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JACKSON, Martin Alan, 1941-  
RICHARD ASSHETON CROSS AND THE ARTIZANS'  
DWELLING ACT OF 1875: A STUDY IN CONSERVATIVE  
SOCIAL REFORM.

The City University of New York, Ph.D., 1970  
History, modern

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1970

**RICHARD ASSHETON CROSS AND THE  
ARTIZANS' DWELLING ACT OF 1875:  
A STUDY IN CONSERVATIVE SOCIAL REFORM**

by

**Martin Alan Jackson**

A dissertation submitted to the  
Graduate Faculty in History in partial fulfill-  
ment of the requirements for the degree of Doctor  
of Philosophy,  
The City University of New York.

This manuscript has been read and accepted for the Graduate Faculty in History in satisfaction of the dissertation requirement for the degree of Doctor of Philosophy.

May 19, 1970  
Date

Corinne Cornstock Weston  
Chairman of Examining Committee

May 20, 1970  
Date

Harold C. Lynett  
Executive Officer

Professor Gertrude Himmelfarb

Professor Stuart Prall

Professor Keith Eubank

Professor Herman Ausubel  
Supervisory Committee

The City University of New York

## ACKNOWLEDGMENTS

It is hardly possible to thank adequately all the people who helped bring this work to completion. I owe a special debt to Professor Corinne C. Weston, whose patience was equalled only by her labor in guiding me through the intricacies of historical writing. I should also like to thank Professor Gertrude Himmelfarb, whose continuing interest in this dissertation was much appreciated. The City University Graduate Center and the Ph.D. Program in History provided the funds to conduct research in Britain and to spend one uninterrupted year in organizing my material. To my wife, Joan, I apologize for the hours spent in libraries and over the typewriter. Her good-natured acceptance of the disruptions caused by this work was essential to its success.

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## INTRODUCTION

It is the purpose of this dissertation to shed light on the social reform movement in Victorian Britain. More precisely, it will center on one significant piece of reform legislation--The Artizans' Dwelling Act of 1875. This measure, which may be fairly described as the centerpiece of Conservative social reform in Disraeli's ministry of 1874-1880, was also a monument to the labors of Richard Assheton Cross, Home Secretary in that government. The fundamental question dealt with here, that of the origins and meaning of Conservative social reform, will be approached via an examination of the career of Richard Cross. Such an avenue of perception will yield additional scholarly dividends by revealing much of the political context in which the Artizans' Dwelling Act was passed.

This study has special value for the student of Conservative political development in the nineteenth century. Cross, despite his contribution to the social reforms of the period, has hitherto escaped the historian's attention. He awaits a biographer. While this account of Cross and the Artizans' Dwelling Act is in no way equivalent to the much-needed biography, it is an essential preliminary to that larger study. In the present context, Cross's career will be studied as it relates to the Artizans' Dwelling Act and to the course of Conservative reform policy. His early career will assume greater

importance here, as he is viewed as forming part of the new trend in Conservative party circles in the years prior to 1875 and the Artizans' Dwelling Act. His activity during the years of Conservative opposition, during Gladstone's historic ministry of 1868-1874, will also be outlined and examined for meaning, for it was during those years of opposition that Conservative leaders, notably Disraeli, came to regard social reform as the key to political success. The future biographer, however, will have to concern himself with Cross's long and varied service during the last quarter of the nineteenth century. Even a cursory glance at that later career lends credence to the assumption implicit in this dissertation: that Cross was a significant political figure amply deserving of a fuller historical examination than he has thus far been accorded. He was again Home Secretary in the short-lived Salisbury ministry of 1885, and was appointed Secretary for India in Salisbury's second ministry of 1886. At that time he was elevated to the peerage as Viscount Cross and served once more under Salisbury in 1895, this time as Lord Privy Seal.<sup>1</sup> At his death in 1914, he was a respected elder statesman of the Conservative party. His cabinet service does not exhaust Cross's contribution to the public welfare during his lifetime. He served on several Royal and Select Commissions, including those on Education,

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<sup>1</sup>Richard Assheton Cross, Political History (By the Author, 1903), Chapters III-V.

Housing and Prisons. In an unofficial capacity, he was often deeply involved with foreign affairs, notably the Eastern Crisis of 1878, and was counted as one of Queen Victoria's confidants and friends.

Yet Cross--despite a long and varied public career--is best remembered for his involvement in the social reforms of Disraeli's ministry, reforms which went far beyond the Artizans' Dwelling Act. As Home Secretary, Cross had the responsibility of dealing with the social and sanitary problems posed by increasing industrialization, and his success in meeting the challenge assured his place in Conservative party history. The legislative record is impressive. Besides the Artizans' Dwelling Act, the list includes such major pieces of reform as the Factory Acts of 1874 and 1876, the Trade Union Acts of 1875, the Public Health Act of 1875, the Rivers Pollution Act of 1876, the Prison Act of 1876 and the Merchant Shipping Act of 1876. These important legislative achievements, as well as a host of minor acts and decisions, owed, if not their origin, at least their enactment to Cross's parliamentary adroitness. Certainly Victorian social reform in the 1870's cannot be rightly understood without reference to Cross and the ideas that he brought to his task.

Cross's activity as Home Secretary and his relationship to Conservative social reform also have interest from the viewpoint of political history. His rise to cabinet rank illustrated a vital change taking place in Conservative

political attitudes in the mid-Victorian era. There appeared in the years following 1867 what may be called a "new Conservative"--a Conservative of middle-class background and ideas who infused a fresh spirit into party ranks. It was Cross, unmistakably middle class, who represented in the very highest levels of the party the new awareness of middle-class needs.

Obviously the passage of the Artizans' Dwelling Act was a product in part of the political needs of the Conservative party in the 1870's, and there is no intention in this study of downgrading the role of political expediency in determining party policy. But it will be suggested in the following pages that Conservatism in the 1870's was inherently receptive to social reform, especially when it could be depicted as sanitary reform.

In the wider perspective, however, the role of political need seems less important in the passage of the Artizans' Dwelling Act than a recognition that the Act forms one more chapter, and an important one, in the long, complex history of Victorian social reform. While it may be conceded that the Act originated in the party politics of the period, as well as in social need, it is vital to bear in mind the developing motivations which brought the issue to prominence. Cross's own early career helps to explain his concern for social legislation and his activity during the years of Conservative opposition in the 1860's brings to the fore the ideas and attitudes that fostered

the Artizans' Dwelling Act. The efforts of the Conservative party, once in power in 1874, to deal with other social problems, such as drink and factories, aid in an understanding of the party's attitude when the question of housing reform was dealt with. Finally, careful study of the Artizans' Dwelling Act serves to draw out, with considerable fullness, the meaning of Conservative social reform.

## CHAPTER I

## THE EARLY CAREER OF A "NEW CONSERVATIVE"

The transformation of Richard Assheton Cross from provincial lawyer to Home Secretary in 1874 provides a useful introduction to a study of Victorian social reform and possesses, of course, a special relevance for a discussion of Conservative housing legislation. Cross was at the center of Conservative reform legislation during Disraeli's great ministry of 1874-1880 and was responsible, far more than the Prime Minister, for the successful record of that government in matters of social and sanitary reform. On a broader scale, the presence of Richard Cross in the Disraeli cabinet demonstrated significant changes that were taking place within the Conservative party.<sup>1</sup> It is true that by the 1870's the middle-class Conservative was no longer a unique figure, and that other self-made business and commercial men had risen to important posts within party ranks. Cross, however, was one of the first of the "new Conservatives" to attain cabinet status, and his successful career as Home Secretary eased the way for

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<sup>1</sup>For a full discussion of the changing nature of the Conservative party, see Paul Smith, Disraelian Conservatism and Social Reform (London, 1967), pp. 319-325.

other middle-class Conservatives in the years to come.

Cross's early years were passed in a manner almost indistinguishable from those of thousands of others who shared his class and family background. Of comfortable means but not wealthy, educated but not an outstanding student, he nevertheless had social ties which enabled him to rise as a Conservative politician and eventually to sit in the highest circles of the party. If much of his life can be summarized by describing him as a provincial lawyer and banker, whose career in his local community advanced steadily, still it must be recognized that a new phase of his life opened suddenly when he was appointed Home Secretary and thrust into the central arena of national politics.

Cross was born on May 30, 1923, at the family estate, Red Scar, near Preston in the industrial county of Lancashire. Preston, at the time of his birth, was a rapidly expanding cotton town situated in northern Lancashire and closely influenced by the booming industry of the north. The Cross family had settled in the area as early as the seventeenth century, when leading members of the family entered the tanning industry.<sup>2</sup> The Cross

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<sup>2</sup>Dictionary of National Biography (London, 1927), XXIV, 138-140; Richard Assheton Cross, Family History (By the Author, 1903), p. 4.

tannery was highly successful; and by the early nineteenth century, the family included several lawyers and local officials. Considerable property had accumulated in the Cross family, and they had become sufficiently prosperous to found a school for deaf and dumb children in Preston, known as the Royal Cross School; they were counted among the notables of the county.<sup>3</sup>

The rise of the Cross family, from prosaic beginnings in the tannery to success at the bar, appears to have been steady if unspectacular. It was Richard's grandfather, John, who abandoned the tannery for the study of law in the late eighteenth century. "We take leave of the tannery," wrote Richard Cross in his family memories, "and we come to the law which was still more prosperous."<sup>4</sup> John Cross, who was born in 1742, was known in Preston as "Honest John Cross." His rank and influence were enhanced in 1770, when he married Dorothea Assheton, thus linking the Cross name with an established and socially prominent family from Ashton-under-Lyne in Lancashire. At his death in 1779, John Cross had served as secretary of the Court of Common Pleas in Preston and had built an enviable reputation as a diligent and honest practitioner of the law.

His only child was William Cross, born in 1771, who likewise entered the profession of the law. He was Richard

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<sup>3</sup>Ibid., p. 7.

<sup>4</sup>Ibid.

Cross's father, but died in 1827, when Richard was only four, leaving few memories to the child. William had joined his father in legal practice and both appeared to have earned comfortable livings from the busy courts of Preston, which was the seat of the Superior Court of Common Pleas in Lancashire as well as a thriving commercial town in its own right. One proof of William Cross's prosperity and standing in the community was the purchase of land near Preston, including his estate at Red Scar where Richard was born. Social distinction followed when, in 1808, William was offered command of a local volunteer militia unit. He declined the honor, much to the disappointment of the then Lord Lieutenant of Lancaster, the thirteenth Earl of Derby.<sup>5</sup> William did however occupy the post of deputy Lord Lieutenant and as such established a relationship with the powerful Stanley family which was to have significant consequences for Richard Cross in later years.

There is little evidence suggesting that William Cross was politically ambitious or had any desire for greater rewards than his legal work in Preston provided. Much of his time was devoted to improving the estate at Red Scar and to writing and versifying. His marriage was happy, as were his relations with the large Assheton

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<sup>5</sup>Ibid., p. 15. Derby sent a personal letter to William Cross expressing regret at Cross's decision not to accept the militia post.

family.<sup>6</sup> Although a successful lawyer, William nevertheless expressed reservations about the nature of the legal profession as it then existed. "I wonder," he wrote, "how the great men can go on day by day and hour by hour in the heats both bodily and mental of the courts of justice and I cannot envy the greatest leader of a profession which obliges him to sell himself . . . to support the cause of the first comer."<sup>7</sup>

William Cross was an Evangelical. He was, Richard later wrote of his father, "much interested in all Church matters, especially the Church Missionary and Christian Knowledge Society."<sup>8</sup> William's devotion to the Anglican Church drew praise from his associates, including one Canon Parkinson, who described him as "one of the first laymen who in a dark age had a serious sense which he showed by his boundless liberality, of the responsibilities of wealth and station."<sup>9</sup> The religious beliefs imparted by William Cross to his family, which influenced Richard Cross throughout his life, were not the sombre rituals of the High Church but rather the deeply felt religion of the Evangelicals. The opening decades of the nineteenth century witnessed the increasing influence of the so-called Clapham Sect, of wealthy and intellectual Anglicans who

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<sup>6</sup>Ibid., p. 18.

<sup>7</sup>William Cross to Mr. Greaves, 11 September 1824, ibid., p. 20.

<sup>8</sup>Ibid., p. 21.

