

Hon. John Eaton
Commissioner of Education
with compliments of C. Cowley

THE TEN-HOURS LAW.

ARGUMENT

DELIVERED BEFORE THE

JOINT SPECIAL COMMITTEE

OF THE

Massachusetts Legislature,

UPON THE

HOURS OF LABOR,

IN BEHALF OF THE

PETITIONERS FOR A TEN-HOURS LAW,

March 22nd, 1871.

BY CHARLES COWLEY,

COUNSEL FOR THE PETITIONERS.

LOWELL, MASS :

STONE & HUSE, PRINTERS, VOX POPULI OFFICE, 21 CENTRAL STREET.

1871.

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Delivered before the Joint Special Committee of the Massachusetts Legislature upon the Hours of Labor, in behalf of the Petitioners for a Ten-Hours Law, March 22, 1871,

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MR. CHAIRMAN AND GENTLEMEN OF THE COMMITTEE:

It was expected by those whom I represent here to-day that there would be no hearing before your Committee, this year, beyond the brief *ex parte* hearing which took place on this question, last year. Consequently, no preparation was made by the petitioners for a conflict of argument or of testimony on the merits of the ten-hours system. Nevertheless, I am gratified that some of the manufacturers who are opposed to this measure have appeared here, and have contested one by one the points made by these petitioners. The ten-hours cause stands stronger to-day in consequence of this hearing. The time of its adoption has been hastened rather than retarded, by the evidence adduced here in behalf of the remonstrants. And, certainly, it was much more frank and manly in our opponents to meet us here face to face and attempt to give a reason for their opposition, than to hold themselves aloof from the discussions before this Committee and trust merely to the force of numbers in the Legislature to defeat the bill.

It has become apparent that, while the petitioners entered upon this discussion without preparation, the remonstrants have been preparing for it a whole year. On the first of April last—a most appropriate day for such a work—certain man-

ufacturers formed themselves into a committee, and published a call for a meeting on the eighth of the same month, to devise ways and means to defeat this measure. That meeting was held at the American House, in Boston. Violent speeches were made; resolutions were passed; and a permanent *quasi*-organization was effected. The printed call is before you; the resolutions published by the Manufacturers' Executive Committee are also before you. It seems that some of the names appended to these circulars were placed there without authority; others were placed there because they were supposed to possess some political significance, not because they represented a real opposition to this measure.

On the twenty-first of July last, the Executive Committee issued a circular (which bears the name of Mr. M. F. Dickinson, Jr., the remonstrants' counsel, as secretary), calling the attention of the manufacturers to the resolve passed by the last Legislature, instructing the Board of Health to inquire into the sanitary condition of the factory operatives. The circular proceeds to explain how the manufacturers can make such returns as will show "that the health of our operatives is not injuriously affected by the kind of their labor or its duration!" I will not say that this Executive Committee intended to tamper with

the witnesses upon whom the Board of Health was about to call for information; but their circular strikes me as a most suspicious document, manifestly calculated to affect the character of the replies made to the Board's inquiries.

It is a significant fact that, while six hundred and thirty-six manufacturers were appealed to by the Board of Health for information on the sanitary condition of their employes, only two hundred and eighteen of them deigned to make any reply, although they had Mr. Dickinson's sinister circular before them, suggesting how they might make replies that would bolster up the eleven-hours system. Returns so meagre as these, as the Board of Health remark, "can not express the whole mortality incident to factory life." (Report of Board of Health, 1870, p. 422.)

All the action of the remonstrants connected with this hearing presupposes a conviction on their part that this is a most proper and most important subject of investigation; and I have been gratified to see how universally and how emphatically they repel the charge that they ever do anything to discountenance the agitation of this movement by their operatives. Of course I know, and the testimony shows, that the agitation of this question has often heretofore, as in the cases of Henry Phelps, Jr., and William Marks, placed the operatives who participated in it actively, under the displeasure not so much of the treasurers, agents and other higher officials, as of the petty overseers and superserviceable "bosses" on the corporations. But I accept the denial that the right of agitation has been interfered with in the past, as a pledge of honor that it shall not be interfered with in the future. Assurances to this effect from such gentlemen as Messrs. Gardner, Fox, Fay, Chase, Stone and Mudge can certainly be trusted.

