THE encouragement of arbitration in the cotton industry began with the Cotton Arbitration Act of 1800 which, with the general Arbitration Act of 1824, provided means of settling industrial disputes peacefully.¹ The handloom weavers employed the 1800 Act with some success until it was amended in 1804,² but the 1824 Act was little used.³ From the beginning workers were reluctant to go before local JPs, whose impartiality they doubted, whilst unionists were (realistically) wary of victimization by their masters. More importantly, since the Act was concerned only with conflict over wages for work already done, and not for work to be performed in the future, arbitration in collective wage disputes was effectively ruled out. As a result, most attempts to settle disputes by boards of arbitration in cotton and other industries arose spontaneously, and without resort to legislation. Of those that were successful, few lasted more than a year or two.

Most research into industrial conciliation and arbitration in Britain has, understandably, concentrated on the period 1860–1914, when these phenomena were most in evidence. This comparative neglect of earlier decades, however, is not entirely justified. William Felkin, the Nottingham lace manufacturer, for many years advocated a permanent system of arbitration after the fashion of the French conseils des prud’hommes, formed in 1806. Felkin translated into English an account of their work, preached arbitration to the British Association, and encouraged hosiery workers to petition Parliament (without success) for the enactment of a similar system in Britain.⁴ The Order of Friendly Boilermakers had in 1839 a rule providing for arbitration, while four years earlier a committee had been established in the pottery trades to adjust disputes by conciliation and arbitration.⁵ Between 1847 and 1852 strikes of cotton factory operatives in
the Blackburn and Darwen area were often settled by mutual acceptance of the decision of an independent employer, who acted as arbitrator.6 More formal machinery existed in 1850–2 in the Sunderland shipyards (where a medical practitioner served as independent chairman of a joint board of conciliation), and in 1853–8 in the London printing trades (with a barrister as “umpire”).7

It is no accident that most of the examples cited in the literature are drawn from the late 1840s and early 1850s. These years were marked by growing trade union interest in arbitration, stimulated by the reform of the French conseils after the Revolution of 1848.8 Thus the Metropolitan Trades’ Delegates, in their “Address to the Trades of Great Britain and Ireland”, called not only for the nationalization of the land, manhood suffrage and protection of domestic industry, but also for the establishment of “local boards of trade of an equal number of employers and workmen to act under the supervision of a minister of labour as impartial arbitrators in industrial disputes”. The National Association of United Trades was another body which “preached economic heresy”, and had as its first object in 1848 “to protect industry from capital by means of mediation, arbitration and financial support”.9 By the beginning of the 1850s arbitration had been adopted as a slogan by the remnants of the Protectionist faction in the Tory party, which continued to agitate for an end to Free Trade after the majority of the party had grudgingly come to terms with the facts of free commercial life.10 W. Busfield Ferrand’s Labour League, set up in 1852 to consolidate working-class opposition to the Manchester School, won the allegiance of many prominent unionists by its emphasis on protection for labour, including the settlement of disputes by arbitration binding on employers.11

Unfortunately few mid nineteenth century contemporaries distinguished clearly between arbitration and conciliation, and many used both words as synonyms for conciliation and negotiation.12 In twentieth century parlance “to mediate or conciliate means to bring the parties together and to induce them to bargain. If this is successful, it results in an agreement between the parties. To arbitrate, however, means to make a decision on the merits. Arbitration results in an award.”13 In this paper we have not felt it necessary to make this distinction. We have, however, distinguished between unaided negotiation (involving only the parties to the dispute) on the one hand, and conciliation, mediation or
The purpose of this paper is to demonstrate the depth and breadth of support for arbitration which was revealed in one of the two great disputes of the 1850s: the Preston strike of 1853–4. A brief narrative account of the strike is given in section II. In section III we show how the cotton operatives were impressed with the potential of arbitration, insisting throughout the dispute that it represented — in the absence of direct negotiations with the millowners — the only sensible way to settle their differences with the masters. They appealed to Palmerston for his intervention, and nearly secured it (section IV), while a wide variety of influential outsiders endorsed an arbitrated settlement (section V). Within Preston the clergy and tradespeople made repeated offer of mediation (section VI), and if all their efforts foundered on the rock of the masters’ obstinacy (section VII), it was not for the want of trying.

II

The Preston dispute began in August 1853, when weavers and spinners struck at several mills. It was part of a country-wide movement for higher wages, in which the cotton industry was well to the fore.14 The severe depression of 1847–8 had forced manufacturers to reduce wages throughout Lancashire by an average of ten per cent. These reductions were accepted by the mass of the operatives without much resistance, on the understanding that the ten per cent would be restored as soon as trade recovered. When prosperity did return in 1852 wage applications were repeatedly turned down, despite the millowners’ predictions of a labour shortage.15

In January 1853 spinners in several Lancashire towns applied again for the promised restoration, but by March little progress had been made. The campaign developed most rapidly in Stockport when the weavers — who were generally less well organised than the spinners, but often more aggressive — elected a committee of delegates to negotiate for the wage increase. The millowners were becoming increasingly alarmed by the extensive nature of the agitation. In Stockport they refused to recognize the weavers’ committee, claiming that they would meet the operatives only mill by mill. In Preston, two weeks before the spinners issued a circular requesting a wage increase, their masters revived their Association, agreed to impose a levy of 5s. per
horse-power to give financial support to firms threatened by strikes, and decided to demand a “discharge note” from all spinners seeking employment so that they could identify and blacklist activists.16 Elsewhere mill-owners made some concessions. Spinners in Blackburn were awarded an advance of five per cent, and several masters in Bolton conceded the full ten; but in Stockport the deadlock continued, and in June the operatives went on strike.