<sup>9</sup>Ibid.

desired to make their religion a more emotional experience and a more relevant part of their daily living. Their beliefs colored and affected almost every part of the Christian establishment and imparted a tone of high moral purpose to the whole of the Victorian era.<sup>10</sup> Although the Evangelical movement was largely guided and maintained by upper-class and middle-class personalities, with such men as William Wilberforce and the seventh Earl of Shaftesbury in the fore, the message that it contained was nevertheless widely disseminated. In the Cross family of Preston, religion in the form of a moderate Evangelicalism played a vital role. They could agree with William Cross when he wrote: "Mankind are only really social, that is honourably just, strictly true, kind, and benevolent, or innocently gay, in the measure which they are religious."<sup>11</sup>

As was so often the case, adherence to the Evangelical viewpoint was linked to a Conservative political outlook. William Cross sat proudly and firmly on the Tory side, called by Richard the "true blue" from the electoral colors worn by the Lancashire Conservatives. William's political sympathies were conspicuously displayed in years 1816 and 1820, when he was active in the campaign against William Cobbett, a man he saw as the embodiment of

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<sup>10</sup>The role of Evangelicalism in British life is discussed in Elie Halevy, England in 1815 (New York, 1961), pp. 432-455.

<sup>11</sup>Cross, Family History, p. 22.

radicalism. In both elections, William was closely allied with the Earl of Derby, the leading Conservative politician in Lancashire and a powerful national figure.<sup>12</sup> This combination of Conservative politics and Evangelicalism was a familiar sight in the early nineteenth century, the Earl of Shaftesbury being perhaps the most notable example.<sup>13</sup>

When William Cross died in 1827, he left his wife with six children to raise but with ample funds and property. Richard Cross received his first education at home, and he wrote of yearly visits to Everton, where "the best masters in Liverpool were available."<sup>14</sup> In due course, the Cross brothers progressed from private tutors to a prestigious public school. After attending the same Lancashire school as Gladstone, Richard followed his brothers to Rugby. "I fancy we went through school life as most other boys do," he wrote modestly, and there seems to have been little in their school careers that distinguished either Richard or his brothers. Richard attended Rugby during the tenure of the celebrated Dr. Arnold; and he never forgot the example set by that imposing scholar and educator. "I had myself," wrote Cross, "the great privilege of being under Dr. Arnold, in the sixth form for two years." It was, he added "of

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<sup>12</sup>Ibid., p. 23.

<sup>13</sup>John and Barbara Hammond, Lord Shaftesbury (London, 1939), pp. 230-231.

<sup>14</sup>Cross, Family History, p. 30.

inestimable value to me."<sup>15</sup> The reasons for Cross's fond memories are easily seen. Arnold stressed a social awareness and high moral purpose that made Rugby the training ground for a whole generation of statesmen and administrators, including Richard Cross.<sup>16</sup> Well-born young men were impressed with the view that they were expected to participate in public life, that new conditions called for fresh attitudes toward the poor and dispossessed, and that "the ideal of the gentlemen involved a sense of social duty as well as good form."<sup>17</sup>

More important to Cross's political future was his good fortune in having as his classmate at Rugby the heir to the Derby title, Edward Stanley. Stanley, the son of the fourteenth Earl of Derby, who would succeed to his father's title in 1869, was born not only to great wealth but also to an assured political career. His father was Prime Minister and a commanding figure in the Conservative party and his family had for generations dominated the political life of Lancashire. The connection between the Cross family and the powerful Derbys, visible early in the nineteenth century, was thus strengthened by the sentimental

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<sup>15</sup>Ibid., pp. 30-31; also Richard's letters to his mother from Rugby, Cross Papers, British Museum Add. MSS 51283.

<sup>16</sup>Asa Briggs, Victorian People (New York, 1963), pp. 140-167 discusses Arnold and the reform of the public schools.

<sup>17</sup>Ibid., p. 161.

bonds of school memories and youthful friendship. The association between Cross and Stanley was maintained when both men attended Trinity College, and it became, as Cross frankly observed, "of great value" to him in later years. The relationship was not always advantageous, for in the late 1870's Cross found himself embarrassed by his friendship, and politically damaged as well.<sup>18</sup>

Following his stay at Rugby, Cross and his brother William attended Trinity College, Cambridge, where Richard began his studies in 1843 with the idea of entering the clergy. After two years, however, he became convinced that his true talents and interests were in the law and despite some familial opposition, decided to enter the legal profession. In the interim he found studies and life at Cambridge uneventful. Cross, as so many others of his generation, was dedicated to the sport of rowing and he developed at Trinity a life-long concern for the standing of the Cambridge crew.<sup>19</sup> He himself rowed "head of river" during these student years. He enjoyed no similar pre-eminence as a scholar, although he recorded that he "enjoyed college life as much as most men, and read

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<sup>18</sup>In 1880, after Derby had split with the Conservative government over the Eastern Question, Cross and Derby found themselves on opposite sides in the electoral battle of that year.

<sup>19</sup>He paused in his autobiography to note: "In my opinion, the shallowness of the Cam has a serious effect upon the stroke." Family History, p. 31.

steadily all the time."<sup>20</sup>

The relationship between Richard Cross and his brothers grew even closer during these college days. The letters from Richard to his elder brothers, John and William, were warm and confidential and the replies were equally intimate, full of paternal advice and encouragement. "We are become like old friends as well as brothers," wrote John Cross in one of his regular letters, "a very different relation which is not always found in large families like ourselves."<sup>21</sup> Together the elder brothers convinced Richard to begin his study of the law, and they supported him loyally when their mother objected to this change in career.

Despite her protests, Richard was determined to begin legal studies. He received his degree from Trinity in 1846 and spent the next three years working for his brother William in Preston and studying for his bar examinations. William Cross had followed the family tradition and entered the law, eventually assuming control of the Cross firm in Preston and becoming a well-known figure in Lancashire politics. He worked actively for the Conservative cause, led by the fourteenth Earl of Derby, and in the elections of 1868 he played a crucial role in the defeat of Lord Hartington, a notable Liberal. His cooperation with Derby meant that William Cross had assumed a significant

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<sup>20</sup>Ibid., p. 35.

<sup>21</sup>John to Richard Cross, 1844, Cross Papers, British Museum Add. MSS 51286 f. 13.

voice in Lancashire Conservative circles and was thus in a position to aid his younger brother politically as well as professionally.<sup>22</sup>

Following his experience in the family law firm, Richard made the required trip to London for study at one of the Inns of Court. At least one of his experiences in London had an enduring effect upon his thought. Busy at the Inner Temple in 1848, when the Chartist agitation became a matter of public concern, Richard was enlisted as a special constable in Middlesex.<sup>23</sup> He thus joined several notable figures, including the future Napoleon III and the Duke of Wellington, in guarding the seat of government from what was believed to be an imminent attack from the Chartists in that memorable year of revolutions.

Called to the bar in 1849, Cross was assigned to the Northern Circuit, coming eventually to preside over the Preston and Salford Quarter Sessions. He had an eminent legal career during the early 1850's, serving much of the time on the Quarter Sessions in his home county, often sitting with Lord Stanley (Edward Stanley was made a peer in 1851). His progress was steady and by 1858, Richard Cross had accumulated sufficient experience in legal matters

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<sup>22</sup>William Cross died in 1883 after a long and successful career in Lancashire. Henry, the youngest brother, died in 1851 while a medical student. John Cross, who entered the church, died in 1897.

<sup>23</sup>See Richard's Commission as a Special Constable, Cross Papers, British Museum Add. MSS 51269 f. 12.

to write, in collaboration with Henry Leeming, a major work dealing with the operations of Quarter Sessions.<sup>24</sup> The General and Quarter Sessions of the Peace (1858) was a technical compilation of laws and precedents affecting the maintenance of Quarter Sessions. The work was successful, and a second edition, edited by Horatio Lloyd and Henry Thurlow, appeared in 1876 with a dedication to Cross, by this time a member of the cabinet.<sup>25</sup> The book dealing with Quarter Sessions was not, however, Cross's first appearance in print. In 1853 he had written another legal book, Acts Relating to the Settlement and Removal of the Poor (1853), again a compendium of laws and cases intended for the professional. This earlier book demonstrated Cross's command of the legal problems involved in dealing with the poor and with questions of poor relief, and established his right to speak with some authority in later years on the subject of the poor. His choice of subject matter in 1853 further suggests an interest in and concern with the problem of poverty, revealing that Cross's later reform activities had their roots early in his career.

For twelve years Cross practiced law in Preston "with much success," so he reported. His opinion was not

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<sup>24</sup>Cross and Leeming, The General and Quarter Sessions of the Peace (London, 1858).

<sup>25</sup>(London, 1876).

without foundation, for his work brought him a large practice and widespread popularity. His promise as a candidate was recognized when the Preston Conservative Association asked him in 1852 to stand for a seat in the House of Commons. He refused the offer, however, in the belief that he had not as yet achieved, as he later wrote, "a sufficiently assured position at the bar."<sup>26</sup>

Although the decision to stand for Parliament was deferred, the year 1852 was notable in a different way. In that year he married Georgiana Lyon, the daughter of a prominent banker in Warrington. The marriage was a happy one and later proved financially advantageous when Cross assumed an important position in the Lyon family bank. The marriage lasted for fifty years and its nature may be surmised from the letters exchanged between Cross and his wife. Georgiana's letters were both affectionate and regular, full of family gossip and references to local affairs but never venturing into politics. Richard's in return were briefer but always included an expressed desire to be with his family and regret that public business so often kept him away from home. Seven children were born of the marriage, four sons and three daughters; and the Cross household was an active one, offering him diversion from

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<sup>26</sup>Cross, Family History, p. 36.

political cares and all the much-appreciated comforts of a large Victorian family. All the children grew to adulthood and one of his sons, George, sat in the House of Commons in the 1890's.<sup>27</sup>

The assured position at the bar did not long elude Cross; and five years after the initial offer, the Preston Conservative Association, recognizing his activity in local affairs, asked Cross once more if he would contest the seat for Preston. In 1857 he accepted the offer and began his career in national politics. The borough of Preston was then represented by Sir George Strickland, once labelled an "old Radical."<sup>28</sup> Only 34 years old when he began his battle for a seat in Parliament, Cross was well known in Lancashire for his work on the Quarter Sessions but could only be considered a newcomer to national political life. Much more important, however, than his relative lack of experience and national reputation was his continued relationship with the Derby family. The blessing bestowed upon Cross's candidacy by the fourteenth Earl of Derby was crucial for his success in the coming election. While

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<sup>27</sup>Dod's Parliamentary Companion 1890, p. 216.

<sup>28</sup>Cross, Political History, p. 207. Dod's Parliamentary Companion for 1857 labelled Strickland a "reformer in favor of ballot, church reform and short parliaments."

Cross could claim no aristocratic lineage, the lack of such a background meant much less since he had won the support of the Derby family. Cross, a genuinely middle-class figure, had a firm association with the aristocracy and that association had important meaning for the future. Cross as a political figure might be viewed as a harbinger of significant changes taking place within the Conservative party, in that he was among the first middle-class men to be granted an active role in the traditionally aristocratic party. In the years to come, the influence of these rising merchants, bankers and industrialists would be widely felt within Conservative ranks, as that party slowly turned away from its aristocratic origins and towards an increasingly middle-class structure and membership.

In Preston, moreover, the appearance of a middle-class Conservative candidate was easily accepted, for Preston was far from being the typical Conservative stronghold. Above all, Preston was a cotton city, situated in the dreary industrial regions of Lancashire and possessed of certain attitudes and opinions that were not found in other Conservative towns and counties. Its population was expanding rapidly, increasing from 24,000 to 90,000 in the years between 1821 and 1868 alone, and showing no signs of

slowing down.<sup>29</sup> There were 27 cotton mills in Preston, employing some 24,000 people, of whom a large proportion were Irish immigrants. Cotton was the major industry of Preston, indeed of all Lancashire; and the port of Liverpool was the entry for the huge amounts of American cotton which was processed in the mills of Manchester, Bolton and Preston.

The combination of dependence upon cotton and Irish immigration complicated the political life of Preston, often creating seemingly contradictory positions on important questions of the day. Preston, as a cotton city, was devoted to the Prime Minister in 1857, Lord Palmerston, a conservative Liberal whose Chinese policy was highly beneficial to the cotton trade.<sup>30</sup> Yet the borough exhibited little sympathy with Palmerston's party, preferring to vote most often for a Conservative candidate for reasons having no connection with cotton. The impact of the heavy Irish influx was the decisive factor in Preston's political life, as in much of Lancashire. The desire to defend the Church of England (and Protestantism in general)

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<sup>29</sup>Henry Fishwick, A History of Lancashire (London, 1894), p. 282. Preston was supposedly the model for Coketown in Dickens' Hard Times; Humphrey House, The Dickens World (Oxford, 1942), p. 206.

<sup>30</sup>Cross, Political History, p. 207.

against the Roman Catholicism of the newly arrived Irish often prevailed in the minds of the voters, and the Conservative party was the natural beneficiary of this attitude. Conservatives were the champions of the established Church, and the often virulent anti-Catholicism of the Preston electorate practically assured the success of Conservative candidates in that borough. The curious result prevailed that in an industrial and trading region, where Liberals and free traders might be expected to dominate, the religious currents made Conservatism the majority political doctrine. Coupled with the great power of the Derby family, the defense of Protestantism enabled the Conservatives of Lancashire to win wide and lasting support among the voters and to build a Conservative dominance in the region that continued for decades.

