is the official expression both in the factories and in the reports.

[31.](#) “The cupidity of mill-owners whose cruelties in the pursuit of gain have hardly been exceeded by those perpetrated by the Spaniards on the conquest of America in the pursuit of gold.” John Wade, “History of the Middle and Working Classes,” 3rd Ed. London, 1835, p. 114. The theoretical part of this book, a kind of hand-book of Political Economy, is, considering the time

of its publication, original in some parts, e.g., on commercial crises. The historical part is, to a great extent, a shameless plagiarism of Sir F. M. Eden's "The State of the Poor," London, 1797.

[32.](#) *Daily Telegraph*, 17th January, 1860.

[33.](#) Cf. F. Engels "Lage, etc." pp. 249-51.

[34.](#) Children's Employment Commission. First report., etc., 1863. Evidence. pp. 16, 19, 18.

[35.](#) Public Health, 3rd report, etc., pp. 102, 104, 105.

[36.](#) Child. Empl. Comm. I. Report, p. 24.

[37.](#) Children's Employment Commission, p. 22, and xi.

[38.](#) l.c., p. xlvi.

[39.](#) l.c., p. liv.

[40.](#) This is not to be taken in the same sense as our surplus-labour time. These gentlemen consider 10½ hours of labour as the normal working-day, which includes of course the normal surplus-labour. After this begins "overtime" which is paid a little better. It will be seen later that the labour expended during the so-called normal day is paid below its value, so that the overtime is simply a capitalist trick in order to extort more surplus-labour, which it would still be, even if the labour-power expended during the normal working-day were properly paid.

[41.](#) l.c., Evidence, pp. 123, 124, 125, 140, and 54.

[42.](#) Alum finely powdered, or mixed with salt, is a normal article of commerce bearing the significant name of "bakers' stuff."

[43.](#) Soot is a well-known and very energetic form of carbon, and forms a manure that capitalistic chimney-sweeps sell to English farmers. Now in 1862 the British jurymen had in a law-suit to decide whether soot, with which, unknown to the buyer, 90% of dust and sand are mixed, is genuine soot in the commercial sense or adulterated soot in the legal sense. The "amis du commerce" [friends of commerce] decided it to be genuine commercial soot, and non-suited the plaintiff farmer, who had in addition to pay the costs of the suit.

[44.](#) The French chemist, Chevallier, in his treatise on the "sophistications" of commodities, enumerates for many of the 600 or more articles which he passes in review, 10, 20, 30 different methods of adulteration. He adds that he does not know all the methods and does not mention all that he knows. He gives 6 kinds of adulteration of sugar, 9 of olive oil, 10 of butter, 12 of salt, 19 of milk, 20 of bread, 23 of brandy, 24 of meal, 28 of chocolate, 30 of wine, 32 of coffee, etc. Even God Almighty does not escape this fate. See Rouard de Card, "On the Falsifications of the materials of the Sacrament." ("De la falsification des substances sacramentelles," Paris, 1856.)

[45.](#) "Report, &c., relative to the grievances complained of by the journeymen bakers, &c., London, 1862," and "Second Report, &c., London, 1863."

[46.](#) l.c., First Report, &c., p. vi.

[47.](#) l.c., p. lxxi.

[48.](#) George Read, "The History of Baking," London, 1848, p. 16.

[49.](#) Report (First) &c. Evidence of the "full-priced" baker Cheeseman, p. 108.

[50.](#) George Read, l.c. At the end of the 17th and the beginning of the 18th centuries the factors (agents) that crowded into every possible trade were still denounced as "public nuisances." Thus the Grand Jury at the quarter session of the Justices of the Peace for the County of Somerset, addressed a presentment to the Lower House which, among other things, states, "that these factors of Blackwell Hall are a Public Nuisance and Prejudice to the Clothing Trade, and ought to be put down as a Nuisance." "The Case of our English Wool., &c.," London, 1685, pp. 6, 7.

[51.](#) First Report, &c.

[52.](#) Report of Committee on the Baking Trade in Ireland for 1861.

[53.](#) l.c.

[54.](#) Public meeting of agricultural labourers at Lasswade, near Edinburgh, January 5th, 1866. (See *Workman's Advocate*, January 13th, 1866.) The formation since the close of 1865 of a Trades' Union among the agricultural labourers at first in Scotland is a historic event. In one of the most oppressed agricultural districts of England, Buckinghamshire, the labourers, in March, 1867, made a great strike for the raising of their weekly wage from 9-10 shillings to 12 shillings. (It will be seen from the preceding passage that the movement of the English agricultural proletariat, entirely crushed since the suppression of its violent manifestations after 1830, and especially since the introduction of the new Poor Laws, begins again in the sixties, until it becomes finally epoch-making in 1872. I return to this in the 2nd volume, as well as to the Blue books that have appeared since 1867 on the position of the English land labourers. Addendum to the 3rd ea.)

[55.](#) *Reynolds' Newspaper*, January, 1866. — Every week this same paper has, under the sensational headings, "Fearful and fatal accidents," "Appalling tragedies," &c., a whole list of fresh railway catastrophes. On these an employee on the North Staffordshire line comments: "Everyone knows the consequences that may occur if the driver and fireman of a locomotive engine are not continually on the look-out. How can that be expected from a man who has been at such work for 29 or 30 hours, exposed to the weather, and without rest. The following is an example which is of very frequent occurrence: — One fireman commenced work on the Monday morning at a very early hour. When he had finished what is called a day's work, he had been on duty 14 hours 50 minutes. Before he had time to get his tea, he was again called on for duty.... The next time he finished he had been on duty 14 hours 25 minutes, making a total of 29 hours 15 minutes without intermission. The rest of the week's work was made up as follows: — Wednesday, 15 hours; Thursday, 15 hours 35 minutes; Friday, 14½ hours; Saturday, 14 hours 10 minutes, making a total for the week of 88 hours 30 minutes. Now, sir, fancy his astonishment on being paid 6 ¼ days for the whole. Thinking it was a mistake, he applied to the time-keeper,... and inquired what they considered a day's work, and was told 13 hours for a goods man (*i.e.*, 78 hours)... He then asked for what he had made over and above the 78 hours per week, but was refused. However, he was at last told they would give him another quarter, *i.e.*, 10d.," l.c., 4th February. 1866.

[56.](#) Cf F. Engels, l.c., pp. 253, 254.