Although less extensive strikes occurred at Glossop, Bury, Accrington and Manchester, Stockport now became the focal point of the ten per cent campaign. Subscriptions for the strikers flowed in from other cotton towns, including Preston. This show of solidarity frightened the masters, and on 11th July representatives of 360 firms from a number of towns met in Manchester to co-ordinate resistance against being “taken in detail”, or picked off one by one.17 Nothing concrete emerged from the meeting, and subscriptions continued to bolster the position of the Stockport strikers. By early August the masters sensed that their position was crumbling, and agreed to grant a universal ten per cent advance.18

This victory gave a boost to the agitation in other towns, and similar increases were soon conceded at Blackburn, Accrington, Haslingden and Burnley. In Preston, where the slogan “Ten Per Cent and No Surrender” was adopted in the weavers’ first mass meeting on 9th June,19 progress was slower. By the end of August, though, only five or six firms were holding out, and these were served notice by the weavers. They insisted on the full ten per cent because with some masters still refusing the increase, there was a distinct danger that other manufacturers in Preston, and elsewhere in the district, would take back the increases they had already granted. A total victory in Preston was thus crucial for the success of the whole movement.

The masters’ response was vigorous and defiant. On 15th September the Preston Masters’ Association, which had kept a low profile since March, announced that a general lock-out would begin one month later.20 In a succinct statement of their position the Preston Pilot reported that the masters “felt determined to break down the union of the operatives”.21 Mastery, not wages, was now the central issue, and the 35 members of the Association each pledged to forfeit a bond of no less than £5000 should they fail to abide by its policy and decisions. The defections which had so weakened the Stockport millowners were not to be tolerated in Preston.22 George Cowell, the weavers’ leader, quickly hinted that a
conspiracy existed between the millowners, and suggested that the Stockport employers had conceded the ten per cent as a tactical move "in order that the battle-ground might be at Preston", where the operatives had a reputation for weak resistance "to the whims of the masters and their wage reductions". But the operatives refused to be intimidated by the threatened lock-out. They remained as defiant as the masters, and in the first week of October £1,054 was raised from different towns and distributed by the committee to the strikers.

The lock-out began on 15th October, and though it was by no means universal at least 80 per cent of the town's productive capacity was closed. By this time the prosperity of the cotton industry was more apparent than real. The industry generally moved out of phase with the rest of the economy, and whilst a general recession began towards the middle of 1853 investment in new cotton mills continued because of decisions taken in late 1852 and early 1853. The operatives saw evidence of prosperity in the bricks and mortar going up around them, whilst the masters appealed to the disruptive civil war in China, a main export market, and to the decline in the rate of return on capital. As many commentators noted, the lock-out came at a good time for the masters, and as food prices began to soar due to the wet summer the operatives' chances of victory receded. Further lock-outs at Burnley, Padiham, Bacup and Rossendale, together with extensive short-time working elsewhere, also threatened to reduce the subscriptions sent to help the Preston operatives. But funds continued to come in, especially from Blackburn, where the mills were running full time. This moral and financial support for the turnouts took the Preston masters by surprise. In early December they attempted to re-open their mills, hoping that the harsh winter — the worst since 1815 — had weakened the operatives determination. They soon found that it had not.

On 22nd December cotton masters from all over Lancashire gathered in Manchester to discuss the plight of their colleagues in Preston; the lock-out had become a question of vital concern to the whole trade. At a further meeting on 2nd January 1854 they resolved — despite their professed belief in the benefits of unrestricted competition — to levy five per cent of their weekly wage bill to support the Preston manufacturers. The battle between labour and capital (or, as the masters insisted, between private property and communism), was now at its peak. "What is the
difference", Cowell asked, "between the slaveholders of the United States of America and the tyranny of the cotton lords of this country?"

In the renewed hope that the winter had broken the back of the operatives' resistance, the Preston Masters' Association met in special session on 8th February to consider a memorial from the Mayor and other principal inhabitants of the town requesting them to open their mills. The Association immediately agreed, and on the next day the lock-out officially ended. In the event hands returned to work only at those few mills which offered satisfactory terms, and most of these had stood aloof from the dispute from the beginning. The Association now showed evidence of panic, and on 23rd February decided to bring in blackleg labour. The Preston Guardian, fearing that the "turnip-grubbers" of Buckinghamshire would ruin Preston's reputation and drive skilled labour out of the town, urged the masters to negotiate before it was too late. The operatives, for their part, saw the millowners' new policy as a sinister attempt to provoke them into violence. "If they can only do that" Edward Swinglehurst declared, "they will incarcerate the delegates, and their object will be gained". The delegates redoubled their efforts to preserve the peace, knowing, as Mortimer Grimshaw put it, that this would make the masters "more enraged than any riot".