WHAT IS SOUGHT.

The factory operatives of Massachusetts pray the Legislature to prohibit the manufacturers of the State from employing any minor under eighteen years of age, and any female of whatever age, in factory labor, more than ten hours in any one day. They do not ask that male operatives above the age of twenty-one years be debarred from making contracts (if they are so indiscreet as to wish to do so), to work in factories more than ten hours a day; but they rejoice to believe that the practical effect of the law thus limiting the working hours of females and minors will be to secure to all factory operatives the benefits of the

ten-hours system. There is no justice in the insinuation of the remonstrants' counsel, that the petitioners ask more than their petitions express. But even if they did pray for a ten-hours law applying in terms to all operatives in factories, they would still be entitled to a respectful hearing; for they would still be able to invoke the highest living authority on political economy—John Stuart Mill. Those of our opponents who, like Mr. Edward Atkinson, attempt to bring to bear against the ten-hours bill the arguments presented by Mr. Mill in his work on Personal Liberty, seem not to be aware that, in the latest edition of his work on Political Economy, Mr. Mill has shown that, so far from infringing on the just rights of individuals, a statutory limitation of the working hours may be absolutely necessary to secure for the mass of men a more perfect independence and a truer liberty. In such cases, he remarks that "the interference of Law is required, not to overrule the judgment of individuals respecting their own interests, but to give effect to that judgment; they being unable to give effect to it except by concert, which concert again can not be effectual unless it receives validity and sanction from the law." (Mill's Political Economy, vol. ii, p. 585.)

No new precedent is asked for. Massachusetts has already a ten-hours law for all minors employed in factories under fifteen years of age; and the petitioners ask merely that this provision shall be extended to those between the ages of fifteen and eighteen, and to females generally, employed in factories.

Perhaps the same end could be reached by a ten-hours law for all minors; and perhaps there are men who would vote for a minors' ten-hours law, whose notions would prevent their voting for a limitation of the working hours of persons above twenty-one years of age.—The law prayed for is substantially the English law. If for any reason a different enactment is preferred—provided the final result be the same—we are content. As the Bureau of Statistics of Labor well observes, "Methods and forms of legislation will always be influenced by the progress of events, the advance of society, and the demands of the ages.—There have been times when the application of law was not called for in the direction of education, charity, health, transportation of passengers and freight, and very many other important matters. But now the call is justified and legislative response made to them all, and under the magic touch of law there have

arisen Boards of Education, Boards of Charity, Boards of Health, and Commissioners on Railways. And now comes up the cry from thousands of tongues, too loud to be unheard or unheeded, for legislative action in questions of Labor." (Report, 1871, pp. 11, 12; 498-568.)

HEALTH AND CULTURE.

Abundant evidence has been presented that a reduction of the working hours of factory operatives is needed and that the tendency of the present system is to keep the operative population down near the plane of mere animal existence; to prevent the proper development of the intellectual and moral side of their nature; to impair the physical capabilities of youth of either sex, and to destroy, in females, the capacity for the duty of maternity.

All the witnesses for the petitioners, male and female, clerical and laical, manufacturers of every grade, treasurers, agents, overseers, mule-spinners and loom-girls, testify to this; and some of the most candid of the remonstrants' witnesses, such as Mr. Battles, of Lowell, also concede that, at present, "the operatives, especially the females, are, more or less, continually running down in health."

It is curious to observe that while some of the remonstrants' witnesses deny that the operatives are now physically exhausted, others, like Mr. Gardner, Treasurer of the Saugsbury Mills, feel pressed to admit the fact, and seek to account for it otherwise than by overwork. The operatives, they say, walk the streets too much, and work in their boarding-houses in the night time too much, and expend too much of their strength in the various forms of dissipation! Mr. Gardner even goes so far as to say that the operatives are always the most fatigued in the morning. They can then scarcely drag their weary limbs into the mill; but as soon as they are in the mill they begin to revive; after six hours' work, they feel quite refreshed; and on quitting the mill after eleven hours' work, their spirits are up, the bloom is in their cheeks, the fire in their eyes, and they go home gambolling and skipping like lambs! The gentleman, of whose testimony this is scarcely an exaggeration, has immense business capacity and great influence. In one case, he tells us, his Company made a million dollars in sixty days! He is also a very liberal man; but his prejudices place him, as chairman of the Manufacturers' Executive Committee, at

the head of the opposition to this beneficent measure. Considering how much he could do, if he saw fit, to secure for the ten-hours system a universal adoption among the manufacturers of New England—and he concedes that its adoption would be desirable if it were universal—it is sad to see him marshaling all his forces on the other side.