[57.](#) Dr. Letheby, Consulting Physician of the Board of Health, declared: “The minimum of air for each adult ought to be in a sleeping room 300, and in a dwelling room 500 cubic feet.” Dr. Richardson, Senior Physician to one of the London Hospitals: “With needlewomen of all kinds, including milliners, dressmakers, and ordinary seamstresses, there are three miseries — over-work, deficient air, and either deficient food or deficient digestion.... Needlework, in the main, ... is infinitely better adapted to women than to men. But the mischiefs of the trade, in the metropolis especially, are that it is monopolised by some twenty-six capitalists, who, under the advantages that spring from capital, can bring in capital to force economy out of labour. This power tells throughout the whole class. If a dressmaker can get a little circle of customers, such is the competition that, in her home, she must work to the death to hold together, and this same over-work she must of necessity inflict on any who may assist her. If she fail, or do not try independently, she must join an establishment, where her labour is not less, but where her money is safe. Placed thus, she becomes a mere slave, tossed about with the variations of society. Now at home, in one room, starving, or near to it, then engaged 15, 16, aye, even 18 hours out of the 24, in an air that is scarcely tolerable, and on food which, even if it be good, cannot be digested in the absence of pure air. On these victims, consumption, which is purely a disease of bad air, feeds.” Dr. Richardson: “Work and Over-work,” in “Social Science Review,” 18th July, 1863.

[58.](#) *Morning Star*, 23rd June, 1863. — *The Times* made use of the circumstance to defend the American slave-owners against Bright, &c. “Very many of us think,” says a leader of July 2nd, 1863, “that, while we work our own young women to death, using the scourge of starvation, instead of the crack of the whip, as the instrument of compulsion, we have scarcely a right to hound on fire and slaughter against families who were born slave-owners, and who, at least, feed their slaves well, and work them lightly.” In the same manner, the *Standard*, a Tory organ, fell foul of the Rev. Newman Hall: “He excommunicated the slave-owners, but prays with the fine folk who, without remorse, make the omnibus drivers and conductors of London, &c., work 16 hours a-day for the wages of a dog.” Finally, spake the oracle, Thomas Carlyle, of whom I wrote, in 1850, “Zum Teufel ist der Genius, der Kultus ist geblieben.” [“In the cult of genius ... The cult remains,” paraphrasing Schiller] In a short parable, he reduces the one great event of contemporary history, the American Civil War, to this level, that the Peter of the North wants to break the head of the Paul of the South with all his might, because the Peter of the North hires his labour by the day, and the Paul of the South hires his by the life. (*Macmillan’s Magazine*. Ilias Americana in nuce. August, 1863.) Thus, the bubble of Tory sympathy for the urban workers — by no means for the rural — has burst at last. The sum of all is — slavery!

[59.](#) Dr. Richardson, l.c.

[60.](#) Children’s Employment Commission. Third Report. London, 1864, pp. iv., v., vi.

[61.](#) “Both in Staffordshire and in South Wales young girls and women are employed on the pit banks and on the coke heaps, not only by day but also by night. This practice has been often noticed in Reports presented to Parliament, as being attended with great and notorious evils. These females employed with the men, hardly distinguished from them in their dress, and begrimed with dirt and smoke, are exposed to the deterioration of character, arising from the loss of self-respect, which can hardly fail to follow from their unfeminine occupation.” (l. c., 194, p. xxvi. Cf. Fourth Report (1865), 61, p. xiii.) It is the same in glass-works.

[62.](#) A steel manufacturer who employs children in night-labour remarked: “It seems but natural that boys who work at night cannot sleep and get proper rest by day, but will be running about.” (l.c., Fourth Report, 63, p. xiii.) On the importance of sunlight for the maintenance and growth of the body, a physician writes: “Light also acts upon the tissues of the body directly in hardening them and supporting their elasticity. The muscles of animals, when they are deprived of a proper amount of light, become soft and inelastic, the nervous power loses its tone from defective stimulation, and the elaboration of all growth seems to be perverted.... In the case of children, constant access to plenty of light during the day, and to the direct rays of the sun for a part of it, is most essential to health. Light assists in the elaboration of good plastic blood, and hardens the fibre after it has been laid down. It also acts as a stimulus upon the organs of sight, and by this means brings about more activity in the various cerebral functions.” Dr. W. Strange, Senior Physician of the Worcester General Hospital, from whose work on “Health” (1864) this passage is taken, writes in a letter to Mr. White, one of the commissioners: “I have had opportunities formerly, when in Lancashire, of observing the effects of nightwork upon children, and I have no hesitation in saying, contrary to what some employers were fond of asserting, those children who were subjected to it soon suffered in their health.” (l.c., 284., p. 55.) That such a question should furnish the material of serious controversy, shows plainly how capitalist production acts on the brain-functions of capitalists and their retainers.

[63.](#) l.c., 57, p. xii.

[64.](#) l.c.. Fourth Report (1865). 58. p. xii.

[65.](#) l.c.

[66.](#) l.c., p. xiii. The degree of culture of these “labour-powers” must naturally be such as appears in the following dialogues with one of the commissioners: Jeremiah Haynes, age 12 — “Four times four is 8; 4 fours are 16. A king is him that has all the money and gold. We have a king (told it is a Queen), they call her the Princess Alexandra. Told that she married the Queen’s son. The Queen’s son is the Princess Alexandra. A Princess is a man.” William Turner, age 12 — “Don’t live in England. Think it is a country, but didn’t know before.” John Morris, age 14 — “Have heard say that God made the world, and that all the people was drowned but one, heard say that one was a little bird.” William Smith age 15 — “God made man, man made woman.” Edward Taylor, age 15 — “Do not know of London.” Henry Matthewman, age 17 — “Had been to chapel, but missed a good many times lately. One name that they preached about was Jesus Christ, but I cannot say any others, and I cannot tell anything about him. He was not killed, but died like other people. He was not the same as other people in some ways, because he was religious in some ways and others isn’t.” (l.c., p. xv.) “The devil is a good person. I don’t know where he lives.” “Christ was a wicked man.” “This girl spelt God as dog, and did not know the name of the queen.” (“Ch. Employment Comm. V. Report, 1866” p. 55, n. 278.) The same system obtains in the glass and paper works as in the metallurgical, already cited. In the paper factories, where the paper is made by machinery, night-work is the rule for all processes, except rag-sorting. In some cases night-work, by relays, is carried on incessantly through the whole week, usually from Sunday night until midnight of the following Saturday. Those who are on day-work work 5 days of 12, and 1 day of 18 hours; those on night-work 5 nights of 12, and 1 of 6 hours in each week. In other cases each set works 24 hours consecutively on alternate days, one set working 6 hours on Monday, and 18 on Saturday to make up the 24 hours. In other cases an intermediate system prevails, by which all employed on the paper-making machinery work 15 or 16 hours every day in the week. This system, says Commissioner Lord, “seems to combine all the evils of both the 12 hours’ and the 24 hours’ relays.” Children under 13, young persons under 18,