At the end of February the 'knobsticks' began to arrive. The great mass of operatives remained peaceful, despite a relatively minor incident near the railway station on 2nd March (which resulted in the arrest of two youths for riotous behaviour). Next day there was great surprise and indignation when the Mayor, Town Clerk and Magistrates' clerk appeared at the station, read the Riot Act three times, put the military at Fulwood Barracks under arms, and issued a proclamation forbidding all open-air meetings within the borough. James Lowe, perhaps the best impartial reporter of the dispute, thought the municipal authorities had seriously overreacted: "if the peace be preserved it will be in spite and not in consequence of their measures". The Preston Guardian too attacked the authorities for their unwarranted action. The operatives' suspicion that the authorities and the masters were working in collusion to entrap their delegates seemed to be confirmed hour by hour. On 18th March the magistrates met to discuss conspiracy charges against the delegates, and later in the day Cowell, Grimshaw, James Waddington and James Parkinson were
arrested. Over the next two days four more were arrested and a further three surrendered voluntarily.

Proceedings began on 21st March in some haste, but when the matter was brought before Mr. Justice Creswell at the Liverpool Assizes the trial was postponed until August to give the defence reasonable time to prepare their case. Public opinion rallied to the turnouts, but the masters were not in the least concerned at this reaction to the arrests, especially since the operatives were now showing some signs of weakness. On 8th April the spinners issued a circular “To The Manufacturers of Lancashire”, formally abandoning the ten per cent and asking instead for a district wage average. The weavers were more resolute, but their stand took a decisive blow when, on 5th April, the Stockport employers announced the withdrawal of the ten per cent from 13th April. This provoked an almost immediate strike by the Stockport weavers, with a disastrous impact on Preston, where the flow of finance diminished and the strikers’ morale began to crack. Relief payments were reduced, and the trickle of knobsticks returning to work became a flood. The weavers’ delegates soon realised that further resistance would be futile, and resolved to end the struggle. On May Day, 10,000 operatives assembled to ratify the delegate’s decision to end the strike.

III

Although the operatives did not advocate arbitration until several mills had been closed by strikes during August, their stance had been a conciliatory one from the very beginning. They consistently sought a peaceful solution to the dispute, preferably by direct negotiation with the manufacturers, and, when that proved unacceptable, through the intervention of third parties. Even though their language inevitably hardened once the lock-out had begun, neither the operatives desire for a peaceful settlement nor their willingness to go to arbitration was weakened by the millowners’ refusal to accept either course.

As early as June an impromptu weavers’ meeting had declared that it would prefer twelve months of agitation to a one month strike and the chairman, George Ainsworth, with Cowell’s approval, deprecated any suggestion of striking for the ten per cent. Experience had “taught the working classes that in nine out of ten cases strikes injured both men and masters”. The meeting agreed to set up a committee, one
delegate from each mill, to organise deputations to individual masters to solicit the increase. In response to the manufacturers meeting in Manchester on 11th July Cowell did allow himself to hint for the first time that strike action might be necessary, but generally the operatives were still confident of a peaceful settlement. On one occasion later in the month Cowell managed to persuade strikers at two mills to return to work, and at a further Orchard meeting in August it was once again agreed “that extreme measures in the shape of a strike should not be resorted to”. Cowell and Edward Swinglehurst continued to urge sending deputations to individual millowners, and suggested to the masters that they adopt the largely successful procedure employed at Blackburn, where equal numbers of masters and men met to discuss wage rates and conditions of work.

The masters persistently ignored these deputations, and the weavers, despite their pacific intentions, were forced to prepare for the worst. On 14 August Cowell attended a meeting of weavers’ delegates at Stockport, and secured a promise of support from other districts should a strike be needed. Eight days later, the spinner John Sergeant summed up the operatives’ mood: “I detest strikes, but no other course is open to us”. Not even the announcement of the lock-out, however, stopped the operatives from seeking a peaceful solution. In September Cowell told an Orchard gathering that an address concerning arbitration was being sent to the millowners, and in the following week he called on the masters to accept R. Townley Parker and Sir George Strickland, respectively Tory and Whig MPs for Preston, and the Vicar the Reverend J.O. Parr, as independent arbitrators. A little later the weavers wrote to the Masters Association demanding that they open negotiations or agree to arbitration. The weavers offered a choice. Firstly, the masters could choose — as had happened at Blackburn — an equal number of operatives and representatives from the Association to discuss the problem. Secondly, they could submit the case to arbitration, again with each party having equal representation and with Parker as umpire. Thirdly, if neither of these proposals was acceptable, the masters could make a proposition of their own, which the weavers pledged to accept, “if it were based on equity”. On 20th September the Committee of the Operative Cotton Spinners and Self-actor minders also wrote to the Masters’ Association to see if they would consent to arrange a meeting between their deputation and a similar number of masters, but as with the
weavers, the Association refused to recognise the delegates' committee claiming that such a committee had no right to interfere in the dispute.53 Throughout the early part of winter the masters repulsed all attempts to negotiate a settlement.54 The operatives, for their part, repeated their offer of arbitration. Cowell continued to urge the masters to accept Parker as "umpire", whilst a Manchester millwright by the name of Braham, speaking before an audience of 10,000, called upon the Mayor to initiate discussions to avoid the threat of revolution.55 In January 1854 Lawrence Dobson, the editor of the Preston Chronicle and the operatives "bitterest enemy and their deadliest foe"56 attempted to expose Cowell's merit of moderation. Like, Henry Ashworth Dobson believed that the delegates' appeals for arbitration was nothing more than a subversive tactic to win over the support of public opinion.57 In a leader "Are the Delegates Anxious for a Settlement of the Wage Dispute?", he claimed that Cowell had forgotten to inform the delegates' committee that an unnamed gentleman had approached the Chronicle to offer his services as a mediator, because Cowell was "wishful of lengthening the strike for his own pecuniary rewards". Cowell vehemently denied these allegations, and since there is no evidence that an offer was made, it seems likely that Dobson was concerned simply to discredit the operatives genuine belief in conciliation.58