"O, dumb be passion's stormy rage,
When he who might
Have lighted up and led his age,
Falls back in night."

MORALITY.

Some of the remonstrants' witnesses have placed themselves in a curious dilemma. Walter Paine is a fair representative of this class. "We manufacturers of Fall River," he says, "all want the ten-hours law; we are sure it is coming; we want it made general; but we think the operatives will be in a worse condition then than now. Wages will fall, while vice and misery will increase. The more leisure men have, the less pay they will get, the more ignorant they will be, and the more drunken and vicious generally. The only way to keep men out of crime, is to keep them hard at work so many hours, each day, that they will have no strength left for dissipation and vice." The mental condition of these witnesses is like that of the dying clodhopper, whose spiritual attendant had mixed up faith, works, the motions of the heavenly bodies and the triumphs of mechanic art in a strange jumble, till at last the dying clodhopper exclaimed—"What with faith, and what with works, what with the moon-a-whirling around the earth, and the earth-a-whirling around the sun, and the engines-a-buzzing and a-fuzzing, I am all muddled and beat."

But I need not waste time in replying to the crude objections of such witnesses as these. The reluctant concession of the remonstrants' counsel, that a diminution in the working hours would be "better for the laborer's social and moral condition," renders this unnecessary, although in admitting this he repudiates some of his own witnesses. Human nature is the same in the factory as on the farm, in the cottage as in the castle, in the prison as in the palace. "Opportunities for culture," as the Rev. Mr. Adams tells you, "beget aspiration for culture," and for culture in every form. In every case in which any class of working people have acquired an increase of leisure, the great majority of that class have improved and not abused the leisure so won.

WAGES.

Among the witnesses called for the remonstrants, was one solitary female—Mrs. Anna Drew—who first basely calumniate the class to which she belongs by charging the factory girls generally with habits of vicious indulgence, and then proceeds to give testimony touching the wages of her class, which is flatly contradicted not only by the other witnesses, but also by the official returns to the United States Bureau of Statistics. She is a weaver in the Everett Mills at Lawrence, and was called to contradict Miss Winn, another weaver in the same mill, whom I had called, and who testified that weavers earn about \$7.50 per week. Mrs. Drew says the wages received by the weavers are from \$9 to \$12 per week. But she is wrong. In the report of Edward Young, Chief of the Bureau of Statistics, on the Cost of Labor and Subsistence in the United States for the year 1869, prepared from returns made by the proprietors of the various establishments, the average weekly wages paid to weavers in Massachusetts in 1869, are reported to be \$7.71 in cotton mills and \$7.30 in woolen mills; and wages have fallen rather than risen since. In Pennsylvania (where the ten-hours system prevails) and New York, the weavers received during the same year \$10 per week in cotton mills and \$10.50 in woolen mills.

To correct the remarkable blunders of several witnesses touching the comparative wages paid in Great Britain and the United States, I read from this report:—“Average excess of wages paid in the cotton mills of the United States in 1869 (gold) over the rates in Great Britain, 39.9 per cent. Omitting overseers, the average weekly earnings of operatives in the cotton mills of the United States in 1869, was \$5.36 (gold), and in Great Britain \$3.89.” In the woolen mills the average advance of wages paid in the United States in 1869, over those of England in 1867-'68 (both in gold), was 24.36 per cent.