Yet the Conservatism of Preston and of Lancashire was prepared to consider and deal with contemporary problems. A large and relatively well organized working class had given Preston a reputation for radical thinking that included an element of opposition to the aristocracy, both Tory and Whig. Cross for instance, was required by the electors to give only one firm pledge: he was not to join the Carlton Club if returned to Parliament. "While a member for Preston," he wrote, "I never did belong to it."<sup>31</sup>

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<sup>31</sup>Ibid. He joined the Carlton Club after being appointed to the cabinet in 1874, when he no longer represented Preston.

To the voters of Preston, the Carlton Club was the symbol of corrupt London politics and of aristocratic pretensions, a menace to the best interests of their borough. The Preston electorate could trace a history of radical and progressive politics back to the time of Richard Oastler in the 1840's, when that Tory had advocated the idea of a Conservative working man and had helped establish clubs in Lancashire to give reality to his theory. During the 1860's and 1870's, Lancashire was to be the embodiment of working class and Conservative unity, with both groups united in opposition to the industrial magnates and the pro-Irish Liberals. In short, the Preston of 1857, in which Richard Cross successfully ran for Parliament, was a borough that required great adaptability on the part of its elected officials.

The election took place in March 1857, and resulted in a sweeping victory for the Preston Conservatives. The two Conservative candidates, Charles Grenfell and Cross, headed the list with 1903 and 1433 votes respectively. The aging Sir George Strickland went down to defeat with 1094 votes, thus giving Preston two Conservative members in the new Parliament. In the years prior to the Reform Bill of 1867, the total electorate of Preston was 2,793 out of a population of 69,524, determined by the usual 10 pound household franchise for borough voters.<sup>32</sup> The election of

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<sup>32</sup>Dod's Parliamentary Companion, 1858, pp. 175-176.

1857 also brought victory to Palmerston, whose strong policy in China was vindicated and whose personal popularity was unchallenged. Cross announced his intention of giving "strenuous support" to the Palmerston government but qualified that support by expressing regrets that a war had become necessary to protect British interests in China.<sup>33</sup>

Cross was to spend the next five years in Parliament. If these years were on the whole uneventful they nevertheless provide some glimpses into Cross's political growth and beliefs. As a young and unknown Member, Cross made scant impression upon the House of Commons, voting loyally with his party and offering few novel ideas. His participation in Parliamentary affairs was limited, and his rare speeches in the House were usually concerned with religious matters or church affairs. But on at least one occasion he played a significant role by voting with the Liberals to support the passage of the Municipal Elections Bill of 1859. His vote to reform election procedures in urban areas was hardly surprising, given the nature of his constituency and the strong pressure exerted by the Preston voters for a measure so closely affecting their borough. On still another occasion, in 1861, Cross acted with other Conservative members in defiance of the Derby-Disraeli leadership

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<sup>33</sup>Ibid., p. 175.

when he voted for a bill to make church rates voluntary. His position was that church rates should be paid voluntarily and that a Dissenter should have the right to exempt himself from such payments without fear of violating the law. On the more radical proposal for the abolition of all church rates, Cross stood with Disraeli and the party in rejecting it.<sup>34</sup> Willing to admit the validity of the non-conformists' objections to the payment of rates for support of a church not their own, Cross still believed deeply in the necessity of maintaining the position of the established Church of England.

Aside from these two legislative matters, it appears that Cross did little to warrant national attention. He hewed to the Conservative side and proved a steady and loyal support of the Derby-Disraeli leadership; yet he demonstrated few outstanding abilities during these first five years. Part of Cross's failure to perform outstandingly was due as much to the weakness within his own party as to his own personal faults. The Conservative party was divided, unable to govern effectively when the opportunity existed and dependent upon the support of other groups in the House. Its weakness became apparent in 1858, when a Derby-Disraeli government was formed but could maintain its existence only for sixteen months before going out on a

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<sup>34</sup>Municipal Elections Bill, Parliamentary Papers (1859), XXXV, 1; corrected copy in Cross's handwriting, Cross Papers, British Museum Add. MSS 51289 f. 30. On the Church Rates Abolition Bill, see Cross Papers, Add. MSS 51289 f. 54.

vote on Parliamentary reform that they themselves had introduced. With the downfall of the Conservatives in 1859, the mantle of leadership passed once more to the apparently ageless Lord Palmerston. Although the general elections of that year had increased Conservative strength in the House (Cross was easily reelected in Preston),<sup>35</sup> the party still lacked a majority and was content to leave the problems of leadership to Palmerston. Gladstone assumed the post of Chancellor of the Exchequer, and the ministry formed in 1859 was to continue its existence until 1865.

In 1859, however, family affairs were to conspire to reduce even further Cross's moderate activity in Parliament and eventually to remove him entirely from the House of Commons. With the death of his father-in-law, Thomas Lyon in 1859, Cross was offered a position in the Lyon bank in Warrington. It was, as Cross himself wrote, "such an offer as in justice I could not refuse."<sup>36</sup> Clearly the lures of national politics were not sufficient to keep Cross in his seat in the House, and he began slowly to devote his energies to his banking career. In 1860 he gave up his place at the Bar and moved from London to Warrington. His limited role in Parliamentary affairs was curtailed and

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<sup>35</sup>The results of the election of 1859 in Preston are recorded in Dod's Parliamentary Companion, 1859, p. 40. Cross led the field of three, his running mate Charles Turner was second and the Liberal candidate a weak third.

<sup>36</sup>Cross, Family History, p. 36.

even his presence in the House of Commons was a notable event. So infrequent were his visits to the House that he earned the nickname "Stormy Petrel," after the bird whose presence signifies bad weather, "my own appearance," Cross recorded later, "being the signal that a storm was brewing."<sup>37</sup> Finally, in 1862, Cross asked for and received the stewardship of the Chiltern Hundreds,<sup>38</sup> the traditional method of resigning a seat in the House of Commons, and so left national government for a career in banking.

He did well as a financier, in time rising to be chairman of Parr's Bank in Warrington and presiding over a period of prosperity in the firm's affairs. The formerly private investment concern of Parr's became a limited stock company during Cross's years of service and entered into a wider range of investment activities, a procedure which Cross happily supported. He retained his post with the bank for more than a decade; not until his appointment as Home Secretary in 1874 did Cross finally resign.<sup>39</sup> This meant among other things that Cross was absent from the House of Commons in the 1860's, taking no part, for example, in the historic debates over the Reform Bill of 1867. But

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<sup>37</sup>Cross, Political History, p. 215. Cross gave only passing attention to his career prior to 1868 in his political autobiography.

<sup>38</sup>James Croston, County Families of Lancashire and Chesire (London, 1887), p. 405.

<sup>39</sup>Parr's Bank to Cross, 21 February 1874, Cross Papers, British Museum Add. MSS 51270 f. 99.

Cross had not abandoned public service; his years in Warrington were filled with a wide range of charitable and local government activities. He was busy with church affairs, as befitted his Evangelical background, and the highly charged religious atmosphere of Lancashire made his participation in church life a social necessity for a man in his position. In addition, Cross gave time to the establishment of technical schools and helped create a school for the daughters of penurious clergymen. His social conscience, in short, had not been laid to rest in 1862 and he maintained a wide ranging interest in matters affecting health, education and religion.

More important, in light of his later career, was Cross's role in local government. The charitable work which he undertook fulfilled his social conscience and his religious convictions, but the affairs of local government in Lancashire enabled Cross to prepare for a more demanding role in the 1870's. He engaged in work that taught him the fundamentals of county administration and gave him an acquaintance with the intricacies of finance relating to government, public health and social reform. He later wrote, "I became Chairman of the Board of Guardians, of the highway board, of the lunatic asylum, and of petty sessions at Daresbury and Newton . . . and so gained much experience in county matters."<sup>40</sup> The life of a banker may have left

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<sup>40</sup>Cross, Family History, p. 37.

Cross unsatisfied, for both his inclinations and sense of social awareness were being denied fulfillment without active participation in charitable and government work. Under the circumstances, Cross's sudden elevation to the Home Office in 1874 did not find him unprepared for the business of that office nor handicapped by lack of experience in administration. Cross came intellectually equipped with a wealth of knowledge pertaining to the needs of local governments and an awareness of the obstacles that could hamper and even prevent entirely the effective administration of social legislation.

Cross had also continued his long-standing association with the Kirkdale Quarter Sessions, which was under the chairmanship of Lord Stanley, the friend he had known for some two decades. As early as 1858, while still in Parliament, Cross had asked to be taken back in the Quarter Sessions and Lord Stanley had enthusiastically agreed.<sup>41</sup> The publication of his book on the Quarter Sessions had made Cross a recognized authority on the subject and so a valuable addition to the Court. His participation in this work brought Cross into a close relationship with Lord Stanley, as Cross himself remembered: "It was at this time [1860's] that, as deputy chairman of quarter sessions at Kirkdale, that I saw much of my old college friend Stanley

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<sup>41</sup>Lord Stanley to Cross, 24 August 1858, Cross Papers, British Museum Add. MSS. 51266 f. 1.

. . . who was chairman, staying constantly at Knowsley."<sup>42</sup> Certainly his friendship with Stanley enabled Cross to keep abreast of the latest affairs in London and to observe at first hand the work of the Conservative party. His decision to forsake the House of Commons, therefore, had not removed Cross from the mainstream of political life; and when the opportunity once again presented itself, he was prepared to return to the political arena.

Although he had no part in the debate over the Reform Act of 1867, Cross was closely affected by its passage.<sup>43</sup> A redistribution scheme was also passed as part of the Act, under which Lancashire was divided into two parts: South East and South West. Each was to send two members to the House of Commons. South West Lancashire comprised the area from Preston to Liverpool, bordered by the Irish Sea on the west and Bolton on the east, including within its boundaries some of the most industrialized regions in Britain.<sup>44</sup> The region was an irresistible

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<sup>42</sup>Cross, Family History, p. 37.

<sup>43</sup>Cross, Political History, p. 12.

<sup>44</sup>Fishwick, History of Lancashire, passim.

attraction to the poverty-afflicted Irish and thousands crossed annually to work in the factories and docks of Liverpool and Manchester. The immigration doubled and redoubled after the terrible years of famine in the 1840's, with the result that by 1868, Lancashire had become the center of Irish habitation and the stronghold of Roman Catholicism in Britain. With the wholesale enfranchisement of borough householders in 1867, the Irish won an important place in the political life of Lancashire and a religious flavor often clung to elections in that county. It was in busy and religiously divided South West Lancashire, an electoral district newly drawn in 1867, that Cross was once more asked to stand as the Conservative candidate. And it was there in 1868, as a result of the unusual voting patterns of that district, that Cross became a national figure overnight by his startling victory over none other than William Ewart Gladstone.

Gladstone had been elected for South Lancashire in 1865, in a dreary campaign. He was by 1868 a well-known Parliamentary figure with many years of experience behind him and a brilliant future predicted. It was not anticipated that the redistribution of 1867 would place obstacles in the path of Gladstone's reelection; at worst he envisioned a decrease in his winning margin but not enough of a drop to lose the seat. The Liberal Whip Henry Brand, Gladstone's chief advisor, urged him to stand for the new district of South West Lancashire and assured him that the

seat was a safe one. Brand wrote with cheery confidence:

All is serene with regard to S.W. Lancashire. Grenfell will stand, and I have no doubt will be your colleague. Lord Sefton cordially concurs, & subscribes £ 2000, a good test of his goodwill. . . .<sup>45</sup>

Henry Grenfell was a moderate Liberal, a well-known personality in Lancashire who had the further advantage of being supported by the wealthy Earl of Sefton, a landed aristocrat of ancient Whig lineage. The influence of the landed peers was strong in Lancashire, where these men customarily aligned themselves with the Conservative party. The Earl of Derby was the most influential of the peers in Lancashire and in 1868, was staunchly Conservative, as were most others with the exceptions of the Duke of Devonshire and the Earl of Sefton. Under these circumstances, it was essential that the Conservative candidates for Lancashire meet certain conditions. The candidates would need to be of sufficient reputation in Lancashire to offset Gladstone's national fame and they would have to be persons capable of winning approval of the landed aristocracy, particularly the Derby family.