Despite this unhappy incident, the operatives continued to press for negotiations. On January 14th two weeks before Dobson's tirade, Cowell made a significant concession. The weavers, he declared, were willing to meet the masters mill by mill, so that they "might make their own bargains; and if they thought proper to accept the prices offered to them...he, for one, would withdraw from the agitation. And when he said 'he for one' he believed he spoke the minds of the whole of the delegates".59 To allow the masters to meet and negotiate with their own hands, rather than through the delegates' committee, was a major change in philosophy and conceded what the masters had always insisted on. They had persistently refused to negotiate with the delegates' committee, and now that Cowell offered a means of settlement without the "interference of strangers" there was little to prevent the masters meeting the men. In fact the Masters' Association did agree, in February, to meet a delegation of spinners, but refused to discuss anything of substance with them.60 The manufacturers were determined
to win, making a nonsense of the weavers' belief that the dispute "will never be settled until the masters are prepared to meet us fairly." 61

IV

The operatives did not confine their appeals to the Masters' Association. On 13th November the weavers agreed to send a memorial to the Home Secretary, Lord Palmerston, in the hope that he might agree to act as mediator. 62 In their memorial the weavers repeated that they would abandon their claims if it could be proved by "plain fact" that the masters were not in a position to pay the ten per cent. 63 It produced nothing more than a lecture on political economy. In his reply Palmerston reminded the weavers that labour was like any other commodity, that strikes offered foreign competitors an unearned advantage and encouraged the flight of British capital and enterprise to overseas markets. "In submitting these general reflections . . .", he concluded, "I do not mean to give any opinion on the immediate subject of the dispute but I would earnestly entreat the working men to lay aside those feelings which are too apt to be engendered by a struggle, and to endeavour if possible to come to some arrangement with their employers". 64

Though Palmerston characteristically stressed that as a member of the government he possessed no power to interfere in the dispute, by early January, and unknown to the operatives, he seemed to have changed his mind. On 6th January he suggested to the Board of Trade that they might send an official to confidentially gauge the feelings of both sides. More significantly, he proposed that "HMG would, if asked to do so by both parties, readily endeavour to effect a reconciliation between them." 65 This was a form of heresy which the Board of Trade was, predictably, unwilling to approve. The Board did suggest, however, that Palmerston might use someone in an unofficial capacity. 66

In the event, Edward Cardwell, the President of the Board of Trade, privately asked William Playfair to report on the state of the dispute whilst attending an education meeting at Sir James Shuttleworth's home in Burnley. 67 Playfair, who believed that Cardwell was merely curious about the dispute arrived in Burnley on the 11th, and whilst there met the editors of the Manchester Guardian, Manchester Courier, Preston Guardian and Preston Chronicle and reporters from the Manchester Examiner, all of whom discussed the strike in some
detail. The general feeling was that the operatives were giving way and that the strike would soon end. This news was conveyed to Palmerston (via Cardwell), and on 14th January he noted that "this may rest as it is, the strike is nearly over." 68

Why Palmerston should seek to interfere in the dispute is not easy to understand. The operatives remained peaceful and orderly, and the much publicised revival of Chartism and Ernest Jones's Mass Movement, which now had closer and closer connections with the ten per cent campaign, was never considered as a political threat. 69 But if anything caused Palmerston to think of reversing his early position it was probably the Lancashire masters' decision, made on the 2nd January, to levy 5% of their weekly wage bill to finance the Preston masters. On the day he wrote to the Board of Trade he had received a report from Earl Cathcart, military commander for the northern districts, confirming that the masters' decision was likely to widen the breach between the masters and their hands. 70 Newspaper reports of the operatives' reactions to the masters' renewed resistance added further weight to the threat of disorder, and it is probably for this reason that Palmerston sought a solution of his own. Once it appeared to him that the strike was almost at an end, the need for intervention passed.

V

Outside Preston, arbitration and mediation were widely advocated in the early months of the dispute, as strikes were considered injurious to masters and men and detrimental to the public interest. Before the conflict had started, the radical Lloyds Weekly urged the operatives to "try conciliation and negotiation." "DO NOT STRIKE" was its bold message. Whilst the strike was in progress it defended the operatives' pleas for arbitration, 71 as did the Liverpool Journal, which in November wanted a commission of enquiry, 72 and the Bolton Chronicle, which suggested that the County MPs should act as arbitrators. 73 Other newspapers were less enthusiastic in their advocacy of arbitration. The Times supported arbitration in November, was non-committal in December, and acclaimed the efforts of the Mediation Committee in April. 74 The Manchester Examiner thought that the masters were acting unreasonably when they rejected the demands for arbitration by those unconnected with the dispute. 75 Even Charles Dickens, who visited Preston during the dispute, could not
resist a jibe at the contradictory values of the Manchester School and the Peace Society. "Gentlemen are found, in great manufacturing towns, ready enough to extol imbecile mediation with dangerous madmen abroad; can none of them be brought to think of authorised mediation and explanation at home?" The Daily News, which later took a much harder stand against the operatives, was in November firmly convinced of the need for "schemes of industrial arbitration."  