The objection that a reduction to ten hours would necessitate a reduction of wages, is specious and will not bear examination. Wade's "History of the Middle and Working Classes," shows historically that every reduction heretofore made in the working hours, has been attended by an increase in the earnings of the workers. A diminution of the hours of daily labor implies and involves an increase in the compensation of the laborers. The more leisure men have, the

more they develop and perfect all their powers, the higher their standard of living, the greater their capacity, the larger their expenses. Hence, they require more to maintain themselves according to that standard of living which public opinion, or the opinion of their class, requires them to maintain. It is the amount required to enable the workingman to subsist according to this standard, in connection with the operation of the great economic law of demand and supply—it is *this* that determines the rate of wages. The crude notions of those who have testified that a reduction of the working hours would lead to a permanent diminution of wages would soon be corrected, if before coming here to exhibit their shallowness, these witnesses had devoted a few days to the faithful study of Adam Smith, McCulloch, Ricardo, Mill, or some other writer of authority on political economy.

The Committee will not forget the absurdities in which Mr. Atkinson at first involved himself in his efforts to bolster up the notion that the rate of wages depends on the length of the working time. Under my cross-examination, however, even Mr. Atkinson finally conceded that wages are governed by other laws—namely, by the law of demand and supply, limited by the law that the wages paid must be sufficient to support the laborer at about the standard fixed by the opinion of his class; otherwise the laborer would transfer his services to some other field of toil.

The testimony of several of the most intelligent of the remonstrants' witnesses, Mr. Chapin, Mr. Sibley, Mr. J. P. Williston, Mr. Forbes, Mr. Cumnock, and others, on this point, harmonizes entirely with the testimony of Mr. Gray, Mr. McNeill, and other witnesses for the petitioners, and warrants us in claiming that the ultimate effect of the adoption of the ten-hours system would be a general, substantial increase in earnings.

Some of the witnesses have sought to parry the force of the fact, that in Great Britain and the United States there has been an increase of wages, synchronously with a reduction of the working hours, by ascribing this increase of wages to the great increase in gold consequent on the opening of the mines in California and Australia, and claiming that this increase of wages is nominal and not real. But the late Mr. Aiken, in his little pamphlet on "Labor and Wages at Home and Abroad," settles that question in favor of the petitioners. He wrote before the shining ore in Suter's mill-race

gladdened the hearts and turned the heads of the gold-hunters of America, and he proved by recorded facts, that the increase of wages in modern times (synchronizing with the diminution of the working hours) has been substantial and general, and likely to be permanent.—History affords no instance, in the whole progress of mankind, of a permanent decrease in the earnings of any class.

PRODUCTIVITY.

It is objected that the adoption of the ten-hours system would involve a diminution in production of about one-eleventh. Suppose it did; nobody pretends that our present productive power is inadequate to our consumption; the weight of opinion is that our production is in excess of our consumption. Several inventions have lately been introduced, which will tend to increase our production considerably; many new mills are starting up, others are building; and if the production of every mill were reduced one-eleventh, we should still experience no deficiency of supply; and the result would be beneficial, since it would delay the evil, so much to be dreaded, of an over-stocked market and a numerous factory population deprived of work.

The cost, to the consumer, of this reduction to ten hours, the people will be quite willing to bear. The operative who works faithfully ten hours a day will not be accused of failing to perform his full share of all the work required of this working world.

But it is not true that the productivity of a mill depends wholly on the length of the working time. Much depends on the condition of the operatives. The difference between the wages paid to one and the wages paid to another, on the same work, shows this. At the Indian Orchard Mills, where Mr. Atkinson has had the good sense to introduce the half-time system, (Salem, under Gen. Oliver's influence, quickly followed his excellent example,) the half-time children are found to do as much work as the full-timers, making at the same time equal progress in their studies with those who do nothing but attend school. (Report of Bureau of Labor, 1870, p. 151.)

In the Atlantic Cotton Mills at Lawrence, which adopted the ten-hours system in June, 1867, the effect of a reduction to ten hours on the physical capability, cheerfulness and *elan* of the operatives has been conclusively demonstrated. Mr. Gray, their Treasurer, testifies that under the ten-hours system, he

found himself able to increase somewhat the speed of his machinery, and that although, at first, production fell off about five per cent., yet after running a year and a half, he found his production fully equal to what it had been under the eleven-hours system. At the present time he says his production is as great as it was under the twelve-hours system. All the while, these mills have been run by the same help and machinery, and upon the same class of goods, with but a slight increase of speed. Could a demonstration be clearer?*

The remonstrants' counsel has indulged in several flippant allusions to the Atlantic Cotton Mills; but he has failed to point out a single establishment conducted on the eleven-hours system, making the same class of goods, which has succeeded any better than the Atlantic under the intelligent and progressive management of Mr. Gray upon the ten-hours system. The result of Mr. Gray's experiment is in perfect accord with the experience of the British manufacturers under the ten-hours rule, established by act of Parliament in 1848.