Richard Cross fulfilled both requirements; and his running mate, Charles Turner, brought to the campaign the wealth gathered in his career as a shipowner and railroad builder. As in 1857, Cross was unprepared for the

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<sup>45</sup>Brand to Gladstone, n.d., quoted in H.J. Hanham, Elections and Party Management in the Time of Disraeli and Gladstone (London, 1959), p. 292.

invitation to stand for election. "Much to my surprise," he later remembered, "and greatly to my delight, I was asked to stand . . . in opposition to Gladstone."<sup>46</sup> Cross was prompt in accepting the proposal and obviously anxious to reenter political life. Equally happy were Cross's Liberal opponents, who considered him a dull provincial banker of limited local appeal who would be totally out-classed by Gladstone. "I am very glad," wrote William Rathbone, a member of the Liberal Committee in South West Lancashire, "that Turner and Cross are out. . . . I was afraid they were only dummies to conceal some more formidable opponents."<sup>47</sup>

Despite their expressions of confidence, and the reassuring words to Gladstone, the Liberals displayed signs of uncertainty. Liberal political managers had decided that South West Lancashire did indeed present a risk and to ensure the return of the party's leader, placed Gladstone's name on the ballot in the safe Liberal seat of Greenwich. Gladstone therefore went into the election of 1868 with his return assured--if he lost in Lancashire he would find safety in Greenwich. The cause for the deepening Liberal concern about South West Lancashire was Gladstone's proposal to disestablish the Irish Church. Although he could count on the support of the Irish voters in Lancashire,

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<sup>46</sup>Cross, Political History, p. 6.

<sup>47</sup>Rathbone to George Melly, n.d., quoted in Hanham, Elections and Party Management, p. 295.

Gladstone had alienated large numbers of Protestants in that county by his increasingly radical statements on Ireland. Lancashire being traditionally Conservative in any event, the Liberal candidate, even a Gladstone, could ill afford to stir up the latent dislike of the Irish and their religion which played so important a role in Lancashire politics. With the new distribution and the broadened franchise, the Liberals were uncertain about the outcome in South West Lancashire and the refuge in Greenwich was deemed necessary. Gladstone, however, was hardly satisfied to drift into office; he proposed to fight hard for his seat in Lancashire.

In a lesser figure, the assurance of victory in another district might have resulted in a dull and half-hearted campaign. Gladstone, however, rushed into the battle for South West Lancashire with every ounce of his remarkable energy. In an intensive effort to win the voters of the district, Gladstone became among the first nineteenth century politicians to utilize the technique of smothering the region with speeches and party propaganda.<sup>48</sup> He opened his campaign in October, delivering seven major speeches between the 12th and the 23rd of that month, and visiting every important city in the district.<sup>49</sup> His

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<sup>48</sup>Hanham, Elections and Party Management, p. 202, discusses Gladstone's political technique in 1868 and the issues of that election.

<sup>49</sup>Ibid., p. 296.

addresses were made to large and enthusiastic audiences and attracted widespread national attention, as much for their style as for the dramatic proposals advanced in them. It was a forerunner of the epic Midlothian campaign which Gladstone was to wage twelve years later, but the results in 1868 were not commensurate with the effort.

Gladstone's prestige and oratorical talents were insufficient to hide the bitter fact that, no matter how well and how often he said them, he was saying the wrong things to the voters of South West Lancashire. Gladstone's greatest burden, and the vital issue in the campaign, was his attitude regarding the Irish Church and his proposals to disendow it. In a district where the Protestant spirit had been stiffened by years of battle with the Catholic immigrants, Gladstone's call for the Church of England to retreat from its position in Ireland was unlikely to win him votes. But the issue of Irish Church reform was precisely the sort upon which Gladstone stood like a fortress, unwilling to compromise and intolerant towards those who refused to accept his pronouncements. It was a moral as well as a political fight which Gladstone undertook, and in his best pulpit manner he called unhesitatingly for the remodeling of the Anglican Church in Ireland. These appeals fell on deaf ears in Lancashire, although in the rest of England it was the popularity of Irish disestablishment which helped

provide the Liberals with a majority in the new Parliament.<sup>50</sup>

In Liverpool, the largest city in Lancashire, the question of religion was the dominant one. The size of the Irish community in Liverpool, the rapid growth of their religious structure in the city and their increasing political power made Liverpool a center of dispute and confrontation.<sup>51</sup> Yet it was in Liverpool that the Liberals won their greatest success in Lancashire. Enough of the Irish householders had been given the vote in 1867 to enable them to support Liberal policy.<sup>52</sup> Liverpool, therefore, gave a sizeable vote to the Liberal party despite its ancient Conservative tradition and the existence of a well-organized Conservative machine.

Unfortunately for the Liberals and for Gladstone, the Irish throughout the rest of Lancashire were too diffused and politically disorganized to change the electoral results. In the agricultural regions of Lancashire the traditional Conservative voting patterns reasserted themselves and the Protestant farmers trooped in

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<sup>50</sup>Although certain members of the House of Lords were distressed by Gladstone's proposals for the Irish Church, the nation as a whole took them calmly. Many English Church leaders opposed the Irish Establishment in any case, viewing it as the stronghold of "Low Church" activity.

<sup>51</sup>Hanham, Elections and Party Management, p. 285.

<sup>52</sup>Annual Register, 1868, pp. 172-173. Liverpool was the site of the largest Roman Catholic church in England.

to cast their ballots in favor of Cross and Turner. The Conservative landowners also joined enthusiastically in the struggle and employed their local authority to win votes for the Conservative candidates. The Marquis De Rothwell wrote Cross following the election:

I myself voted for you, and I am happy to say about ten of my tenants at my request most willingly did the same.<sup>53</sup>

In Lancashire, the political attitudes of the local squire and landlord still determined to a great extent the voting of their tenants. The redistricting provisions of the Reform Act of 1867 aided the Conservatives in Lancashire. The addition of new voting areas to the Parliamentary districts brought the heavily Conservative rural districts into the balance, and their impact was often enough to turn already scarce Liberal seats into Conservative ones.<sup>54</sup>

Richard Cross, for his part, did not rely on the Conservative bias of his county nor upon Gladstone's unpopular Irish pronouncements to win his seat in Parliament. On the contrary, Cross waged a vigorous and effective campaign which carried him to scores of meetings and rallies in the district. As one of Cross's supporters observed following

<sup>53</sup>Marquis de Rothwell to Cross, 25 November 1868, Cross Papers, British Museum Add. MSS 51269 f. 12.

<sup>54</sup>John Vincent, "The Effects of the Second Reform Act in Lancashire," The Historical Journal, XI, I (1968), 84-94. It was not the extended franchise which gave victory to victory to the Conservatives in 1868, but rather the redrawing of district lines to include rural voters.

the victory:

The displacement [of Gladstone] is unquestionably felt to be mainly due to the prominent ability, "pluck" and zeal displayed by you in "thumping the stumps" at his various campaign meetings; qualities which we hope again to see expended by you occasionally for Mr. Gladstone's benefit further south.<sup>55</sup>

Cross was a respectable public speaker; if no Gladstone, he could still make a favorable impression and in later years was one of the most sought after of Conservative speakers. Accused of lapsing sometimes into pompous verbosity, Cross nevertheless delivered his message ably and won respect as a speaker in the House of Commons. He struck a steady Conservative note in his message to the Lancashire electorate in 1868: defend the Church, the Constitution and the established institutions of Britain. Sensing that the Irish question was crucial, he made the most of it, dwelling heavily upon the damage that would result to the nation if Gladstone's Irish policy were adopted.<sup>56</sup> In short, it was a campaign that was solid, unspectacular and successful. It dealt with precisely those issues that the voters of

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<sup>55</sup>F.W. King to Cross, 25 November 1868, Cross Papers, British Museum Add. Mss. 51269 f. 13.

<sup>56</sup>Cross, speech in Liverpool, n.d., in Scraps From Newspapers Concerning the Election of 1868. This collection of newspaper clippings dealing with every district in Britain during the 1868 election is held by the Columbia University Library. No author or compiler is indicated, nor is a date or place of assembly given, but apparently someone at the time thought the elections important enough to warrant gathering this vast amount of material. Referred to hereafter as Columbia University, Scraps. There is no pagination.

South West Lancashire were interested in and it provided a clear alternative to Gladstone and the Liberals.

To a great extent, Cross's campaign reflected the expert aid rendered by the Derby household. The Conservative effort in Lancashire was managed from the Derby estate at Knowsley and as a result was both efficient and well financed. The fourteenth Earl of Derby, although ailing, took an active interest in the campaign. In addition, the National Protestant Union, which was especially active in Lancashire during the elections, provided Conservative candidates with literature and propaganda focused on the issue of Protestantism versus the Roman Church.<sup>57</sup> In general, the Conservatives made good use of Gladstone's seemingly radical demands for church reform and happily encouraged a mistrust of Liberal intentions. One view of Gladstone and the Liberals was well expressed by a Cross partisan, who wrote:

May it please God to give you strength to devote your talents towards checking that fearful tide of latitudinarianism and democracy which has now commenced to roll.<sup>58</sup>

Hatred of the Roman Church often mingled with fear of radical democratic politics to produce what has been called "that strange compound of Orange bigotry and political

<sup>57</sup>Hanham, Elections and Party Management, p. 215.

<sup>58</sup>Samuel Holme to Cross, 25 November 1868, Cross Papers, British Museum Add. MSS 51269 f. 16.

stupidity of which Lancashire Toryism is composed."<sup>59</sup> The issue of church reform was particularly important to the Derby family, whose leader in 1868, the fourteenth Earl, had split with the Whig party in the 1830's over an attempted alteration in Church structure and who remained a tireless defender of the religious establishment.<sup>60</sup>

Not all the Conservative supporters were devout Protestants who feared democratic innovations. The Conservatives also claimed the powerful allegiance of the Conservative Working Men's Associations, which delivered large numbers of working men's votes, and provided in many cases the margin of victory. Lancashire had long been a center for the Conservative Working Men's Associations, groups allied with the Conservative party but dedicated to improving the wages and living conditions of their members.<sup>61</sup> The combination of Conservatism and working class activism was for many years an accepted part of the Lancashire political landscape.<sup>62</sup> Many of the Associations dated back to the 1830's, when they were founded as part of Richard Oastler's effort to build a Conservative movement that included the

<sup>59</sup>Weymss Reid, Politicians of Today (2 volumes; London, 1880), I, 283.

<sup>60</sup>W.D. Jones, Lord Derby and Victorian Conservatism (Oxford, 1956), pp. 42-46.

<sup>61</sup>Eric Nordlinger, The Working Class Tory (Berkeley, 1967), pp. 11-17.

<sup>62</sup>Hanham, Elections and Party Management, pp. 105-106.

working classes.<sup>63</sup> Liverpool was particularly rich in these working men's groups and Richard Cross for many years received their enthusiastic support.

The Liberals, in sum, were at a disadvantage in South West Lancashire. Ranged against Gladstone and his party were the traditional Conservative sentiments of the district, the deeply-seated allegiance to the Established Church, the fear of Irish Catholicism and political power, and finally the effective campaign tactics of Cross, Turner and the Conservative organization. When the polling, completed on November 24th, revealed Gladstone's defeat, his manager Brand summed up the meaning of the events in these words:

The truth is, Lancashire has gone mad and the contest there has been one of race, Saxon against Celt. This is a sad state of affairs.<sup>64</sup>

Brand was correct about the religious and racial issue but he ignored another important cause of Gladstone's embarrassing defeat: the fact that the Liberal leader had already been elected in Greenwich and had not placed his trust in the voters of Lancashire. The prior election in Greenwich, held one week before the polling in Lancashire, lost Gladstone the sympathy of many of the uncommitted voters in the latter district. Gladstone himself sought to mitigate the effects of the Greenwich election when he told

<sup>63</sup>Ibid.

<sup>64</sup>Brand to Gladstone, 28 November 1868, Gladstone Papers, British Museum Add. MSS 44194 f. 107.

a meeting in Liverpool: "I have not spoken a word, I have not drawn a scratch of the pen, to obtain any other seat in Parliament but yours."<sup>65</sup> He took great care to emphasize his familial and personal ties to Lancashire and denied an effort to label him a "parliamentary vagrant."<sup>66</sup> In strict fact, Gladstone may have been correct in maintaining his innocence, for it was the work of his political managers that placed his name on the ballot in Greenwich. Yet he could not erase the feeling of mistrust and disappointment caused by his election in another district--he had simply lacked faith in his home county. The attitude in Lancashire was observed by Henry Cross, Richard's cousin, who wrote to Georgiana after the election and told of a conversation with a Liverpool voter:

The growing feeling in Liverpool for this past week had been anger against him [Gladstone] for making himself safe in G-wich. The people said what need to elect a man already an M.P. The cry was we'll have nothing to do with warming pans--if Gladstone had trusted to S. Lanc we'd have returned him, but he's doubted us and there's no need to help him. . . .<sup>67</sup>

Gladstone's blunder in standing for Greenwich and the seeming affront to the Lancashire voters cost him enough support to give the election to the Conservatives.

Lancashire went heavily Conservative in 1868. The

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<sup>65</sup>Gladstone, speech in Liverpool, n.d., in Columbia University, Scraps.

<sup>66</sup>Ibid.