and women, work under this night system. Sometimes under the 12 hours' system they are obliged, on account of the non-appearance of those that ought to relieve them, to work a double turn of 24 hours. The evidence proves that boys and girls very often work overtime, which, not unfrequently, extends to 24 or even 36 hours of uninterrupted toil. In the continuous and unvarying process of glazing are found girls of 12 who work the whole month 14 hours a day, "without any regular relief or cessation beyond 2 or, at most, 3 breaks of half an hour each for meals." In some mills, where regular night-work has been entirely given up, over-work goes on to a terrible extent, "and that often in the dirtiest, and in the hottest, and in the most monotonous of the various processes." ("Ch. Employment Comm. Report IV., 1865," p. xxxviii, and xxxix.)

[67.](#) Fourth Report, &c.. 1865, 79, p. xvi.

[68.](#) l.c., 80. p. xvi.

[69.](#) l.c., 82. p. xvii.

[70.](#) In our reflecting and reasoning age a man is not worth much who cannot give a good reason for everything, no matter how bad or how crazy. Everything in the world that has been done wrong has been done wrong for the very best of reasons. (Hegel, l.c., p. 249 )

[71.](#) l.c., 85, p. xvii. To similar tender scruples of the glass manufacturers that regular meal-times for the children are impossible because as a consequence a certain quantity of heat, radiated by the furnaces, would be "a pure loss" or "wasted," Commissioner White makes answer. His answer is unlike that of Ure, Senior, &c., and their puny German plagiarists à la Roscher who are touched by the "abstinence," "self-denial," "saving," of the capitalists in the expenditure of their gold, and by their Timur-Tamerlanish prodigality of human life! "A certain amount of heat beyond what is usual at present might also be going to waste, if meal-times were secured in these cases, but it seems likely not equal in money-value to the waste of animal power now going on in glass-houses throughout the kingdom from growing boys not having enough quiet time to eat their meals at ease, with a little rest afterwards for digestion." (l.c., p. xiv.) And this in the year of progress 1865! Without considering the expenditure of strength in lifting and carrying, such a child, in the sheds where bottle and flint glass are made, walks during the performance of his work 15-20 miles in every 6 hours! And the work often lasts 14 or 15 hours! In many of these glass works, as in the Moscow spinning mills, the system of 6 hours' relays is in force. "During the working part of the week six hours is the utmost unbroken period ever attained at any one time for rest, and out of this has to come the time spent in coming and going to and from work, washing, dressing, and meals, leaving a very short period indeed for rest, and none for fresh air and play, unless at the expense of the sleep necessary for young boys, especially at such hot and fatiguing work.... Even the short sleep is obviously liable to be broken by a boy having to wake himself if it is night, or by the noise, if it is day." Mr. White gives cases where a boy worked 36 consecutive hours; others where boys of 12 drudged on until 2 in the morning, and then slept in the works till 5 a.m. (3 hours!) only to resume their work. "The amount of work," say Tremenheere and Tufnell, who drafted the general report, "done by boys, youths, girls, and women, in the course of their daily or nightly spell of labour, is certainly extraordinary." (l.c., xliii. and xliv.) Meanwhile, late by night, self-denying Mr. Glass-Capital, primed with port-wine, reels out of his club homeward droning out idiotically. "Britons never, never shall be slaves!"

[72.](#) In England even now occasionally in rural districts a labourer is condemned to imprisonment for desecrating the Sabbath, by working in his front garden. The same labourer is punished for breach of contract if he remains away from his metal, paper, or glass works on the Sunday, even



if it be from a religious whim. The orthodox Parliament will hear nothing of Sabbath-breaking if it occurs in the process of expanding capital. A memorial (August 1863), in which the London day-labourers in fish and poultry shops asked for the abolition of Sunday labour, states that their work lasts for the first 6 days of the week on an average 15 hours a-day, and on Sunday 8-10 hours. From this same memorial we learn also that the delicate gourmands among the aristocratic hypocrite of Exeter Hall, especially encourage this "Sunday labour." These "holy ones," so zealous *in cute curanda* [in attending to their bodily pleasures], show their Christianity by the humility with which they bear the overwork, the privations, and the hunger of others. *Obsequium ventris istis (the labourers) perniciosius est* [Gluttony is more ruinous to their stomachs – paraphrase of Horace].

[73.](#) "We have given in our previous reports the statements of several experienced manufacturers to the effect that over-hours ... certainly tend prematurely to exhaust the working power of the men." (l.c., 64. p. xiii.)

[74.](#) Cairnes, "The Slave Power," pp. 110. 111.

[75.](#) John Ward: "The Borough of Stoke-upon-Trent," London, 1843, p. 42.

[76.](#) Ferrand's Speech in the House of Commons, 27th April, 1863.

[77.](#) Those were the very words used by the cotton manufacturers." l.c.

[78.](#) l.c. Mr. Villiers, despite the best of intentions on his part, was "legally" obliged to refuse the requests of the manufacturers. These gentlemen, however, attained their end through the obliging nature of the local poor law boards. Mr. A. Redgrave, Inspector of Factories, asserts that this time the system under which orphans and pauper children were treated "legally" as apprentices "was not accompanied with the old abuses" (on these "abuses" see Engels, l.c.), although in one case there certainly was "abuse of this system in respect to a number of girls and young women brought from the agricultural districts of Scotland into Lancashire and Cheshire." Under this system the manufacturer entered into a contract with the workhouse authorities for a certain period. He fed, clothed and lodged the children, and gave them a small allowance of money. A remark of Mr. Redgrave to be quoted directly seems strange, especially if we consider that even among the years of prosperity of the English cotton trade, the year 1860 stands unparalleled, and that, besides, wages were exceptionally high. For this extraordinary demand for work had to contend with the depopulation of Ireland, with unexampled emigration from the English and Scotch agricultural districts to Australia and America, with an actual diminution of the population in some of the English agricultural districts, in consequence partly of an actual breakdown of the vital force of the labourers, partly of the already effected dispersion of the disposable population through the dealers in human flesh. Despite all this Mr. Redgrave says: "This kind of labour, however, would only be sought after when none other could be procured, for it is a high-priced labour. The ordinary wages of a boy of 13 would be about 4s. per week, but to lodge, to clothe, to feed, and to provide medical attendance and proper superintendence for 50 or 100 of these boys, and to set aside some remuneration for them, could not be accomplished for 4s. a-head per week." (Report of the Inspector of Factories for 30th April, 1860, p. 27.) Mr. Redgrave forgets to tell us how the labourer himself can do all this for his children out of their 4s. a-week wages, when the manufacturer cannot do it for the 50 or 100 children lodged, boarded, superintended all together. To guard against false conclusions from the text, I ought here to remark that the English cotton industry, since it was placed under the Factory Act of 1850 with its regulations of labour-time, &c., must be regarded as the model industry of England. The English cotton operative is in every