EXPEDIENCY OF LEGISLATION.

It has been repeatedly said in the course of this hearing, that there is no need of legislation on this subject; that the eleven-hours system was adopted without legislation, and that in due time the ten-hours system will work its way into general use without legislative aid. I wish I could think so. But I know too well that, though the eleven-hours system came into vogue by the action of the treasurers of the leading manufacturing corporations, that action was only taken under the pressure of the menace of a ten-hours law. Look at the facts.

The eleven-hours system was adopted in Lowell, Fall River and Lawrence, September 21st, 1853. (Cowley's History of Lowell, p. 149.) At that time, though still a mere boy, I was editing the *Lowell Daily Courier*—the Whig organ in Middlesex County—and I, too, then indulged the delusive dream that the ten-hours system would be generally adopted at no distant day, without statutory compulsion. I well remember the opposition which even so moderate a measure as eleven hours then encountered; and I am able to state, not as a mere opinion, but as a palpable fact, that it was only under the pressure of an urgent political necessity that even that half-way step was

*See Mr. Gray's contribution to *Old and New*, for May, 1871, on the Ten-Hours Law.

taken. The corporations, as you know, were controlled chiefly by Whigs. The Whig party was tottering to its fall. In 1850 it had lost the State, when Sumner and Rantoul, both anti-Whigs, were placed in the United States Senate in the chairs of Webster and Winthrop. The Whigs had failed to recover the State in 1851; and if they succeeded in that work, at the election of 1852, they were beaten again a few weeks later, when the Coalition carried their Constitutional Convention. That Convention had completed its work, and the people were to accept or reject its project of a new organic law, in November, 1853. Mark the date. If that Constitution were accepted, it was evident that the doom of the Whig party in Massachusetts would be sealed forever. To save that party from the death which threatened it, the Whig leaders essayed a bold, strategic movement—the reduction of the working hours on all their corporations. The stratagem proved a success. The Coalition, which fought so bravely for the ten-hours law, was crushed (in connection with other causes) by this flank movement of the Whigs for eleven hours. And I remember being assured by a venerable, silver-grey Whig, now no more, that if I lived till my hair was as white as his own, I should see no party in Massachusetts able to supplant that which had just placed Washburn in the executive chair! A most unfortunate prophecy; for the Whig party had then actually been dead more than a year, and its galvanized corpse, which eluded the undertaker so long, was buried out of sight in 1854.

Another fact, proving the necessity of legislation to effect this reform, is in evidence here. When Mr. Gray put the Atlantic Mills on the ten-hours system, June 1st, 1867, he made strenuous efforts to persuade the treasurers of other corporations to do the same, but all refused; and he declares, "more in sorrow than in anger," that in his judgment this reform can only be effected by legal coercion. Again: when the Fall River treasurers adopted the ten-hours system in January of the same year, they contrived to obtain from Mr. Crowninshield of the Merrimack, Mr. Bartlett of the Massachusetts, and other treasurers, assurances that in another year they would follow the example of Fall River. The experiment was continued twenty-one months; the assurances of these gentlemen were broken, and the Fall River mills returned to eleven hours.

Still another fact is in evidence here.—

Although the leading manufacturers adopted the eleven-hours rule in 1853, hundreds of "the low and slow" lagged behind for eight years, and only adopted that half way reform under the pressure of that famine in the labor market which was caused by the late war in 1861.—These facts demonstrate—what every operative knows to be true—that leaving the hours of labor to be regulated by employers and operatives means leaving them to be fixed by the arbitrary will of the employers alone; for the operatives were as much in favor of eleven hours as against twelve or thirteen, in 1853 as in 1861. The pretext that operatives ever consulted, except when there may be a great dearth of laborers, as to the number of hours they shall work, is a mockery and a sham. Those who prate about the inevitable action of natural laws know this as well as any one.