<sup>67</sup>Henry Cross to Georgiana Cross, 25 November 1868, Cross Papers, British Museum Add. MSS 51268 f. 35.

returns revealed that 22 Conservatives had been elected as opposed to 11 Liberals for the whole county, an increase of 10 Conservative seats and a decrease of four seats to the Liberals.<sup>68</sup> Although a commanding Liberal majority in the House of Commons foretold a Liberal government, Gladstone's personal defeat in South West Lancashire was a damaging blow. The great Liberal leader ran third in his own district, some 300 votes behind Cross who headed the poll.<sup>69</sup>

Cross was thus returned to Parliament for a second time. He had emerged from the contest a victor and a recognized political figure in Lancashire, although he sat as a member of a party that had suffered defeat nationally. His victory over Gladstone made Cross a celebrated personality in Conservative circles during the years of the Liberal ascendancy. Nor did Gladstone find it easy to forgive Cross's victory in 1868. Weymss Reid, a contemporary

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<sup>68</sup>For election figures, Vincent, "Effects of the Second Reform Act in Lancashire," pp. 84-90. Slightly different geographical boundaries would show 24 Conservatives to 12 Liberals.

<sup>69</sup> Cross	7,729
Turner	7,676
Gladstone	7,415
Grenfell	6,939

Returns from John Morley, Life of William Ewart Gladstone (3 volumes; London, 1903), II, p. 659. Also, Hanham, Elections and Party Management, p. 295.

observer, related this incident during Gladstone's speech on the introduction of the Irish Church Disestablishment Bill in 1869. Cross, sitting on the opposition benches, made the error of laughing aloud during the peroration, and the Liberal leader fixed upon Cross a devastating stare that reduced him to embarrassed silence, never again to oppose Gladstone in such a manner.<sup>70</sup> Relations between Gladstone and Cross were never cordial, and in later years Cross suffered an embarrassing rebuke when Gladstone refused his request for a pension.<sup>71</sup>

On the whole Cross played a minor role during the busy years of Gladstone's ministry, from 1868 to 1874. He opposed Gladstone's reform measures on several occasions despite a later admission that "much of such legislation was no doubt required."<sup>72</sup> His attitudes towards the major legislation of the Gladstone government will be explored more fully in the next chapter, when a closer study of the Conservative opposition is attempted. Let it be sufficient at this point to note that during the six years of Liberal ascendancy Cross played a competent but generally minor role in Parliamentary affairs. He sat regularly in the House, taking his duties seriously but speaking only rarely

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<sup>70</sup>Reid, Politicians, I, 284-286.

<sup>71</sup>Correspondence between Cross and Gladstone, 6 May-9 July 1881, Gladstone Papers, British Museum Add. MSS 44469 f. 226, 238.

<sup>72</sup>Cross, Political History, p. 11.

and then in support of his party's leadership. Under Disraeli's guidance Cross sat on the opposition benches and earned a reputation during the early 1870's as a dependable and capable party man. He formed lasting friendships with several of the younger and middle-class Conservatives--the "new Conservatives." Chief among this loosely allied group was W.H. Smith, whose background was similar to Cross's, and who was to become a life-long companion. Cross was regarded as one of the satellites revolving around the rising star of Lord Derby, the former Lord Stanley who had assumed the family title on the death of the fourteenth earl in 1869. Few political observers in the years prior to 1874 would have predicted cabinet rank for Cross. He lacked, as one contemporary wrote, "that sparkle which attracted attention." It caused widespread surprise, therefore, when Cross was chosen in 1874, following the Conservative electoral victory, for the Home Office. Yet a closer reading of the years of opposition from 1868 to 1874 renders less surprising Disraeli's decision to offer Cross a cabinet post. To these years, then, it is necessary to turn for insight into the political and social elements that explain why Cross emerged in Disraeli's eyes as a suitable, indeed necessary person for high office. These years of opposition also bring to the fore the reasons why the Conservative government should have so quickly embarked upon a program of social and sanitary reform sufficiently ambitious to have caught the attention of twentieth century

students of Victorian society and important enough to be viewed as perhaps the most significant program of social reform to be enacted prior to 1906.

## CHAPTER II

## FROM OPPOSITION TO FRONT BENCH, 1868-1874

The social reforms linked to Cross's name did not emerge fully formed and complete when Cross took office as Home Secretary in 1874; they had their origins during the long period of opposition before the Conservative party assumed power in 1874. The achievements of the Disraeli ministry in the realm of social legislation, and Cross's involvement with that legislation, had a long period of incubation during the years of Liberal ascendancy. Indeed, the success of the Conservative ministry and Cross in dealing with social reforms was due in part to the shortcomings of the acclaimed Gladstone government (from 1868 to 1874) which is remembered especially for having enacted a lengthy list of reforms. Yet when Gladstone left office a number of vital and pressing issues remained unresolved, and it remained for the incoming Conservative ministry to offer its own solutions. As it happened, it was Cross who served as chief Conservative spokesman on matters of social reform and who would guide the majority of social legislation through Parliament. But he could have been forgiven had he believed during the Gladstone years, that his opportunity would never come and that his political career would run its course in obscurity.

During these years, Gladstone was welding together a powerful party and providing the nation with the ablest

ministry in living memory. A brief survey of the membership of the Liberal cabinet permits a realization of its quality. At the Exchequer, Gladstone placed the brilliant if unlikeable Robert Lowe, a bitter opponent of the Reform Act of 1867.<sup>1</sup> At the Foreign Office, Lord Granville succeeded Lord Clarendon in 1870 and brought to his work a high intelligence and, more important, the ability to work closely with Gladstone.<sup>2</sup> John Bright took office as President of the Board of Trade, more to satisfy the Radical element within the party than to offer advice on matters of commerce. The Marquess of Hartington, future leader of the party, became Secretary for Ireland in 1870,<sup>3</sup> while the Poor Law Board was directed by G.J. Goschen, soon to have a powerful voice in party affairs. Presiding over these personalities was the imposing figure of William Ewart Gladstone. Although he had never before held office as Prime Minister, Gladstone was outstanding among political leaders by virtue of his long experience under Peel, Palmerston and Russell, as well as his own extraordinary ability. His gift for oratory, his driving energy, his

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<sup>1</sup>Lowe was removed from the Exchequer in 1873 after a mishap involving the use of Post Office funds, and he then assumed the duties of Home Secretary. Gladstone himself took over the Exchequer.

<sup>2</sup>Bright resigned from the Cabinet in 1870 but rejoined again in 1873.

<sup>3</sup>Lord Hartington was given the difficult Irish post in 1870 upon the resignation of Chichester Fortescue, who went to the Board of Trade.

acknowledged mastery of government affairs, his imposing moral stature and even his physical appearance made Gladstone the center of attention in the House of Commons.

Yet sitting on the opposition benches was a figure who could claim to match Gladstone in political experience and who could equal and perhaps surpass him as an orator. This man was Benjamin Disraeli, who was now undisputed head of the Conservative party after years of joint leadership with the fourteenth Earl of Derby. Although stricken by the death of his wife in 1872, and plagued by ill health,<sup>4</sup> Disraeli retained a steady hold on the leadership during the years of Liberal rule and united his party in opposition so as to present a constructive alternative to Gladstone's program. He was rewarded for his years of persistent labor when the Conservatives were returned with a large majority and Disraeli could claim the Prime Ministership in a secure Conservative government. The electoral results vindicated Disraeli's leadership in the preceding years. During the period of opposition Disraeli pursued a dual policy, building Conservative strength and organization in preparation for the next election while at the same time formulating an alternative Conservative policy for the nation. It was necessary for the Conservatives to offer an alternative to Liberal social policy but creating such a program was slow and painstaking work; the necessary first

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<sup>4</sup>Mary Anne Disraeli died in December 1872. See Robert Blake, Disraeli (New York, 1967), pp. 525-526.

step for Disraeli was to rebuild his party.

Certain factors augured well for party unity, even in opposition. By this time the party no longer included the Peelite element, most of whom had followed Gladstone in his migration to the Liberal benches. Disraeli had freed himself, and his party, from the narrow protectionist policy of the past which had distressed the middle-class and commercial voters. In terms of party machinery and organization, the long years of opposition were well spent. The national organization of the Conservative party was carefully nurtured during the early 1870's by men such as John E. Gorst, Disraeli's closest political advisor and a tactician who understood the changing conditions of post-1867 Britain.<sup>5</sup> Gorst's work, fully supported by Disraeli and the party leadership, converted the Conservative party from a loose association of local groups headed by a peer, to a centrally governed and responsive structure able to expand rapidly in districts once considered Liberal strongholds. The improved political machinery constructed by the Conservatives between 1868 and 1874 was to prove its value in the elections of the latter year and would provide the foundation upon which the party was to build a dominant position in the following twenty-five years of the century.

Equally necessary to Conservative success was

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<sup>5</sup>J.E. Feuchtwanger, "J.E. Gorst and the Central Organization of the Conservative Party," Bulletin of the Institute of Historical Research, XXXII (1959), 192-208.

Disraeli's formulation of party ideology. In a series of speeches, notably the one given at the Crystal Palace in June 1872, Disraeli outlined the Conservative program for social reform upon which Cross was later able to build his legislation.<sup>6</sup> The Crystal Palace speech reaffirmed Disraeli's commitment to social reform and demonstrated his continuing concern for the welfare of the mass of the people. The Conservative party, Disraeli declared in his speech,

. . . unless it is a national party, is nothing. It is not a confederation of nobles, it is not a democratic multitude; it is a party formed from all the numerous classes in the realm. . . .<sup>7</sup>

He appealed to the people, as a body, for support and not to the wealthy and well born. It marked a realization that the Reform Act of 1867 had permanently altered the ground rules of political behavior and that in the future a party that failed to win support from all segments of the nation would be unable to govern, let alone be elected.

As a logical corollary to this appeal for national unity came a Conservative emphasis on social reform. Cross would come to find the terms employed by Disraeli at this time extremely useful when the party was granted the opportunity to enact their announced program. Cross found a

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<sup>6</sup>Crystal Palace 24 June 1872, in T.E. Kebbel, ed., Speeches of the Earl of Beaconsfield (2 volumes; London, 1882), II, pp. 523-525.

<sup>7</sup>Ibid., II, p. 524.

vocabulary of social reform ready at hand as well as a suitable outline that he could employ in his legislative plans. Disraeli had asserted at the time of his Crystal Palace speech that the Conservative party sought the elevation of the condition of the people and that his party was far better suited for the task than the Liberals.<sup>8</sup> He struck another note of consequence in 1872, when he told his audience in Manchester that social reform, in the Conservative view, meant sanitary improvement. Sanitas sanitatum, Omnia sanitas,<sup>9</sup> Disraeli noted in his best classical style and thus coined a phrase that would remain tied to Conservative philosophy. While his opponents quickly labelled the idea as "a policy of sewage," Disraeli's concept of sanitary reform went far beyond sewers and drains. Speaking of sanitary legislation, Disraeli noted, "that it is a wide subject and if properly treated, comprises almost every consideration which has a just claim upon legislative interference."<sup>10</sup> The scope was surprisingly wide, almost unbounded. As viewed by Disraeli, sanitation was not restricted to matters of drainage or health but might be considered a rubric under which might be listed every condition and circumstance affecting the lives of the people. Many Conservatives,

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<sup>8</sup>Ibid., II, p. 525.

<sup>9</sup>Manchester 3 April 1872, Keibel, Speeches, II, p. 511.

<sup>10</sup>Ibid.

including Cross, came to favor the term "sanitary reform" instead of "social reform" and Cross was to make especially good use of the word "sanitation" in his efforts at passing the Artizans' Dwelling Act. Cross's description of improved working class housing as a sanitary measure was consistent with his own thought and with Disraeli's earlier pronouncements, for at the Crystal Palace in 1872, Disraeli had specified housing as one problem which might justly be considered sanitary in nature.<sup>11</sup>

In these important speeches of 1872, the Conservative leader had vigorously expounded his theory of the role of the state in social welfare and had begun, in effect, a campaign for power. The next elections were clearly in mind when he told his audience in the Crystal Palace that the common people were becoming disenchanted with Gladstone's unthinking alterations and would soon demonstrate their support for the Conservative viewpoint:

I can tell you this, gentlemen, from personal conversation with some of the most intelligent of the labouring classes . . . that the policy of the Tory party--the hereditary, the traditional [sic] policy of the Tory party, that would improve the condition of the people--is more appreciated by the people than the ineffable mysteries and all the pains and penalties of the Ballot Bill.<sup>12</sup>

Disraeli's criticism of the Ballot Bill of 1872, a criticism

<sup>11</sup>Ibid., II, p. 533.