respect better off than his Continental companion in misery. "The Prussian factory operative labours at least ten hours per week more than his English competitor, and if employed at his own loom in his own house, his labour is not restricted to even those additional hours. ("Rep. of Insp. of Fact.," 31st October, 1855, p. 103.) Redgrave, the Factory Inspector mentioned above, after the Industrial Exhibition in 1851, travelled on the Continent, especially in France and Germany, for the purpose of inquiring into the conditions of the factories. Of the Prussian operative he says: "He receives a remuneration sufficient to procure the simple fare, and to supply the slender comforts to which he has been accustomed ... he lives upon his coarse fare, and works hard, wherein his position is subordinate to that of the English operative." ("Rep. of Insp. of Fact." 31st Oct., 1855, p. 85.)

79. The over-worked "die off with strange rapidity; but the places of those who perish are instantly filled, and a frequent change of persons makes no alteration in the scene." ("England and America." London, 1833, vol. I, p. 55. By E. G. Wakefield.)

80. See "Public Health. Sixth Report of the Medical Officer of the Privy Council, 1863." Published in London 1864. This report deals especially with the agricultural labourers. "Sutherland ... is commonly represented as a highly improved county ... but ... recent inquiry has discovered that even there, in districts once famous for fine men and gallant soldiers, the inhabitants have degenerated into a meagre and stunted race. In the healthiest situations, on hill sides fronting the sea, the faces of their famished children are as pale as they could be in the foul atmosphere of a London alley." (W. Th. Thornton. "Overpopulation and its Remedy." l.c., pp. 74, 75.) They resemble in fact the 30,000 "gallant Highlanders" whom Glasgow pigs together in its wynds and closes, with prostitutes and thieves.

81. "But though the health of a population is so important a fact of the national capital, we are afraid it must be said that the class of employers of labour have not been the most forward to guard and cherish this treasure.... The consideration of the health of the operatives was forced upon the mill-owners." (*Times*, November 5th, 1861.) "The men of the West Riding became the clothiers of mankind ... the health of the workpeople was sacrificed, and the lace in a few generations must have degenerated. But a reaction set in. Lord Shaftesbury's Bill limited the hours of children's labour," &c. ("Report of the Registrar-General," for October 1861.)

82. We, therefore, find, e.g., that in the beginning of 1863, 26 firms owning extensive potteries in Staffordshire, amongst others, Josiah Wedgwood, & Sons, petition in a memorial for "some legislative enactment." Competition with other capitalists permits them no voluntary limitation of working-time for children, &c. "Much as we deplore the evils before mentioned, it would not be possible to prevent them by any scheme of agreement between the manufacturers. ... Taking all these points into consideration, we have come to the conviction that some legislative enactment is wanted." ("Children's Employment Comm." Rep. I, 1863, p. 322.) Most recently a much more striking example offers. The rise in the price of cotton during a period of feverish activity, had induced the manufacturers in Blackburn to shorten, by mutual consent, the working-time in their mills during a certain fixed period. This period terminated about the end of November, 1871. Meanwhile, the wealthier manufacturers, who combined spinning with weaving, used the diminution of production resulting from this agreement, to extend their own business and thus to make great profits at the expense of the small employers. The latter thereupon turned in their extremity to the operatives, urged them earnestly to agitate for the 9 hours' system, and promised contributions in money to this end.

[83.](#) The labour Statutes, the like of which were enacted at the same time in France, the Netherlands, and elsewhere, were first formally repealed in England in 1813, long after the changes in methods of production had rendered them obsolete.

[84.](#) “No child under 12 years of age shall be employed in any manufacturing establishment more than 10 hours in one day.” General Statutes of Massachusetts, 63, ch. 12. (The various Statutes were passed between 1836 and 1858.) “Labour performed during a period of 10 hours on any day in all cotton, woollen, silk, paper, glass, and flax factories, or in manufactories of iron and brass, shall be considered a legal day’s labour. And be it enacted, that hereafter no minor engaged in any factory shall be holden or required to work more than 10 hours in any day, or 60 hours in any week; and that hereafter no minor shall be admitted as a worker under the age of 10 years in any factory within this State.” State of New Jersey. An Act to limit the hours of labour, &c., § 1 and 2. (Law of 18th March, 1851.) “No minor who has attained the age of 12 years, and is under the age of 15 years, shall be employed in any manufacturing establishment more than 11 hours in any one day, nor before 5 o’clock in the morning, nor after 7.30 in the evening.” (“Revised Statutes of the State of Rhode Island,” &c., ch. 139, § 23, 1st July, 1857.)

[85.](#) “Sophisms of Free Trade.” 7th Ed. London, 1850, p. 205, 9th Ed., p. 253. This same Tory, moreover, admits that “Acts of Parliament regulating wages, but against the labourer and in favour of the master, lasted for the long period of 464 years. Population grew. These laws were then found, and really became, unnecessary and burdensome.” (l.c., p. 206.)

[86.](#) In reference to this statute, J. Wade with truth remarks: “From the statement above (i.e., with regard to the statute) it appears that in 1496 the diet was considered equivalent to one-third of the income of an artificer and one-half the income of a labourer, which indicates a greater degree of independence among the working-classes than prevails at present; for the board, both of labourers and artificers, would now be reckoned at a much higher proportion of their wages.” (J. Wade, “History of the Middle and Working Classes,” pp. 24, 25, and 577.) The opinion that this difference is due to the difference in the price-relations between food and clothing then and now is refuted by the most cursory glance at “Chronicon Preciosum, &c.” By Bishop Fleetwood. 1st Ed., London, 1707; 2nd Ed., London, 1745.