There are certain "loud-mouthed demagogues" who oppose the ten-hours bill on the ground, forsooth, that it interferes with the right of operatives to control their own labor. Well, the factory operatives want their working hours limited by law to ten. At present, for want of such a limitation and for want of ability to bring their employers voluntarily to the ten-hours system, they are compelled to work eleven hours. If these "loud-mouthed" fellows are sincere in their vaunted devotion to the right of operatives to control their own labor, let them join with us in the effort to get the law which the operatives desire.

Certain theorists have said that this reduction of the working hours would drive capital from the State; though no such result has happened in the case of any reduction heretofore in the number of working hours, but the contrary result has invariably taken place. Other theorists have contended that labor as well as capital would leave the State; and one of the acutest of them, Mr. Atkinson, has shown himself so much the slave of his theories as to say that the reduction from twelve to eleven hours, in 1853, drove the best factory laborers from Massachusetts to those States which lagged behind and adhered to the twelve hours. But Messrs. Battles, Chapin, Cummock, Gray, Fay, and many other intelligent witnesses, from Lowell, Lawrence and Fall River, who were in the mills at that time (1853), most explicitly deny the assertion.

It has been said that American manufacturers would be smothered in their competition with the manufacturers of Europe, unless they worked more and

produced more than those with whom they compete. But considering the enormous protection which they receive under the present Tariff, which, as Mr. Williston says, amounts to prohibition of importation for certain kinds of goods; and considering the disadvantages under which the European labors in having first to ship his cotton and then transship his products across the ocean, paying commissions to middle men, the American ought to be ashamed to ask for any further advantage. To say that with his cotton grown here, with his market close to his mill, and with an almost prohibitory tariff to help him, the American can not compete with the European, is a confession of American incompetence of which any man ought to be ashamed.

How complete a bugbear this cry about foreign competition is, Mr. Mudge has shown. He was called by the remonstrants but frankly admits the fact, that by far the largest class of our manufacturers do not compete with foreign manufacturers at all.

MANUFACTURING PROFITABLE.

The attempt of the remonstrants' counsel to create the impression that manufacturing is an unprofitable business need deceive no one. The thriftiness of the major part of them is notorious.—Compare it with commercial pursuits. More than ninety per cent. of all who engage in mercantile business in New York drift into bankruptcy; while not more than fifty per cent. of the manufacturers, according to the very highest estimate, share that disastrous fate. It is perfectly natural that manufacturers who have passed the half-way house on life's great journey, should express their regret that they had not embarked originally in some different pursuit. Men of all classes have similar experiences. We have all heard the story of the traveller who, uncertain which of two roads led to his destination, inquired of a bystander, and was informed that both roads led to that town. Then he inquired, "Which is the best to take?" "It makes no difference," was the reply; "for both are so bad that, whichever you take, after you have got along about halfway, you'll come back and take the other." Such is the common fortune of the traveller in the checkered journey of life.

ADVOCATES OF TEN HOURS.

In this discussion, various names have been invoked as props to the sinking cause of the remonstrants; among others the name of John G. Whittier; but he

promptly denied "the soft impeachment" and published a card, declaring that the use of his name by Mr. Gardner showed "an entire misapprehension of his position." Mr. Henry C. Carey, the able advocate of Protection and writer on political economy, has also been appealed to; but he distinctly declines to lend the weight of his name to the remonstrants. Mr. Horace Greeley writes a letter, which is before you, strongly in favor of the ten-hours law. Mr. B. F. Butler declares that "the time has come for the interference of the Legislature," and that "the law may intelligently do, in this most important relation of life and business, what it ought to do and does do, in almost every other—step in and restrain the strong from crushing the weak, and protect the needy against the promptings of avarice or the cruelty of selfishness." (Letter to Wendell Phillips, May 2, 1870.)

Governor Claflin gave this measure the benefit of a special recommendation in his last inaugural address. Senator Wilson has always been its friend.—What the views of Senator Sumner, Geo. S. Boutwell and N. P. Banks are, may be inferred from their advocacy of the memorable Coalition, when their labors were devoted to State politics, as they have been since to National affairs. There is not a single Massachusetts public man, now prominently before the people, so far as I know, who has not, at some period of his career, been identified with this measure.