<sup>12</sup>Ibid., II, p. 533. By pains and penalties, Disraeli was referring to the various fines and court actions made possible by infringement of the Ballot Act.

which Cross shared perhaps exemplified his opinion of the majority of the laws passed by the Gladstone ministry. In Disraeli's eyes, the measures enacted between 1868 and 1874 were, with rare exception, of a kind that interfered drastically with the lives of the people. He was determined to write finis to the long list of interventionist laws and pass instead what he viewed as legislation that would reform without destroying. The Conservatives promised improvement and change, but change with moderation, reform with the interests of society carefully preserved. The elections of 1874 suggested that a significant proportion of the electorate had indeed grown weary of Gladstone's dynamic reform activity, although these voters were not necessarily adherents of Disraeli's method.

By 1872, Disraeli was in a position to prepare the ground for the general election that had to be held before 1875. The choice of Manchester for a major speech in 1872 was unsurprising, since the city, located in the staunchly Conservative county of Lancashire, offered unique advantages to the party leadership. It was a happy choice for Cross as well, enabling him to share the spotlight with Disraeli and other important Conservatives in his home county. The success of Disraeli's addresses in Lancashire did much to enhance Cross's reputation in the party and helped bring his name to Disraeli's attention, so that two years later, when a Conservative cabinet was being formed, Cross was not forgotten. On this ground alone, Disraeli's visit to

Lancashire in 1872 is worth noting at some length.

In deciding to visit Lancashire, Disraeli had been influenced by a number of considerations, not the least being Gorst's advice that such a visit would do much towards solidifying the Conservative party in that county. Even in Manchester, so Disraeli was told, a nominally Liberal city, the Conservative party had many loyal supporters who would demonstrate their enthusiasm in the event of Disraeli's visit.<sup>13</sup> Disraeli was receptive to the idea of a western journey. Fully aware of the importance of Lancashire in the forthcoming elections, he was solicitous of the wishes of the Lancashire Conservatives in Parliament, whom he described as "our most powerful friends."<sup>14</sup> Disraeli's estimate of the Lancashire Conservatives was reasonable, since the party in that district was especially well organized, it being one of the first in Britain to be modernized and equipped to deal with a mass electorate.<sup>15</sup> Party leaders in the district had been anxious to have Disraeli and the other national figures visit Lancashire in order to broaden support for the Conservative program. A planned excursion by Disraeli in 1870 had been postponed because of a momentary division among the leadership but after the

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<sup>13</sup>Feuchtwanger, "J.E. Gorst," pp. 198-199.

<sup>14</sup>Monypenny and Buckle, Life of Benjamin Disraeli (2 volumes; New York, 1929), II, p. 525.

<sup>15</sup>Ibid.

split was healed in 1872, a Lancashire excursion was once again urged.<sup>16</sup>

The local Conservative party organizations in Lancashire proposed that Disraeli address them in Manchester, a cotton city with a heavy working-class population. It was the industrial character of Manchester that appealed to the Conservative Working Men's Associations, who were confident of bringing thousands of labouring people into the streets to honor the Conservative leader. These Conservative Working Men's Associations were especially important in Lancashire and were among the most politically powerful groups in the district. Their estimate of Conservative support in Manchester proved correct when Disraeli was honored by a massive torchlight parade through the city in which thousands of working people demonstrated their confidence in Conservative promises of reform.<sup>17</sup> They also seized the opportunity to present Disraeli with petitions calling for aid in the passage of factory legislation and health bills and thanking him for his past efforts on the Ten Hours' Bill and the Reform Act of 1867.<sup>18</sup> The Conservative leader was not blind to the message of the Conservative working men; and it is of some significance that

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<sup>16</sup>Feuchtwanger, "J.E. Gorst," pp. 291-292.

<sup>17</sup>London Times, 5 April 1872.

<sup>18</sup>Ibid.

W.R. Callender, a Conservative member from Manchester, informed a workers' deputation that while Disraeli attached great political importance to his visit, "there was no subject in reference to which he attached more importance to that visit than to its connexion with great social and industrial questions."<sup>19</sup>

On April 3, 1872, Disraeli spoke before a vast crowd in the Free Trade Hall. Receiving the acclaim of an assemblage estimated at between 6000 and 7000, Disraeli was cheered by local party groups, Conservative Working Men's Associations, Orange Lodges and assorted constitutional and political organizations;<sup>20</sup> sitting on the platform with Disraeli was a distinguished group of party figures, including Cross, who had been prominent in eagerness to have Disraeli visit the district. Cross was a natural choice to share honors with the party leaders, being a popular political figure in Lancashire and especially favored by the working men's groups who made up a major portion of the Manchester audience. Still he was a comparatively minor personality among the leading lights of the Conservative party who sat beside Disraeli in the Free Trade Hall. There was Lord Derby, the traditional Conservative spokesman for Lancashire Conservatives; Cecil Raikes, the Conservative

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<sup>19</sup>London Times, 5 April 1872.

<sup>20</sup>London Times, 4 April 1872. On the day before his speech, Disraeli was honored by a huge parade of his supporters, a crowd which the Times estimated at 30-40 thousand, London Times, 3 April 1872.

member from Chester and one of the party's leading intellectuals; Hugh Birley, representative of Manchester and a vigorous supporter of social legislation; and Charles Turner, Cross's colleague from South West Lancashire. Even Disraeli's wife attended, despite her poor health.<sup>21</sup> The audience was of course highly partisan, and Disraeli's address received a tumultuous ovation.

Cross's presence at the side of his leader was to be expected, if only out of normal political courtesy. But the unexpected boon of a visit by Disraeli very probably determined Cross's political future. It is likely that the Manchester speech provided the first opportunity for him to meet seriously with Disraeli, with whom he was hardly acquainted prior to 1872.<sup>22</sup> In addition, the outpouring of pro-Conservative sentiment must have convinced Disraeli, had he any doubts, of the depths and dependability of

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<sup>21</sup>London Times, 4 April 1872. The Times, which provided a vivid account of the Manchester speech, considered Disraeli's visit to Lancashire a major story of the day.

<sup>22</sup>Monypenny and Buckle, Disraeli, II, p. 629. The authors maintained that Disraeli "recognized" Cross during this Manchester visit but the claim is disputed by Disraeli's latest biographer, Robert Blake, who indicates that firm evidence is lacking of a supposed Cross-Disraeli meeting in 1872, see Blake, op. cit., p. 539. It is true that substantial evidence of the meeting is not available but it would seem likely that Disraeli had at least some political discussions, perhaps for the first time, with Cross, who was a leading Lancashire Conservative and would have been able to provide first-hand information to the party leader. Certainly the Lancashire visit would have revealed to Disraeli the popularity of Cross in his home district.

Conservative sentiment in that western county. The importance of Lancashire in the Conservative plans for electoral victory was reemphasized during Disraeli's April visit, and Cross's role assumed correspondingly greater weight.

Yet his status in party circles prior to 1874 ought not to be exaggerated. Cross was by any measure a relatively unknown back-bencher who only rarely entered public awareness and whose power in political circles was circumscribed. Although he enjoyed a certain notoriety stemming from his surprise victory over Gladstone in 1868, Cross remained a comparatively unimportant member of the party as late as 1872. His earlier Parliamentary career, from 1857 until 1862, had been uneventful and had contributed little towards providing him with national stature.

There was little evidence at this time, either in his Parliamentary activity or in his public statements, to indicate that Cross was marked for high office. Perhaps the most favorable sign for the future was that a high degree of party loyalty kept Cross eligible for later promotion, if circumstances proved right. A strong sense of allegiance to party characterized Cross's record in Parliament from 1868 to 1874, and it was only on rare issues that he acted independently of the Conservative leadership.

On the momentous votes Cross was normally to be found on Disraeli's side in the lobby. The difficult Irish Land Bill of 1870, for instance, was bitterly fought by the Conservatives (and many Liberals) and Cross labelled it "compensation for disturbance, pure and simple."<sup>23</sup> He disliked the Ballot Bill with growing intensity and expressed fears that the ballot would lower political morality by permitting voting in secret. So strong were Cross's objections to the Ballot Bill that Disraeli had to caution him lest he speak too loudly. Disraeli advised him not to "dwell on the subject," but to let the Whigs battle among themselves.<sup>24</sup> "Let the Whig Peers through [*sic*] it out if they like," wrote Disraeli to Cross, "I should not attempt to influence their course one way or the other."<sup>25</sup> In his speech to the House, Cross told of his fears that the Ballot Bill would be disastrous to the sense of public duty and urged "absolute rejection."<sup>26</sup> The legislation, in his mind, would inevitably lead to "impersonation," enabling unscrupulous individuals to

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<sup>23</sup>Ibid., p. 9. Writing in 1903, Cross made it clear that he had been and remained bitterly opposed to Gladstone's policy in Ireland. Ibid., pp. 7-10.

<sup>24</sup>Monypenny and Buckle, Disraeli, II, p. 514.

<sup>25</sup>Disraeli to Cross, 23 December 1871, Cross Papers, Add. MSS 51265, f. 27.

<sup>26</sup>Monypenny and Buckle, Disraeli, II, p. 514. Cross had called for stronger opposition on the part of the Conservatives, a policy which Disraeli felt unnecessary and unwise.

win elections unfairly.<sup>27</sup> In opposing the Ballot Bill, he demonstrated considerable courage, since his constituents in Lancashire favored it and urged Cross steadily to change his position.<sup>28</sup> Yet it appeared that Cross retained his support in Lancashire, for he proved a stronger candidate than ever in the election of 1874. His stands on most matters until then were entirely consistent with his Lancashire origins. He had voted against the disestablishment of the Irish Church in 1869,<sup>29</sup> and spoke in favor of government intervention to adjust unfair or illegal railroad rates.<sup>30</sup>

A contradictory attitude regarding the vital Education Bill of 1870 revealed Cross's own inner doubts and illustrated his social beliefs. The issue was one of religious training, whether or not the local school boards to be created under Forster's Act would be permitted to exclude religious teaching, or more accurately Church of England teaching. At one point Cross voted in favor of the

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<sup>27</sup>3 Hansard 208 (22 June 1871), 401-404. Cross had spoken first for the Conservative party during the Committee stage of the Ballot Bill.

<sup>28</sup>See, Disraeli to Duke of Richmond, 11 January 1872, Monypenny and Buckle, op. cit., II, p. 514, where the Conservative leader noted that Cross and Lancashire had been "particularly embarrassed" by the Ballot dispute.

<sup>29</sup>Dod's Parliamentary Companion, 1874 (London, 1874), p. 193.

<sup>30</sup>London Times, 1 April 1873. Cross introduced an amendment which would have prevented the government from lowering railroad rates in one area while higher rates were being legally imposed in another region.

bill, along with a group of younger Conservatives including W.H. Smith, and thereby violated party discipline. Yet he spoke of himself as "in favour of national education of which religion should form an essential part,"<sup>31</sup> and was in accord with the Conservative position that all state-supported schools be required to provide instruction in Church of England doctrine. Nevertheless, Cross believed that the need for widespread education was so critical and Britain so far behind in the creation of an effective educational system, that the religious question must for the moment be overlooked.<sup>32</sup> His willingness to accept the Education Bill of 1870 and to tolerate secular education reflected Cross's generally undogmatic approach towards religious matters. While a sincere adherent to the Church of England, he never became bound by doctrine or rigid in his practice, and was willing to admit wide variations in both doctrine and practice within the Church. In later years, Cross found himself working comfortably on educational matters with Cardinal Manning. He even cultivated that notable Catholic's friendship.<sup>33</sup>

High office inevitably brought Cross into closer

<sup>31</sup>Dod's Parliamentary Companion, 1870, p. 193.

<sup>32</sup>Paul Smith, Disraelian Conservatism and Social Reform, pp. 133-140; also Viscount Chilston, W.H. Smith (London, 1965), p. 67.

<sup>33</sup>Manning to Cross, 1 November 1882, Cross Papers, British Museum Add. MSS 51273 f. 159.

outward conformity with the ritual of the Church of England; but it was, as for so many others, a socially required conformity. The continuing debate concerning science and religion which agitated the country during the Victorian era was reflected in Cross's thought as well. In his correspondence with Benjamin Price, an Oxford economist who served on various government commissions, Cross admitted his doubts regarding the Biblical truths in the light of Darwinian and agnostic assaults. Price attempted to reassure Cross as to the lasting verities of Christianity but apparently without success, for Cross remained doubting and disturbed.<sup>34</sup> His questioning attitude never became public, however; and he remained throughout his life a dutiful member of the Church of England.

Cross's independent course concerning the Education Bill did not however signify a departure from traditional Conservative thinking regarding the purposes of education. The point was that he differed as to means. As for the ultimate goals of any educational system, with or without religious instruction, Cross maintained that the schools were designed to "make people more fit to do their duty in that station of life to which they are called."<sup>35</sup> Schools were not intended to foster discontent or elevate

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<sup>34</sup>Price to Cross, 1 October 1879, Cross Papers, British Museum Add. MSS 51272 f. 118. On Price, see Dictionary of National Biography, XVI, pp. 322-323.