The Daily News also supported Joseph Hume’s widely publicised letter on arbitration. "You declare", Hume replied to one of the weavers’ secretaries, "that workmen have always been for arbitration, and that the masters have refused that fair course: I am not in a position to know whether you are correct or not; but whichever party has refused to refer their differences to Arbitration has much to answer for, both to the public and to the parties who have become the sufferers thereby. I consider the benefits of Free Trade to be great and to be increasing. The freeing of labour in 1824, from the shackles that then interfered with and bound the working classes was the commencement of that great movement; and I do yet hope that the good sense of both masters and men will enable them to see the advantage of doing what was the object in view by the repeal of the combination laws — of referring all disputes to arbitration". Hume’s transparent ignorance of the masters’ refusal to accept the operatives’ demands and his eulogy of free trade suggests that there were probably more important issues at stake than the dispute in Preston, involving the dangerous development of a broadly-based protectionist movement with substantial working-class support. Hume’s interpretation of the 1824 Arbitration Act further reveals that he was not entirely familiar with its clauses or the extent to which it had been used. His plea for arbitration was undoubtedly genuine, but it has to be seen against the background of what the press had been advocating in November, and the growing popularity of the Labour League from October onwards when it campaigned in the strike-ridden north.

One of the planks in the Labour League’s platform was support for arbitration. Its popularity was short-lived but, under the leadership of Samuel Kydd, an old Chartist and still very active factory reformer, it appealed to the instincts of the Preston operatives because of its bitter hatred of the Manchester School. At Padiham W. Busfield Ferrand, M.P.,
attacked the Manchester free traders, claiming that unrestricted competition was ruining the country, *inter alia* by causing strikes. He gave strong support to the strikers, believing that they had no other option. In early October Kydd wrote to the *Preston Guardian* supporting arbitration by boards of trade, in reply to the *Guardian*'s own leader of 8th October which had attacked the idea. Later in the month Kydd repeated his views at Clitheroe, Darwen and Stockport, where he also emphasised the League’s policy on Factory and Poor Law reform. Joseph Hume knew well enough that the League’s manifesto included arbitration of industrial disputes by local boards of arbitration, and it is reasonable to assume that he felt it necessary to show, publicly at least, that the Free Traders were in favour of it too.

Ernest Jones, leader of the largest section of the Chartist rump, reacted to the League’s support for arbitration in exactly the opposite fashion. Jones, who later attacked the weavers’ memorial to Palmerston as a humiliating confession that “we cannot fight our own battle”, denounced the League with even greater vigour. “The ‘arbitration’ schemes of the ‘Labour League’, under the notorious Mr. Busfield Ferrand, we look upon as a mere Tory-Trick, in which arbitration is made prominent to conceal the protectionist serpent underneath. ‘Arbitration’ is a fallacy, a delusion, and a snare, where the one arbitrator is dependent [sic] on the other for the means of bread . . . The arbitrating parties must be mutually independent and that cannot be where the working man’s life is in the employer’s breeches pocket . . . Lord deliver us from the wages of labour depending on the verdict of a Whig, Tory or Manchester School referee!”. Working class salvation, Jones insisted, could only be achieved through the Mass Movement and the People’s Charter. It was this belief, which unwittingly united him with the Preston Masters’ Association in their rejection of arbitration, that caused Jones to walk out of the Society of Arts Conference in January.

The Society’s conference on strikes in general was proposed by Dr. James Booth on 28th December, the day after the cotton hands had gathered in Manchester, and was eventually held on 30th January. Two hundred or so attended (including the octogenarian Robert Owen) but of the Preston Masters only William Ainsworth came to hear the discussion of a diffuse agenda which included the role of combinations, the problems of lock-outs and partial strikes,
and the methods of paying wages. The Society was careful to emphasise its own neutrality on these thorny issues, but no doubt secretly hoped that it might be instrumental in ending the Preston dispute, even though that was not its declared intention.  

Although the discussion went round in circles for seven hours, the largely middle class audience generally endorsed operatives’ combinations and expressed a distinct dislike of the practice of lock-outs. The futility of strikes was widely acknowledged, and arbitration the most frequently recommended means of avoiding them. Mr. Essery of the Working Tailors’ Society suggested the establishment of local boards of trade spread throughout the country and connected directly or indirectly with the government. George Cowell and William Knott, Chairman of the Sunderland ship-builders and Shipwrights’ Court of Arbitration, preferred to keep the government out of the question, leaving the negotiations to an equal number of masters and operatives with power to choose as many arbitrators as they liked. Neither proposal was passed as a resolution and the Society, for its part, refrained from offering its services as mediator.

For some of the press the conference was almost as futile as were strikes. The working class press denounced the occasion because of its alleged bias in favour of the masters, whilst the middle class papers (the Examiner in particular) saw it as a manifestation of “sentimental socialism”. This reaction was not what the Society had anticipated, but as the Manchester Weekly News sardonically noted “when neutrals interfere without the power to enforce arbitration, chances are they will be roughly treated”. If anything, the conference was a moral victory for the operatives, and although nothing concrete emerged from the discussion, they at least publicly defended their position, something the masters had refused to do. On the other hand the failure of the conference (even within its own limited objectives), together with the hostility of the press, put an end to peace initiatives outside of Preston.