Yet the remonstrants' counsel has stigmatised the advocates of this measure as "loud-mouthed demagogues."—Pretty rough talk for a cadet of Mr. Geo. S. Hillard! Worse than that: he says, "Some of them are foreigners," like Bower and Isherwood. Now, these men, though born abroad, are Americans by the highest right by which that character can be acquired. When the life of the Republic was struck at, these Anglo-American ten-hours men volunteered to defend her; they passed into the cloud of battle, and received the baptism of fire under her starry flag. And I say, it is a shame that any man who, at any time, on land or sea, has faced death without dismay for the country of his adoption, should ever afterward be stigmatised as a foreigner, especially by those who staid at home during the war, and never showed their bravery except in some caucus contest for office.

The remonstrants' counsel has good reason to confess that his objections to the ten-hours law are not new. Even

this cheap and vulgar slur at the nativity of some of the ten-hours-law advocates is not original. It was started last year by the grandson (as I am informed) of one of those mercenary Hessians whom George the Third hired for a shilling a day to fight the patriot soldiers of the Revolution; and while the men thus meanly calumniated were bravely doing their part in the war for the preservation of the Union, the Copperhead who started this calumny was peregrinating Massachusetts and New Hampshire, declaring that the South could never be conquered, and calling on men and gods to stop the war.

The remonstrants' counsel reminds us

that Massachusetts was "foremost of all the States in the encouragement which she gave to manufactures." Her mill-owners were foremost in reducing their working time to eleven hours a day.—Let Massachusetts look to her laurels. She is now behind Pennsylvania—she is behind the city of New York—where the ten-hours system obtains. Let her promptly put upon her statute-book the ten-hours law. The other New-England States, which followed her, after an interval, to eleven hours, will follow her to ten; and the displacing of Massachusetts as the leader of manufactures need not be feared as among the possibilities of the future.

LETTER FROM THE TEN-HOURS STATE COMMITTEE TO THEIR COUNSEL.

FALL RIVER, June 10th, 1871.

JUDGE COWLEY:

DEAR SIR:—The Ten-Hours State Committee desire to print for distribution twenty thousand copies of the masterly argument delivered by you before the Legislative Labor Committee, on the 22nd of March last. It is an argument which cannot be answered, and cannot fail to be a great help to our cause. As no complete report of it has yet been made, the Committee desire you to favor them, and help the cause, by writing out your argument in full so that it can be printed. We heartily thank you for the eminent services you have rendered the factory operatives by your advocacy of the Ten-Hours Law. Yours truly,

ALLEN LOCKWOOD,
Secretary State Committee.

JUDGE COWLEY'S REPLY.

53 STATE STREET, BOSTON, July 12th, 1871.

MR. ALLEN LOCKWOOD, Secretary of the Ten-Hours State Committee:

DEAR SIR:—In compliance with your Committee's request, I herewith transmit a revised report of my argument before the Legislative Committee in behalf of the Ten-Hours Bill. This bill passed the House of Representatives, in the exact form in which it was drafted by me, by thirty-nine majority—100 yeas to 61 nays. No such approach to victory has been made by this measure in this State before. The Governor avowed his desire to give the bill the executive approval; but that pleasure was denied him by the recreant Senate, in which the bill was defeated.

One of the objections most strongly pressed by the remonstrants, was, that manufactures were then running at a loss or at little or no gain. The handsome dividends since declared by the cotton and wool corporations show a gratifying return of prosperity. On their own showing, therefore, the present is a good time to legislate. The auguries are all in our favor. With proper activity and perseverance on the part of all our friends in the different political parties, before ten months have passed, the bill can be made a law. Yours truly,

CHARLES COWLEY.

☞ Copies of this argument may be obtained of

CHARLES COWLEY, COUNSELLOR AT LAW,
53 STATE STREET, (Post Office Building,) Boston;

COWLEY & ALLEN, COUNSELLORS AT LAW,
75 CENTRAL STREET, Lowell;

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