[87.](#) W. Petty. “Political Anatomy of Ireland, Verbum Sapienti,” 1672, Ed. 1691, p. 10.

[88.](#) “A Discourse on the necessity of encouraging Mechanick Industry,” London, 1690, p. 13. Macaulay, who has falsified English history in the interests of the Whigs and the bourgeoisie, declares as follows: “The practice of setting children prematurely to work ... prevailed in the 17th century to an extent which, when compared with the extent of the manufacturing system, seems almost incredible. At Norwich, the chief seat of the clothing trade, a little creature of six years old was thought fit for labour. Several writers of that time, and among them some who were considered as eminently benevolent, mention with exultation the fact that in that single city, boys and girls of very tender age create wealth exceeding what was necessary for their own subsistence by twelve thousand pounds a year. The more carefully we examine the history of the past, the more reason shall we find to dissent from those who imagine that our age has been fruitful of new social evils.... That which is new is the intelligence and the humanity which remedies them.” (“History of England,” vol. 1., p. 417.) Macaulay might have reported further that “extremely well-disposed” *amis du commerce* in the 17th century, narrate with “exultation” how in a poorhouse in Holland a child of four was employed, and that this example of “*vertu mise en pratique*” [applied virtue] passes muster in all the humanitarian works, *à la* Macaulay, to the time of Adam Smith. It is true that with the substitution of manufacture for handicrafts, traces of the

exploitation of children begin to appear. This exploitation existed always to a certain extent among peasants, and was the more developed, the heavier the yoke pressing on the husbandman. The tendency of capital is there unmistakably; but the facts themselves are still as isolated as the phenomena of two-headed children. Hence they were noted “with exultation” as especially worthy of remark and as wonders by the far-seeing “*amis du commerce*,” and recommended as models for their own time and for posterity. This same Scotch sycophant and fine talker, Macaulay, says: “We hear to-day only of retrogression and see only progress.” What eyes, and especially what ears!

[89.](#) Among the accusers of the workpeople, the most angry is the anonymous author quoted in the text of “An Essay on Trade and Commerce, containing Observations on Taxes, &c.,” London, 1770. He had already dealt with this subject in his earlier work: “Considerations on Taxes.” London, 1765. On the same side follows Polonius Arthur Young, the unutterable statistical prattler. Among the defenders of the working-classes the foremost are: Jacob Vanderlint, in: “Money Answers all Things.” London, 1734 the Rev. Nathaniel Forster, D. D., in “An Enquiry into the Causes of the Present High Price of Provisions,” London, 1767; Dr. Price, and especially Postlethwayt, as well in the supplement to his “Universal Dictionary of Trade and Commerce,” as in his “Great Britain’s Commercial Interest explained and improved.” 2nd Edition, 1755. The facts themselves are confirmed by many other writers of the time, among others by Josiah Tucker.

[90.](#) Postlethwayt, l.c., “First Preliminary Discourse,” p. 14.

[91.](#) “An Essay,” &c. He himself relates on p. 96 wherein the “happiness” of the English agricultural labourer already in 1770 consisted. “Their powers are always upon the stretch, they cannot live cheaper than they do, nor work harder.”

[92.](#) Protestantism, by changing almost all the traditional holidays into workdays, plays an important part in the genesis of capital.

[93.](#) “An Essay,” 4c., pp. 15, 41, 96, 97, 55, 57, 69. — Jacob Vanderlint, as early as 1734, declared that the secret of the out-cry of the capitalists as to the laziness of the working people was simply that they claimed for the same wages 6 days’ labour instead of 4.

[94.](#) l.c., p. 242.

[95.](#) l.c. “The French,” he says, “laugh at our enthusiastic ideas of liberty.” l.c., p. 78.

[96.](#) “They especially objected to work beyond the 12 hours per day, because the law which fixed those hours, is the only good which remains to them of the legislation of the Republic.” (“Rep. of Insp. of Fact.,” 31 st October, 1856, p. 80.) The French Twelve Hours’ Bill of September 5th, 1850, a bourgeois edition of the decree of the Provisional Government of March 2nd, 1848, holds in all workshops without exceptions. Before this law the working-day in France was without definite limit. It lasted in the factories 14, 15, or more hours. See “Des classes ouvrières en France, pendant l’année 1848. Par M. Blanqui.” M. Blanqui the economist, not the Revolutionist, had been entrusted by the Government with an inquiry into the condition of the working-class.

[97.](#) Belgium is the model bourgeois state in regard to the regulation of the working-day. Lord Howard of Welden, English Plenipotentiary at Brussels, reports to the Foreign Office May 12th, 1862: “M. Rogier, the minister, informed me that children’s labour is limited neither by a general

law nor by any local regulations; that the Government, during the last three years, intended in every session to propose a bill on the subject, but always found an insuperable obstacle in the jealous opposition to any legislation in contradiction with the principle of perfect freedom of labour.”

[98.](#) It is certainly much to be regretted that any class of persons should toil 12 hours a day, which, including the time for their meals and for going to and returning from their work, amounts, in fact, to 14 of the 24 hours.... Without entering into the question of health, no one will hesitate, I think, to admit that, *in a moral point of view*, so entire an absorption of the time of the working-classes, without intermission, from the early age of 13, and in trades not subject to restriction, much younger, must be extremely prejudicial, and is an evil greatly to be deplored.... For the sake, therefore, of public morals. of bringing up an orderly population, and of giving the great body of the people a reasonable enjoyment of life, it is much to be desired that in all trades some portion of every working-day should be reserved for rest and leisure.” (Leonard Horner in “Reports of Insp. of Fact. for 31st Dec., 1841.”)

[99.](#) See “Judgment of Mr. J. H. Otway, Belfast. Hilary Sessions, County Antrim, 1860.”

[100.](#) It is very characteristic of the regime of Louis Philippe, the bourgeois king, that the one Factory Act passed during his reign, that of March 22nd, 1841, was never put in force. And this law only dealt with child-labour. It fixed 8 hours a day for children between 8 and 12, 12 hours for children between 12 and 16, &c., with many exceptions which allow night-work even for children 8 years old. The supervision and enforcement of this law are, in a country where every mouse is under police administration, left to the good-will of the *amis du commerce*. Only since 1853, in one single department — the Departement du Nord — has a paid government inspector been appointed. Not less characteristic of the development of French society, generally, is the fact, that Louis Philippe’s law stood solitary among the all-embracing mass of French laws, till the Revolution of 1848.