VI

In Preston itself mediation and conciliation were matters of general concern. From the beginning of the dispute the local clergy and the middle-class had been alarmed at the prospect of a protracted battle. On 17th September the Preston
Guardian included in its editorial a letter by “J.D.” which called on the Church to intervene. Later that month two Anglican ministers, the Revs. S.F. Page and W. Walling, agreed to offer their services as mediators. The operatives refused to cooperate, sensing that the move was “actuated by partisanship”, an assessment which proved to be correct. On 6th October Page and Walling, together with a number of middle-class citizens and 150 overlookers from Horrockses and Miller, Preston’s largest firm, met to discuss means of averting the lock-out. The overlookers had already formed an “anti-strike committee”, as it was universally known, and the discussion was distinctly one-sided, no turnouts being invited to state their case. In the event no less than 2,000 operatives (mostly weavers) arrived to hear Henry Bradley (a local teetotaller) call for the dissolution of the operatives’ committees. His proposal was greeted by the “most violent demonstration of dissent”, and overwhelmingly defeated by the uninvited majority.

Undeterred, the local clergy convened another meeting under the chairmanship of the Rev. J.O. Parr, two days before the lock-out was due to commence. In addition to a large number of ministers of religion those present included the editors of the Preston Guardian and the Preston Chronicle, other prominent citizens, and George Cowell’s employer, John Goodair, who was not a member of the Masters’ Association nor personally involved in the threatened lock-out. Cowell was invited as the weavers’ representative whilst Thomas Miller, chairman of the Preston Masters’ Association refused to attend. Parr, who had already engaged in his own private attempts at mediation, and the Rev. John Clay, Chaplain of the Preston House of Correction, both believed that the operatives would have to make concessions. An associate of Henry Bradley’s, the teetotaller John Catterall, called for mediation, whilst Cowell defended the weavers’ refusal to compromise on the ten per cent, especially since their “humble” and “respectful” petitions to the masters had been ignored. Cowell was still “anxious for an honourable settlement”, but with the absence of Miller it was evident that the meeting would produce no specific result.

The next meeting of the middle class of Preston took place on 14th December, a month after they and the operatives had trounced the “cotton hands” in the municipal elections. This time the operatives’ cause was widely supported by a substantial number of tradespeople and professional men. The chair was taken by Councillor Thomas Dixon, one of the
victors of the November election, and though he stressed his neutrality he praised the operatives' peaceful conduct. Cowell once again declared his support for arbitration, but no proposal to this effect was put forward. The public meeting of the Ratepayers' Association on 8th March 1854 was a further indication of the depth of middle-class feeling against the Masters' Association and the local authorities. The reading of the Riot Act, the conspiracy charges and the ensuing arrests stimulated their mistrust of the manufacturers, but still produced nothing more constructive than a petition to Parliament protesting against the behaviour of the police and magistrates.

It was not until 29th March that the next positive initiative came from the tradesmen of Preston, when they packed into the Theatre in response to a placard headed "Shall the Trade of Preston Flourish or Fall?". A small admission charge did not deter the operatives from filling the pits and galleries. A printer and stationer, Edward Ambler, set the scene for what turned out to be the most vicious attack by the middle class on the masters intransigent position. Ambler urged the tradespeople to abandon their usual "backwardness in expressing their opinion" proclaiming that it was time for them to demonstrate their public spirit. Tradesmen and shopkeepers, he alleged had "said the least and suffered the most", and since they were the only "publicly recognised body which occupied a medium position" between the masters and men it was their duty to say something about the dispute. Ambler rejected the argument that wages were determined by demand and supply and was "prepared to prove it from transactions that had occurred in this town". (Cheers). He suggested that local tradesmen, who paid high rates, rents and taxes, would benefit from a ten per cent increase in wages, because the operatives would be able to consume more commodities. Every time he mentioned the operatives' willingness to go to arbitration there was rapturous applause, and he reminded the masters (in their absence) that acceptance of arbitration could only increase the honour in which they were held. Other speakers repeated these arguments, and a Mediation Committee was set up to which were elected (often in absentia) several local worthies, including the four MPs for Preston and North Lancashire, the Rev. Parr, and T.B. Addison, the Recorder of Preston.

The Mediation Committee met on 4th April, when it noted that some of those nominated had refused to serve. Despite this setback the Committee approached its self-appointed
task with great energy, attempting first to discover on what terms the operatives were willing to resume work, and then to ascertain the views of the masters on mediation. This information was discussed on Tuesday 11th. The Spinners had agreed to start work if the masters were willing to pay “an average rate of wages, high and low, paid in the principal manufacturing districts of Lancashire”. The weavers were also prepared to accept an average, but outlined three alternative conditions for peace: if the masters offered the same prices as paid when the mills were closed; at the prices now offered provided that within two weeks the masters gave the wages received when the mills closed and, lastly, an immediate return to work if arbitrators decided in favour of the wages now being offered. In the rather forlorn hope that the manufacturers might after all agree to mediation, the Committee wrote to the Masters’ Association outlining these proposals.