<sup>35</sup>Cross, speech in Lancashire, London Times, 22 September 1875.

artificially the lower classes, but to train the people of all classes in their duties and responsibilities. To educate meant for Cross, as for most Conservatives, the instilling of social responsibility and a strengthening of the existing social arrangements. He was later to expand upon the need for reinforcing social ties, and much of his reform legislation was predicated on the assumption that better conditions for the people would mean a stronger, closer knit society.

If Cross's career in the early 1870's was unspectacular, he nevertheless demonstrated that he was loyal, capable and hardworking--qualities that were not unusual but were all the same desirable in a political figure. And on one occasion at least, he did rise above the crowd of party men and demonstrate an ability that perhaps enhanced his position in Conservative ranks. The event itself was a relatively minor one, an abortive vote of confidence over what the Conservatives viewed as Gladstone's misuse of power in 1872. The censure vote failed to gain a majority but it was a considerable personal victory for Cross, who exhibited great composure and ability in leading the fight against the Liberal government. It was an episode which solidified Gladstone's dislike of Cross but equally, it confirmed Cross in the eyes of his Conservative colleagues as a man with a potential for leadership.

The move to censure Gladstone arose out of the appointment of Sir Robert Collier, a noted Liberal

barrister, to the Judicial Committee of the Privy Council in December 1871 by means that many considered questionable. Existing statutes made it necessary that members of the Judicial Committee be judges, and in order to qualify, Collier had been hurriedly appointed to the Court of Common Pleas, where he sat for two days prior to his elevation to the Judicial Committee. Cross was chosen to speak for the Conservative party in the assault on Gladstone's transparent circumvention of the law, and he was joined by a sizeable number of Liberals, all of whom cooperated in bringing a vote of censure before the House. "It fell to my lot," Cross wrote later,

to bring the matter before the House on the ground that his appointment as judge, . . . and his immediate transfer to the Judicial Committee were acts at variance with the spirit and intention of the Statute.<sup>36</sup>

Cross was a highly effective speaker in the debates on censure, as he raised serious constitutional and moral issues connected with Gladstone's behavior. "England loves not the exercise of arbitrary power," Cross told the House, and so telling were his words that the Liberals were hard pressed to avoid defeat. Only when Disraeli himself passed orders not to bring down the government, but merely to embarrass the Liberals, did the censure resolution fail by twenty-seven votes.<sup>37</sup>

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<sup>36</sup>Cross, Political History, p. 13.

<sup>37</sup>Annual Register, 1872 (London, 1873), pp. 30-31; see also, Cross, Political History, p. 13.

The defeat of the Liberal party would come two years later, and that defeat was due as much to their own errors as to the assaults of their Conservative opponents. The collapse of Gladstone's government in 1874 and its electoral defeat is well worth examining in some detail, for it was the conditions of the Liberal defeat which helped determine the Conservative legislative program. Cross's role in the new government, in particular, was severely circumscribed by the manner in which the Conservatives took office.

The decline of the Liberal party was visible only to the most astute political observers in the early years of the decade. Gladstone's great reform program had, at first, won for him the approval of the middle classes; and with a sizeable majority, despite the loss of some bye-elections, the Liberals maintained a confident attitude. As late as 1873, Gladstone's powerful leadership allowed scant opportunity for rebellion within the party or even for alternate programs--he kept the ship moving so rapidly that the crew was fully occupied simply in staying on board. In addition, the vast social and political movements underway seemed to ensure a continued Liberal ascendancy. There was evidence to indicate, as one recent scholar has written, that the entire political structure in the early 1870's was moving leftward, so that the Liberals were gaining steadily in working-class votes while the Conservatives inherited those former Liberals who could no longer support

Gladstone's advanced program.<sup>38</sup>

Yet Liberal confidence proved unjustified. Far from establishing themselves as a permanent majority, the party went down to defeat within two years of the Crystal Palace speech. From 1873 onwards, the Liberals began noticeably to experience political difficulties. Ironically, by satisfying many middle-class demands in the early years of his government, Gladstone had almost assured himself of opposition from the same middle classes to further reform. The merchants, bankers, artisans and clerks who made up the foot soldiery of Gladstone's liberalism willingly accepted the Irish Land Act, the abolition of Army purchase, the Education Act and all the other noted reforms of the early 1870's. But the nation at large, and even the Liberal partisans, came to desire a respite from the debate and controversy surrounding reform legislation--further change was unwelcome. With their fundamental demands satisfied the ranks of the Liberal party began to question the need for additional reform, and Gladstone began to encounter resistance within his own party to new legislative programs.

The measures which had won Gladstone his greatest victories had, at the same time, disturbed the more traditional elements within the Liberal party. The Whigs and the landed aristocracy within the variegated body of Gladstonian

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<sup>38</sup>J.P.D. Dunbabin, "Parliamentary Elections in Great Britain 1858-1900: A Psephological Note," English Historical Review, LXXXI (January 1966), 82-99.

Liberalism were unreceptive, almost from the beginning, to many of Gladstone's ideas and they came to present a solid front of opposition in 1873.<sup>39</sup> The bitter fight over the Irish Church Act had naturally raised up powerful enemies within the established Church, and the traditional alliance between the Church and Conservative party was made even more secure by the whispered possibility that Gladstone would soon proceed from Irish disestablishment to English. In fact, as Spencer Walpole wrote:

Almost every class in the nation thought that its interests had in some way or other been menaced by Mr. Gladstone and his colleagues.<sup>40</sup>

This meant that the nation as a whole was coming to accept Disraeli's plea for a pause in drastic legislative activity and a return to a more stable and less controversial parliamentary program.

The Conservative party itself was eager to return to the political arena. Three victorious bye-elections in 1872 had renewed its spirit; and Disraeli's leadership, after a hiatus, was reimposed with admirable effect. A Conservative resurgence was evident in the large boroughs, traditional Liberal strongholds, where in the early 1870's Disraeli's party had significantly improved its position.<sup>41</sup>

<sup>39</sup>Ibid., p. 89; see also, Spencer Walpole, The History of Twenty-Five Years (4 volumes; London, 1904-08), III, 284.

<sup>40</sup>Walpole, History of Twenty-Five Years, III, 285.

<sup>41</sup>Dunbabin, "Parliamentary Elections," p. 89.

The Conservative borough organization, having given valuable service in 1868, had been steadily improved and broadened under Gorst's direction, so that the Conservative party was firmly established in several urban areas and was ceasing to be a purely rural organization.<sup>42</sup> Equally important to the Conservatives was the steadily increasing support which revealed itself in the middle-class suburbs of the great cities. Once Liberal in voting habits, the suburbs were giving large majorities to Conservative candidates and were fast becoming the strongholds of Conservative sentiment.<sup>43</sup> Inhabited by the large body of middle-class people created by an industrial civilization, the suburbs and outlying regions of the cities had once been considered the ideal breeding grounds for Liberalism. But the suburbs had been widely enfranchised by the Reform Act of 1867 and, to the dismay of the Liberal leadership, had begun to vote Conservative. Part of the explanation of the Conservative bias was the desire of the middle classes to avoid any more of Gladstone's troublesome reform programs. But an equally important factor was the desire of the rising middle-class voter to improve himself socially and to imitate the style of wealthy and well born--and the wealthy voted Conservative. To those who wished to rise in the estimation of

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<sup>42</sup>Hanham, Elections and Party Management, p. 222. The Conservatives were notably successful in London, which was slowly becoming a safe area for Conservative candidates.

<sup>43</sup>Ibid., p. 225.

their neighbors and to exhibit their new wealth, a vote for the Conservative candidate was a necessary first step, and the Conservative party became the willing recipient of support given by those who were climbing the social ladder.

At the other end of the social structure the labourers and trade unionists also exhibited a deep and growing dissatisfaction with Gladstone. As early as 1871, labour groups and politically aware workers were criticizing the failure to satisfy the legislative expectations of the working classes.<sup>44</sup> A Liberal Trade Union Act, it is true, had been passed in 1871, which had removed the taint of conspiracy from trade unions; but at the same time it had imposed severe penalties for various forms of striking and persuasion.<sup>45</sup> The union spokesmen argued that while the Liberals had dispensed with one hand, they had hindered with the other, and had removed from the trade unions their most powerful weapon, the strike. Their anger was demonstrated in 1871, when the Labour Representation League followed an attack on the Liberal government with a tentative plan to organize a third party, so as to fulfill the demands of the working classes.<sup>46</sup> The growing Trades Union Congress also voiced opposition to Gladstone and in several

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<sup>44</sup>H.W. McCready, "The British Election of 1874," The Canadian Journal of Economics and Political Science, XX (May 1954), 166-175.

<sup>45</sup>See Chapter V, supra, for a fuller discussion of the Trade Union Act of 1871.

<sup>46</sup>Beehive, 9 September 1871, quoted in McCready, "Election of 1874," p. 166.

bye-elections in 1873, the local workingmen's group supported independent candidates in opposition to the Liberal party.<sup>47</sup> In districts with a heavy working class vote, the Liberals found themselves at a distinct disadvantage in 1874. In Morpeth, a mining area, the Gladstone Liberals could not even find a candidate to oppose the Conservatives and had to give their support to Thomas Burt, a union leader who styled himself a "Liberal-Radical."<sup>48</sup> That some Liberals were aware of the discontent among working men was evident when William Harcourt pleaded with Bright to use his influence on the government in 1873. Harcourt wrote:

I wish you could get the Government to address itself seriously to the grievances of the Criminal Law Amendment Act, the Master and Servant Act and the Conspiracy Law. These are the soul of things the mass of the people do care about and which have been strangely neglected.<sup>49</sup>

Frederic Harrison, the positivist philosopher and a vocal defender of the trade unions, was equally mystified by the refusal of the Liberal ministry to deal with the workers' demands. He considered the trade union proposals for legislative relief as minimal, more a matter of principle

<sup>47</sup>Ibid., p. 166.

<sup>48</sup>Thomas Burt, Autobiography (London, 1925), p. 216. Burt defeated his Conservative opponent in 1874 to become one of the two "working class representatives" in the House of Commons.

<sup>49</sup>Harcourt to Bright, 8 August 1873, quoted in McCready, "Election of 1874," p. 167.

than of substance.<sup>50</sup>

In the early 1870's, working men as well as other important groups were disturbed by Gladstone's handling of a delicate and emotional issue: the Licensing Laws. Thomas Bruce, Gladstone's Home Secretary, was burdened with the unrewarding task of regulating the sale of liquor. In 1871 an abortive Licensing Bill had been proposed which would have placed a ten-year limitation on existing license holders, at the end of which time the local magistrates would determine the maximum number of public houses for the district and then sell licenses to them. The measure was allowed to die in an unenthusiastic house, but in the following year the Liberal government succeeded in passing a more moderate, although equally unwelcome, Licensing Act. The Act of 1872 fixed closing hours of public houses in London and in the county areas but allowed some discretion to local borough magistrates outside the metropolitan area.

Tampering with the nation's drinking habits aroused considerable resentment among working class and middle class voters; but more important politically, the Licensing Act ensured the unrelenting enmity of the powerful liquor interest. Owners of public houses, brewers and liquor dealers were converted into bitter enemies of Gladstone, and their opposition resulted in serious losses to the Liberal cause in the years following 1872. The displeasure

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<sup>50</sup>Harrison to John Morley, 21 August 1873, quoted in McCready, ibid., p. 170.

of the publicans was an especially serious blow to Liberal electoral hopes. In the era before radio, the newspaper was the single most important source of political information, second only to the public speeches of the candidate. The place to read newspapers and to discuss their contents was naturally the local barroom or public house, and when the pub owner turned Conservative, the political atmosphere of his pub was altered as well. A Conservative publican would subscribe only to Conservative newspapers, or invite only Conservative candidates to speak, or permit only Conservative meetings on his premises, and thus could exercise considerable influence over political events in his locality. For the first time, following the Licensing Act of 1872, the publicans became actively Conservative and the Liberal party was to feel the loss in 1874.<sup>51</sup>

Under Disraeli's leadership the Conservative party prepared for the coming elections with a series of bitter attacks upon the Liberal party record. The essence of the Conservative criticism was that the Liberals had forced upon the nation a long list of unwanted and unnecessary reform measures and that the reckless legislation of the Gladstone ministry must be brought to a halt in order to

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<sup>51</sup>Hanham, Elections and Party Management, p. 222. See also, R.C.K. Ensor, England 1870-1914 (Oxford, 1936), pp. 21-22. Ensor believed the liquor question to be decisive in the election of 1874. Hanham, however, while recognizing the importance of the liquor dispute, maintains that Gladstone was not beaten by "beer and bible," see Hanham, pp. 223-225.

preserve the constitution. Not only, said Conservative spokesmen, had Gladstone been unthinking in tampering with the vital organs of the nation, but he had also bungled those measures which had some redeeming qualities. Disraeli led the assault upon the Liberals, not only in his two important addresses in 1872, but in dozens of other speeches around the country in the early 1870's. At a Bath bye-election in 1873, for instance, he told the audience: "The country has . . . made up its mind to close this career of plundering and blundering."<sup>52</sup> Salisbury followed Disraeli's path in a speech two weeks later, when he addressed a Conservative banquet:

The last forty years have brought us to such an evil habit of believing that organic change is a necessary function of Parliament, that if the year has gone by and nobody is despoiled, and no institution is smashed, we say the Session has been wasted, and that it has been a barren Session. Unless I misread the signs of the times, the feeling of the country is that this heroic legislation must now cease.<sup>53</sup>

The Conservatives had rightly judged the temper of the electorate, and the elections of 1874 gave them the votes of many who wished a respite from further change.