[101.](#) Report of Insp. of Fact.” 30th April, 1860, p. 50.

[102.](#) “Rept. of Insp. of Fact.,” 31st October, 1849, p. 6.

[103.](#) “Rept. of Insp. of Fact.,” 31st October, 1848, p. 98.

[104.](#) Leonard Horner uses the expression “nefarious practices” in his official reports. (“Report of Insp. of Fact.,” 31st October, 1859, p. 7.)

[105.](#) “Rept.,” &c., 30th Sept., 1844, p. 15.

[106.](#) The Act allows children to be employed for 10 hours if they do not work day after day, but only on alternate days. In the main, this clause remained inoperative.

[107.](#) “As a reduction in their hours of work would cause a larger number (of children) to be employed, it was thought that the additional supply of children from 8 to 9 years of age would meet the increased demand” (l.c., p. 13 ).

[108.](#) “Rep. of Insp. of Fact.,” 31st Oct., 1848, p. 16.

[109.](#) “I found that men who had been getting 10s. a week, had had 1s. taken off for a reduction in the rate of 10 per cent, and 1s. 6d. off the remaining 9s. for the reduction in time, together 2s. 6d.. and notwithstanding this, many of them said they would rather work 10 hours.” l.c.

[110.](#) ““Though I signed it [the petition], I said at the time I was putting my hand to a wrong thing.’ ‘Then why did you put your hand to it?’ ‘Because I should have been turned off if I had refused.’ Whence it would appear that this petitioner felt himself ‘oppressed,’ but not exactly by the Factory Act.” l.c., p. 102.

[111.](#) p. 17, l.c. In Mr. Horner’s district 10,270 adult male labourers were thus examined in 181 factories. Their evidence is to be found in the appendix to the Factory Reports for the half-year ending October 1848. These examinations furnish valuable material in other connexions also.

[112.](#) l.c. See the evidence collected by Leonard Horner himself, Nos. 69, 70, 71, 72, 92, 93, and that collected by Sub-Inspector A., Nos. 51, 52, 58, 59, 62, 70, of the Appendix. One manufacturer, too, tells the plain truth. See No. 14, and No. 265, l.c.

[113.](#) Reports, &c., for 31st October, 1848, pp. 133, 134.

[114.](#) Reports, &c., for 30th April, 1848, p. 47.

[115.](#) Reports, &c., for 31st October, 1848, p. 130.

[116.](#) Reports, &c., l.c., p. 142.

[117.](#) Reports &c., for 31st October, 1850, pp. 5, 6.

[118.](#) The nature of capital remains the same in its developed as in its undeveloped form. In the code which the influence of the slave-owners, shortly before the outbreak of the American Civil War, imposed on the territory of New Mexico, it is said that the labourer, in as much as the capitalist has bought his labour-power, “is his (the capitalist’s) money.” The same view was current among the Roman patricians. The money they had advanced to the plebeian debtor had been transformed via the means of subsistence into the flesh and blood of the debtor. This “flesh and blood” were, therefore, “their money.” Hence, the Shylock-law of the Ten Tables. Linguet’s hypothesis that the patrician creditors from time to time prepared, beyond the Tiber, banquets of debtors’ flesh, may remain as undecided as that of Daumer on the Christian Eucharist.

[119.](#) Reports, &c.. for 30th April, 1848, p. 28.

[120.](#) Thus, among others, Philanthropist Ashworth to Leonard Horner, in a disgusting Quaker letter. (Reports, &c., April, 1849, p. 4.)

[121.](#) l.c., p. 140.

[122.](#) Reports, &c., for 30th April, 1849, pp. 21, 22. Cf like examples *ibid.*, pp. 4. 5.

[123.](#) By I. and II. Will. IV., ch. 24, s. 10, known as Sir John Wobhouse’s Factory Act, it was forbidden to any owner of a cotton-spinning or weaving mill, or the father, son, or brother of such owner, to act as Justice of the Peace in any inquiries that concerned the Factory Act.



[124.](#) l.c.

[125.](#) Reports, &c., for 30th April, 1849, p. S.

[126.](#) Reports, &c., for 31st October, 1849, p. 6.

[127.](#) Reports, &c., for 30th April, 1849, p. 21.

[128.](#) Reports, &c., for 31st October, 1848, p. 95.

[129.](#) See Reports, &c., for 30th April, 1849, p. 6, and the detailed explanation of the “shifting system,” by Factory Inspectors Howell and Saunders, in “Reports, &c., for 31st October, 1848.” See also the petition to the Queen from the clergy of Ashton and vicinity, in the spring of 1849, against the shift system.”

[130.](#) Cf. for example, “The Factory Question and the Ten Hours’ Bill.”, By R. H. Greg, 1837.

[131.](#) F. Engels: ‘The English Ten Hours’ Bill.’ (In the “Neue Rheinische Zeitung. Politisch-oekonomische Revue.” Edited by K. Marx. April number, 1850, p. 13.) The same “high” Court of Justice discovered, during the American Civil War, a verbal ambiguity which exactly reversed the meaning of the law against the arming of pirate ships.

[132.](#) Rep., &c., for 30th April, 1850.

[133.](#) In winter, from 7 a.m. to 7 p.m. may be substituted.

[134.](#) “The present law (of 1850) was a compromise whereby the employed surrendered the benefit of the Ten Hours’ Act for the advantage of one uniform period for the commencement and termination of the labour of those whose labour is restricted.” (Reports, &c., for 30th April, 1852, p. 14.)

[135.](#) Repons, &c., for Sept., 1844, p. 13.

[136.](#) l.c.

[137.](#) l.c.

[138.](#) “Reports, &c., for 31st Oct., 1846,” p. 20.

[139.](#) Reports, &c., for 31st Oct., 1861, p. 26.