The Association’s reply was predictable. “Rates of wages”, wrote its secretary, J.A. Ewan, “cannot be settled by mediation, but must be left to the free operation of supply and demand.” Arbitration and mediation, he continued, represented a “principle most dangerous and mischievous in its tendency — a principle alike subversive of the rights of the working man in the disposal of his labour, and of the rights of the master in the employment of his capital”. This rejection of the Mediation Committee’s overtures was not simply conditioned by the masters’ ideology: there was also a more practical consideration. Ever since the municipal elections there had been a growing rift between the tradespeople and the manufacturers, and in later March and early April this widened appreciably. Although Ewan observed that the Committee was “activated by the most disinterested motives”, there is very little doubt that the masters felt perfectly justified in dismissing any attempts to reach a compromise given the Ratepayers declared support for the operatives.

The Mediation Committee’s reply was, equally strident: “the state of the town of Preston is a striking exemplification of the fallacy of the doctrine you have so unconditionally enunciated. Labour here is in great demand, the supply is small, and yet the wages offered are considerably less than such as were paid some six or seven months ago”. For the Committee the rejection of mediation was “based upon an exaggerated notion of the necessity of defending and enforcing abstract individual rights . . . Society, in short, is
made up of compromises. Moreover, there is a legal maxim, to the effect that persons shall so use their property as not to injure the property of others . . . Now the skill, industry, and capital of classes unconnected with this dispute are materially damaged . . . and they . . . have a perfect right to use all legitimate means in defence of their property . . . The Mediation Committee are sure that the members of the committee of the Masters’ Association will . . . coincide in the principles now propounded, . . . as to hold the contrary would be equivalent to maintaining that persons may, when they choose, appropriate to themselves all the advantages which the institution of society originates and secures, and repudiate the obligations of that institution when it suits their convenience to do so”.

So far as the masters were concerned, this was the Mediation Committee’s parting shot. The Committee did not immediately disband, since the Preston spinners obstinately refused to follow the weavers in returning to work and held out for another fortnight. On 14th May a trades’ delegates meeting was called in Manchester, in effect to signal the end of the spinners’ resistance. Edward Ambler was there, on behalf of the Mediation Committee, urging the spinners to resume work so that those who depended upon them for work (in effect, the great bulk of the cotton operatives), would not be forced to apply for poor relief with its crippling effect on the burden of local taxation. If only through force of circumstances, the spinners proved more receptive to Ambler’s plea than their employers ever were.

VII

Arbitration and conciliation were persistent themes in the ten per cent campaign. Support for such schemes came from all directions, and brought together Tory paternalists, worried Free-Traders, anxious ratepayers, hard-headed political economists, politicians, journalists, shopkeepers, the clergy, and the union delegates. It is important to stress, though, that for the operatives, and for many other third parties, arbitration and conciliation were a second-best solution, which tended to be proposed only when direct negotiations appeared impossible. Bargaining on a mill by mill basis was what the delegates wished to achieve, but as the masters refused to recognise the legitimacy of the unions, they were led to consider other ways of reaching a peaceful settlement. Here again, the Preston Masters’ Association
refused to acknowledge the right of intervention by outsiders. The millowners' obstinacy was reinforced by their beliefs. In the first place, they could not tolerate any violation of the unalienable right of an employer "to do as he will with his own". Secondly, they were certain that markets, not men, should determine wage rates. "Arbitration, so much recommended, can do nothing in disputes of this kind". This was John Bright’s verdict on the Preston strike, and one which merely rehearsed the arguments of the Preston masters themselves. "It is not necessary, nor is it possible that wages should be the same in all towns in Lancashire, or even in all the mills in Preston — differences in sizes and perfection in machinery — in speed — in quality of cotton worked, in quality of preparation, that is in carding, roving etc., in fineness of yarn spun or cloth woven — all this affects wages earned, and no person living could come to any conclusion on questions of this kind. How absurd to think of arbitrating the price of corn; it is equally so when wages are in dispute". Lastly, and perhaps most important of all, there was a more practical consideration. Declining markets and bulging warehouses allowed the manufacturers to meet the operatives head on, and with bargaining power on their side they felt no need for compromise.

The operatives, for their part, seem sincerely to have believed that arbitration would give them what they had been promised, and what they felt they justly deserved. Their defeat, and the publicity it was given in Elizabeth Gaskell’s *North and South* and Charles Dicken’s *Hard Times*, revived interest in arbitration temporarily. In 1855 W.A. MacKinnon, M.P. for Rye and a Lancashire Coal owner with bitter memories of the recent violent strikes in Wigan, failed to secure a Commission to investigate the French conseils des prud'hommes, but in the following year managed to persuade Parliament to establish a select committee to investigate more peaceful methods of settling disputes. Despite the popularity of arbitration the committee’s recommendations were limited, the law remained unaltered and the masters unimpressed. Ten years or more had to elapse before the schemes of A.J. Mundella and Sir Rupert Kettle became the craze, and by then employers' attitudes towards trade unions had softened appreciably.
NOTES