[140.](#) l.c.,p. 27. On the whole the working population, subject to the Factory Act, has greatly improved physically. All medical testimony agrees on this point, and personal observation at different times has convinced me of it. Nevertheless, and exclusive of the terrible death-rate of children in the first years of their life, the official reports of Dr. Greenhow show the unfavourable health condition of the manufacturing districts as compared with “agricultural districts of normal health.” As evidence, take the following table from his 1861 report: —

<b>Percentage of Adult Males Engaged in Manufactures</b>	14.9	42.6	37.3	41.9	31.0	14.9	36.6	30.4	—
<b>Death-rate from Pulmonary Affections per 100,000 Males</b>	598	708	547	611	691	588	721	726	305
<b>Name of District</b>	Wigan	Blackburn	Halifax	Bradford	Macclesfield	Leek	Stoke-upon-Trent	Woolstanton	Eight healthy agricultural districts
<b>Death-rate from Pulmonary Affections per 100,000 Females</b>	644	734	564	603	804	705	665	727	340
<b>Percentage of Adult Females Engaged in Manufactures</b>	18.0	34.9	20.4	30.0	26.0	17.2	19.3	13.9	—
<b>Kind of Female Occupation</b>	Cotton	Do.	Worsted	Do.	Silk	Do.	Earthenware	Do.	—

[141](#). It is well known with what reluctance the English “Free-traders,” gave up the protective duty on the silk manufacture. Instead of the protection against French importation, the absence of protection to English factory children now serves their turn.

[142](#). During 1859 and 1860, the zenith years of the English cotton industry, some manufacturers tried, by the decoy bait of higher wages for over-time, to reconcile the adult male operatives to an extension of the working-day. The hand-mule spinners and self-actor mincers put an end to the experiment by a petition to their employers in which they say, “Plainly speaking, our lives are to us a burthen; and, while we are confined to the mills *nearly two days a week more* than the other operatives of the country, we feel like helots in the land, and that we are perpetuating a system injurious to ourselves and future generations.... This, therefore, is to give you most respectful notice that when we commence work again after the Christmas and New Year’s holidays, we shall work 60 hours per week, and no more, or from six to six, with one hour and a half out.” (Reports, &c., for 30th April, 1860, p. 30.)

[143.](#) On the means that the wording of this Act afforded for its violation of the Parliamentary Return “Factories Regulation Act” (6th August, 1859), and in it Leonard Horner’s “Suggestions for amending the Factory Acts to enable the Inspectors to prevent illegal working, now becoming very prevalent.”

[144.](#) “Children of the age of 8 years and upwards, have, indeed, been employed from 6 a.m. to 9 p.m. during the last half year in my district.” (Reports, &c., for 31st October, 1857, p. 39.)

[145.](#) “The Printworks’ Act is admitted to be a failure both with reference to its educational and protective provisions.” (Reports, &c., for 31st October, 1862, p. 52.)

[146.](#) Thus, *e.g.*, E. Potter in a letter to the *Times* of March 24th, 1863. The *Times* reminded him of the manufacturers’ revolt against the Ten Hours’ Bill.

[147.](#) Thus, among others, Mr. W. Newmarch, collaborator and editor of Tooke’s “History of Prices.” Is it a scientific advance to make cowardly concessions to public opinion?

[148.](#) The Act passed in 1860, determined that, in regard to dye and bleachworks, the working-day should be fixed on August 1st, 1861, provisionally at 12 hours, and definitely on August 1st, 1862, at 10 hours, *i.e.*, at 10½ hours for ordinary days, and 7½ for Saturday. Now, when the fatal year, 1862, came, the old farce was repeated. Besides, the manufacturers petitioned Parliament to allow the employment of young persons and women for 12 hours during one year longer. “In the existing condition of the trade (the time of the cotton famine), it was greatly to the advantage of the operatives to work 12 hours per day, and make wages when they could.” A bill to this effect had been brought in, “and it was mainly due to the action of the operative bleachers in Scotland that the bill was abandoned.” (Reports, &c., for 31st October, 1862, pp. 14-15.) Thus defeated by the very workpeople, in whose name it pretended to speak, Capital discovered, with the help of lawyer spectacles, that the Act of 1860, drawn up, like all the Acts of Parliament for the “protection of labour,” in equivocal phrases, gave them a pretext to exclude from its working the calenderers and finishers. English jurisprudence, ever the faithful servant of capital, sanctioned in the Court of Common Pleas this piece of pettifoggery. “The operatives have been greatly disappointed ... they have complained of over-work, and it is greatly to be regretted that the clear intention of the legislature should have failed by reason of a faulty definition.” (*l.c.*, p. 18.)

[149.](#) The “open-air bleachers” had evaded the law of 1860, by means of the lie that no women worked at it in the night. The lie was exposed by the Factory Inspectors, and at the same time Parliament was, by petitions from the operatives, bereft of its notions as to the cool meadow-fragrance, in which bleaching in the open-air was reported to take place. In this aerial bleaching, drying-rooms were used at temperatures of from 90° to 100° Fahrenheit, in which the work was done for the most part by girls. “Cooling” is the technical expression for their occasional escape from the drying-rooms into the fresh air. “Fifteen girls in stoves. Heat from 80° to 90° for linens, and 100° and upwards for cambrics. Twelve girls ironing and doing-up in a small room about 10 feet square, in the centre of which is a close stove. The girls stand round the stove, which throws out a terrific heat, and dries the cambrics rapidly for the ironers. The hours of work for these hands are unlimited. If busy, they work till 9 or 12 at night for successive nights.” (Reports, &c., for 31st October, 1862, p. 56.) A medical man states: “No special hours are allowed for cooling, but if the temperature gets too high, or the workers’ hands get soiled from perspiration, they are allowed to go out for a few minutes.... My experience, which is considerable, in treating the diseases of stove workers, compels me to express the opinion that their sanitary condition is by no means so high as that of the operatives in a spinning factory (and Capital, in its memorials to

Parliament, had painted them as floridly healthy after the manner of Rubens.) The diseases most observable amongst them are phthisis, bronchitis, irregularity of uterine functions, hysteria in its most aggravated forms, and rheumatism. All of these, I believe, are either directly or indirectly induced by the impure, overheated air of the apartments in which the hands are employed and the want of sufficient comfortable clothing to protect them from the cold, damp atmosphere, in winter, when going to their homes.” (l.c., pp. 56-57.) The Factory Inspectors remarked on the supplementary law of 1860, torn from these open-air bleachers: “The Act has not only failed to afford that protection to the workers which it appears to offer, but contains a clause ... apparently so worded that, unless persons are detected working after 8 o’clock at night they appear to come under no protective provisions at all, and if they do so work the mode of proof is so doubtful that a conviction can scarcely follow.” (l.c., p. 52.) “To all intents and purposes, therefore, as an Act for any benevolent or educational purpose, it is a failure; since it can scarcely be called benevolent to permit, which is tantamount to compelling, women and children to work 14 hours a day with or without meals, as the case may be, and perhaps for longer hours than these, without limit as to age, without reference to sex, and without regard to the social habits of the families of the neighbourhood, in which such works (bleaching and dyeing) are situated.” (Reports, &c., for 30th April, 1863, p. 40.)

[150.](#) *Note to the 2nd Ed.* Since 1866, when I wrote the above passages, a reaction has again set in.

[151.](#) “The conduct of each of these classes (capitalists and workmen) has been the result of the relative situation in which they have been placed.” (Reports, &c., for 31st October, 1848, p. 113.)

[152.](#) “The employments, placed under restriction, were connected with the manufacture of textile fabrics by the aid of steam or water-power There were two conditions to which an employment must be subject to cause it to be inspected, viz., the use of steam or waterpower, and the manufacture of certain specified fibre.” (Reports, &c., for 31st October, 1864, p. 8.)

[153.](#) On the condition of so-called domestic industries, specially valuable materials are to be found in the latest reports of the Children’s Employment Commission.

[154.](#) “The Acts of last Session (1864) ... embrace a diversity of occupations, the customs in which differ greatly, and the use of mechanical power to give motion to machinery is no longer one of the elements necessary. as formerly, to constitute, in legal phrase, a ‘Factory.’” (Reports, &c., for 31st October, 1864, p. 8.)

[155.](#) Belgium, the paradise of Continental Liberalism, shows no trace of this movement. Even in the coal and metal mines labourers of both sexes, and all ages, are consumed, in perfect “freedom” at any period and through any length of time. Of every 1,000 persons employed there, 733 are men, 88 women, 135 boys, and 44 girls under 16; in the blast furnaces, &c., of every 1,000, 668 are men, 149 women, 98 boys, and 85 girls under 16. Add to this the low wages for the enormous exploitation of mature and immature labour-power. The average daily pay for a man is 2s. 8d.. for a woman, 1s. 8d.. for a boy. 1s. 2½d. As a result, Belgium had in 1863, as compared with 1850, nearly doubled both the amount and the value of its exports of coal, iron, &c.

[156.](#) Robert Owen, soon after 1810, not only maintained the necessity of a limitation of the working-day in theory, but actually introduced the 10 hours’ day into his factory at New Lanark. This was laughed at as a communistic Utopia; so were his “Combination of children’s education with productive labour and the Co-operative Societies of workingmen, first called into being by

him. To-day, the first Utopia is a Factory Act, the second figures as an official phrase in all Factory Acts, the third is already being used as a cloak for reactionary humbug.

[157.](#) Ure: "French translation, *Philosophie des Manufactures*." Paris, 1836, Vol. II, pp. 39, 40, 67, 77, &c.

[158.](#) In the *Compte Rendu* of the International Statistical Congress at Paris, 1855, it is stated: "The French law, which limits the length of daily labour in factories and workshops to 12 hours, does not confine this work to definite fixed hours. For children's labour only the work-time is prescribed as between 5 a.m. and 9 p.m. Therefore, some of the masters use the right which this fatal silence gives them to keep their works going, without intermission, day in, day out, possibly with the exception of Sunday. For this purpose they use two different sets of workers, of whom neither is in the workshop more than 12 hours at a time, but the work of the establishment lasts day and night. The law is satisfied, but is humanity?" Besides "the destructive influence or night-labour on the human organism," stress is also laid upon "the fatal influence of the association of the two sexes by night in the same badly-lighted workshops."

[159.](#) "For instance, there is within my district one occupier who, within the same curtilage, is at the same time a bleacher and dyer under the Bleaching and Dyeing Works Act, a printer under the Print Works Act, and a finisher under the Factory Act." (Report of Mr. Baker, in Reports, *lic.*, for October 31st, 1861, p. 20.) After enumerating the different provisions of these Acts, and the complications arising from them, Mr. Baker says: "It will hence appear that it must be very difficult to secure the execution of these three Acts of Parliament where the occupier chooses to evade the law." But what is assured to the lawyers by this is law-suits.

[160.](#) Thus the Factory Inspectors at last venture to say: "These objections (of capital to the legal limitation of the working-day) must succumb before the broad principle of the rights of labour.... There is a time when the master's right in his workman's labour ceases, and his time becomes his own, even if there were no exhaustion in the question." (Reports, 8cc., for 31 st Oct., 1862, p. 54.)

[161.](#) "We, the workers of Dunkirk, declare that the length of time of labour required under the present system is too great, and that, far from leaving the worker time for rest and education, it plunges him into a condition of servitude but little better than slavery. That is why we decide that 8 hours are enough for a working-day, and ought to be legally recognised as enough; why we call to our help that powerful lever, the press; ... and why we shall consider all those that refuse us this help as enemies of the reform of labour and of the rights of the labourer." (Resolution of the Working Men of Dunkirk, New York State, 1866.)

[162.](#) Reports, &c., for Oct., 1848, p. 112.

[163.](#) "The proceedings (the manoeuvres of capital, e.g., from 1848-50) have afforded, moreover, incontrovertible proof of the fallacy of the assertion so often advanced, that operatives need no protection, but may be considered as free agents in the disposal of the only property which they possess — the labour of their hands and the sweat of their brows." (Reports, &c., for April 30th, 1850, p. 45.) "Free labour (if so it may be termed) even in a free country, requires the strong arm of the law to protect it." (Reports, &c., for October 31st, 1864, p. 34.) "To permit, which is tantamount to compelling ... to work 14 hours a day with or without meals," &c. (Repts., &c., for April 30th, 1863, p. 40.)

[164.](#) Friedrich Engels, *l.c.*, p. 5.

[165.](#) The 10 Hours' Act has, in the branches of industry that come under it, "put an end to the premature decrepitude of the former long-hour workers." (Reports, &c., for 31st Oct., 1859, p. 47.) "Capital (in factories) can never be employed in keeping the machinery in motion beyond a limited time, without certain injury to the health and morals of the labourers employed; and they are not in a position to protect themselves." l.c., p. 8)

[166.](#) "A still greater boon is the distinction at last made clear between the worker's own time and his master's. The worker knows now when that which he sells is ended, and when his own begins; and by possessing a sure foreknowledge of this, is enabled to prearrange his own minutes for his own purposes." (l.c., p. 52.) "By making them masters of their own time (the Factory Acts) have given them a moral energy which is directing them to the eventual possession of political power" (l.c., p. 47). With suppressed irony, and in very well weighed words, the Factory Inspectors hint that the actual law also frees the capitalist from some of the brutality natural to a man who is a mere embodiment of capital, and that it has given him time for a little "culture." "Formerly the master had no time for anything but money; the servant had no time for anything but labour" (l.c., p. 48).