5 Sharp, Industrial Conciliation p.2; Amulree, Industrial Arbitration, p.56.
6 Preston Chronicle, [hereafter, P.C.], 12.6.1847, 16.10.1847, 27.3.1852, 3.4.1852.
11 Three of the League’s supporters played a prominent part in the Preston strike: Mortimer Grimshaw, “The Thunderer of Lancashire”; J.B. Horsfall, a Vice-President of the League and secretary of the weavers’ strike committee; and John Mathews. At the same time all three remained vocal and active Chartists.
15 Preston Guardian (hereafter P.G.), 9.10.1852.
16 P.G., 12.11.1853.
17 Manchester Guardian, 13.7.1853; Stockport Advertiser, 15.7.1853; P.G., 16.7.1853.
18 P.G., 30.7.1853; Stockport Advertiser, 5.8.1853, 12.8.1853.
19 P.G., 11.6.1853.
20 P.G., 17.9.1853.
21 Preston Pilot, (hereafter P.P.), 17.9.1853.
23 P.G., 24.9.1853, 1.10.1853; P.P., 1.10.1853.
24 Rather more than a dozen firms remained aloof. With the important exception of Messrs Napier and Goodair, who ranked with the six largest enterprises in the town, these were all relatively small: P.C., 15.10.1853; P.G., 22.10.1853.
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27 Economist, 3.9.1853, 15.10.1853.
28 Blackburn contributed much more to the Preston turnouts than any other town: Lancashire County Record Office, DDPr 138/87b: weavers' balance sheets in a three-volume scrapbook on the strike kept by George Cowell.
31 P.C., 14.1.1854.
32 P.C., 11.2.1854; P.G., 11.2.1854.
33 P.G., 4.2.1854, 18.2.1854; Lowe, in Trade Societies and Strikes, p.234.
34 P.G., 4.3.1854.
35 P.G., 4.3.1854. In fact the operatives were repeatedly praised by middle-class observers for their peaceful demeanour. See for example Rev. J. Clay to Henry Ashworth, 21.7.1854, in the unpaginated section of LRO, DDPr 138/87a. (This is a scrapbook of cuttings on the strike kept by Ashworth; Clay was the Chaplain at the Preston House of Correction).
38 P.G., 4.3.1854.
39 P.C., 1.4.1854.
40 P.G., 25.3.1854, 22.4.1854.
41 P.G., 15.4.1854.
42 Stockport Advertiser, 14.4.1854.
43 P.G., 29.4.1854.
44 Select Committee on the best means of Settling Disputes between Masters and Operatives (Parl. Papers), XXII (1856) pp. 43, 47.
45 P.G., 11.6.1853; P.P., 11.6.1853.
46 P.G., 23.7.1853.
47 P.G., 13.8.1853. The Orchard was the main open air meeting place. Once a beautiful fruit-garden, the Orchard was in 1853 "merely about two or three acres of very valuable building land, situated near the centre of the town where little meets the eye except crumbling walls and broken railways enclosing areas of doubtful sanitary reputation": "A Prestonian" Charles Hardwick, "Lancashire Stump Oratory and Reminiscences of the Labour Battle: Chapter 1, The Orchard", Eliza Cook's Journal, XI, (1854), pp. 247-8.
49 P.G., 27.8.1853; Lowe, in Trade Societies and Strikes, p. 212.
50 P.G., 27.8.1853.
51 P.G., 16.9.1853.
52 P.G., 24.9.1853, 1.10.1853.
53 P.P., 11.10.1853.
54 P.G., 18.11.1853.
55 P.G., 29.10.1853; Manchester Guardian 26.10.1853.
Cowell's explanation of the affair is not especially easy to follow, and can only be understood in the context of the sour and mistrustful relationship existing between Dobson and the delegates. See Button and King, *Ten Per Cent*, pp. 164–6.


Hume, who relied upon *The Times* for his information, must have known that the masters had repeatedly rejected arbitration: see *Hansard*, 131, 3rd Series (1854), p.819.

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85 People’s Paper, 17.12.1853.
86 People’s Paper, 12.11.1853.
88 Reynolds’ Newspaper, 13.1.1854, 22.1.1854, 29.1.1854 (but note the more favourable reaction of Lloyds Weekly Newspaper, 5.2.1854, 19.2.1854). The People’s Paper ignored it totally, apart from condemning Cowell for not defending Jones (4.2.1854).
89 Examiner, 28.1.1854, 4.2.1854; Economist, 4.2.1854; Morning Chronicle, 7.1.1854.
92 Lowe, in Trade Societies and Strikes, p. 216.
93 P.G., 8.10.1853.
94 Parr, though a High Tory, was trusted by the operatives; he had campaigned actively for the Ten Hours Bill in the 1840s. See J.T. Ward, The Factory Movement, 1830–1855 (1962), pp.320–1, 365, 378, 405, 424.
95 P.C., 15.10.1853.
96 P.C., 5.11.1853; P.G., 5.11.1853. Of the four cotton lords seeking re-election only John Goodair, who was unwilling to join the Masters’ Association and who had kept his mill running throughout the strike, was successful. See Dutton and King, Ten Per Cent pp. 117–21.
98 HO/45/5244B: Baxendale to Lord Palmerston, 7.3.1854; HO/45/5244B: Walmsley to Lord Palmerston, 5.5.1854; see enclosed Public Petitions: Appendix to 23rd Report: App. 565.
99 P.G., 1.4.1854.
100 R. Townley Parker, Tory M.P. for Preston, later told the Preston Guardian that he was not even aware that the committee had met, and claimed that he was never summoned to attend. The Guardian itself grew more and more suspicious. In an editorial on 22nd April it remarked on the number of nominations made without consent, and observed that “only a portion of the persons appointed were for some reason or other summoned to its deliberation... What claim to the respect of the Public can proceedings conducted in this way have?”
101 Lowe, in Trade Societies and Strikes, p. 245.
102 Ibid., pp. 245–6.
103 P.G., 20.5.1854.
105 British Library, Additional MS. 43,383, J. Bright to R. Cobden, 5.11.1853.