Disraeli was not content to be merely critical; he had a program based on Conservative principles to offer to the electorate. The ideas and attitudes which Disraeli publicized during the early 1870's foreshadowed much of the

<sup>52</sup>Monypenny and Buokle, Disraeli, II, 602.

<sup>53</sup>Samuel H. Jeyes, The Life and Times of the Marquis of Salisbury (4 volumes; London, 1895), I, 172.

emphasis that was to govern Conservative activity after 1874. Convinced that the mass of the people sought deeper motives in government action than simple economic relief, the Conservative leadership made determined efforts to appeal to the less material needs of the people. Disraeli called for pride in the growing British Empire, for a spirit of dedication and self-sacrifice which would help spread the ideals of the British nation far beyond its shores. Although Disraeli had once been an anti-colonialist and in the 1840's had referred to the colonies as "wretched millstones around our neck,"<sup>54</sup> he had come to see in the Empire more than a source of raw materials or a drain on British gold. What he now saw as the most valuable contribution of the Empire was its ability to weld the people into a community and to provide an object of affection and dedication. He did not favor overseas expansion so much for its economic or military benefits, but for the spiritual strength which Empire building might provide. Furthermore, the Empire might provide the means whereby the necessary domestic reforms would be enacted. The attractive policy of reform in Britain and expansion overseas was to remain a staple of Conservative leadership for decades to come.

Cross was a strong advocate of such policy, particularly the reform aspect of it. In a letter to Viscount Sandon, who had long been speaking in favor of social

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<sup>54</sup> Monypenny and Buckle, Disraeli, III, 385.

reform, Cross advised that the Conservatives needed "some thoroughly sound views of their own which they really were determined for the sake of the Country to carry out."<sup>55</sup> The areas where Cross preferred to concentrate, so he told Sandon, were "social, administrative, economical reform. I would add colonial matters to unite our Empire."<sup>56</sup> The steady pressure of a group of reform-inclined Conservatives did much to bring Disraeli to the point when he publicly, and emphatically, called for programs of social legislation. Indeed, these reforming Conservatives, including Sandon, W.H. Smith and Gathorne Hardy, formed an implied threat to Disraeli's leadership of the party and may have forced him to speak earlier than he had planned.<sup>57</sup> It should be stressed that Cross himself had long understood the need, at least in his own county of Lancashire, for Conservatism to adopt a policy of improvement and reform.

On a national scale, Disraeli sought to bring all levels of society into accord with Conservative goals. He

<sup>55</sup>Cross to Sandon, 28 August 1871, quoted in Paul Smith, Disraelian Conservatism and Social Reform, p. 155.

<sup>56</sup>Ibid., p. 155.

<sup>57</sup>Several ranking members of the Conservative Party met in 1872 to discuss the possibility of replacing Disraeli with Derby. The meeting, which included Cairns, Northcote, Hardy, and Lord John Manners, did not make a decision but did indicate the dissatisfaction within the party ranks with Disraeli's cautious approach to social questions. See, A. Gathorne Hardy, Gathorne Hardy, First Earl of Cranbrook: A Memoir (2 volumes; London, 1910), I, 304-306.

emphasized the differences between the orderly improvements advocated by his party and the Liberal reforms, which he viewed as dangerous in the extreme. To the working class electorate, Disraeli held out promises of a somewhat different nature from the Liberals. He invoked the always present emotions of pride in the Crown and nationalism and attempted to make the working classes feel themselves as part of a grand national undertaking with a decisive role to play.<sup>58</sup> The Conservative promised not only social justice to the working class voter but appealed as well to the higher motives which Disraeli and his followers so carefully spelled out. Not content with speechmaking, Disraeli took steps in 1873 to bring the Conservative party into direct association with the working-class voter. He objected to the existing structure of the Conservative party, in which the working man was isolated in his own clubs and societies. Instead, Disraeli preferred to abolish the division based on class and to establish a unity based on party loyalty and agreement over broad objectives. His plan was to blend the working man into the regular Conservative party structure and to do away with the Conservative Working Man's Association.<sup>59</sup> With the important exception of Liverpool, Disraeli achieved success, and by 1874 the Conservative Working Men's Associations

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<sup>58</sup>Jeyes, Salisbury, op. cit., I, 188.

<sup>59</sup>Hanham, Elections and Party Management, p. 108.

were declining and their membership rapidly being absorbed into regular Conservative clubs.<sup>60</sup> In Lancashire, however, the ancient union of working man and Conservatism resisted change and the popular Conservatism unique to Lancashire retained its vigor and strength.

It remains, then, to note with some detail the process by which the Conservatives ousted Gladstone and his party and paved the way for Disraeli's second, and greatest, ministry, in which Cross was to play a prominent role. Although both parties in 1873 were girding themselves for the coming general election, neither expected the rapidity of events which culminated in an election in January 1874. Gladstone's first important defeat occurred in March 1873, when his Irish University Bill was rejected in the House of Commons by a vote of 287 to 284, with 43 Liberals voting against the government. Although defeated by only three votes, Gladstone immediately offered his resignation and advised the Queen to send for Disraeli, who would be asked to form a minority government. But Disraeli had seen enough of weak governments and minority rule over the past three decades; and sensing the defeat of Gladstone in a general election, he refused office in order to force a dissolution of Parliament. Gladstone was compelled to

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<sup>60</sup> Hanham, Elections and Party Management, p. 109. Disraeli was especially considerate of the Working Men's Associations during his Lancashire visit in 1872 and lauded their allegiance to the Conservative party. Keibel, Speeches, II, p. 510.

resume leadership and shortly afterwards he initiated a series of Cabinet changes in the hope of regaining some of his government's popularity before dissolving. The remainder of the session of 1873 was ineffective, with the exception of the final passage of the Judicature Act. The mismanaged Ashantee War in June 1874 further damaged the reputation of the Liberal government although the Commander of British forces on the Gold Coast, Sir Garnet Wolseley, emerged as a popular figure.<sup>61</sup>

The Liberals remained in office throughout 1873, despite their setbacks. Political observers foresaw another meeting of Parliament in 1874 before Gladstone asked for a dissolution; some even thought it possible that Gladstone would remain in power until 1875. In the Quarterly Review (January 1874), an anonymous writer cited the still large majority held by the Liberals and forecast nothing more drastic than additional Cabinet changes.<sup>62</sup> It came as a stunning surprise, therefore, when on January 24, 1874 Gladstone announced the dissolution of Parliament and called for a general election.

The reasons for the sudden dissolution remain largely conjectural. The Prime Minister had apparently

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<sup>61</sup>R.C.K. Ensor, England 1870-1914, pp. 27-29.

<sup>62</sup>"The Difficulties of the Liberal Party," Quarterly Review, CXXXVI (January 1874), 132-151. Gladstone's resignation from party leadership was seen as a remote possibility but dissolution was not even considered.

confided in no one, and his own explanation was unconvincing.<sup>63</sup> A contributing factor was the Liberal defeat in a bye-election in Stroud, in early January. Possibly more important was Gladstone's real desire for a rest from Parliamentary activity after a career that spanned decades. In addition, there was a constitutional question at stake. Gladstone had assumed the office of Chancellor of the Exchequer following Lowe's departure in 1873, and under the pertinent statute of Queen Anne, had thereby accepted an "office of profit," an action which necessitated a reelection in his constituency. Gladstone believed that he could not carry Greenwich in a bye-election but might be successful in a general contest. This explanation of the sudden election was accepted by several highly placed Liberals at the time, including C.E. Childers, who doubted Gladstone's own reasoning. He wrote:

Of course we are bound to accept Gladstone's reason, i.e. the defeats of the Government at the single elections. But I fear that he has persuaded himself that this was his reason. My own strong impression is that his mind was really influenced by the complications about his seat for Greenwich. He had been thinking about nothing else for some time, writing to all sorts of people voluminous arguments, and asking advice.<sup>64</sup>

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<sup>63</sup>Gladstone argued that he called for dissolution as "the best means of putting an end to the disadvantage and weakness of a false position," John Morley, The Life of William Ewart Gladstone (3 volumes; London, 1903), II, p. 486.

<sup>64</sup>Childers to Sir Andrew Clarke, 1 May 1874, in Spencer Childers, Life and Correspondence of the Right Hon. Hugh C.E. Childers (2 volumes; London, 1901), I, p. 230. Childers went on to say that he was "amazed" by the dissolution.

It was possible, therefore, that Gladstone, in order to preserve his own seat, called for the general election that proved disastrous to his party.

Gladstone's own reasoning behind the unexpected call for elections was that the Liberal government had reached the end of its endurance. Writing to Granville, Gladstone hinted at the coming dissolution on January 8th.

The government [wrote Gladstone] is approaching though I will not say it has yet reached, the condition in which it will have ceased to possess that amount of power which is necessary for the dignity of the crown and the welfare of the country. . . .<sup>65</sup>

Little more than two weeks after this grim appraisal, Gladstone had decided that the government had indeed reached the critical point, and could no longer carry out its duties. On January 22nd, Gladstone met with several of his leading ministers, including Granville and Bright. "Dissolution probable," wrote Bright in a terse diary entry for January 22nd,<sup>66</sup> and the next day his countrymen were awakened to the news of Gladstone's decision.<sup>67</sup>

Richard Cross found himself at Knowsley, the Derby

<sup>65</sup>Gladstone to Granville, 8 January 1874, in Morley, Gladstone, II, p. 480.

<sup>66</sup>R.A.J. Walling, ed., The Diaries of John Bright (London, 1930), p. 360.

<sup>67</sup>London Times, 24 January 1874. The Times observed that on the previous day, opinion had been strong in political circles that the present Parliament would be allowed to run its course until 1875. See also, David Plunkett, "The Fall of the Liberal Party," Quarterly Review, CXXXVI (April 1874), 301-312.

seat in Lancashire, where he customarily stayed during Quarter Sessions.<sup>68</sup> The news of the dissolution amazed both Derby and Cross, but both were confident that the impending elections would put an end to the Liberal government. Cross himself had ample reason for confidence, for he ran unopposed in South West Lancashire.<sup>69</sup> The Liberals could not bring forward a candidate to challenge Cross or to threaten the Conservatism of Lancashire. If Gladstone himself, reasoned the Liberals, had gone down to defeat in 1868, what chance had a lesser man in the less propitious climate of 1874? Cross was once again joined in the campaign by Charles Turner, but with the outcome assured, the two Conservatives had little to do other than issue election addresses. Cross delivered a moderate and uninspired address which deviated little from the Conservative party program and was in fact more cautious than Disraeli's public statements two years earlier in Lancashire. Instead of promising change or reform, Cross was content to restate his earlier position of 1868 and pledged himself to maintain Conservative principles intact.<sup>70</sup> He criticized the Liberal party for its constitutional alterations and told the electors that he would "maintain unimpaired the two

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<sup>68</sup>Cross, Political History, p. 20.

<sup>69</sup>William Patten to Cross, 12 February 1874, Cross Papers Add. MSS 51270 f. 69. Patten was one of the Conservative party agents in Lancashire.

<sup>70</sup>Draft of Election Address (1874), Cross Papers Add. MSS 51270 f. 79.

grand institutions of the country in Church and State under which we all enjoy such liberty. . . ."71 Cross conducted his campaign in a relaxed manner, natural under the circumstances, and therefore was not hard pressed to state his views on controversial topics of the day. He undertook to win working class votes by condemning the existing trade union laws, but he offered no alternate plans and in fact relegated the question of labour laws to the very end of his election address.72

Polling took place throughout Britain over a two-week period, but it was early in the contest that Gladstone's defeat was evident. The Liberal party had suffered a nation-wide upset, much to the surprise of party leaders, who had anticipated reverses but not disaster. Frederic Harrison expressed his shock to Morley, writing:

This cataclysm is beyond all expectation. It has clearly astonished the Conservatives as much as Liberals. . . this annihilation of the Liberal party is beyond their wildest dreams.73

The Conservatives emerged with a majority of at least fifty, but their actual strength was greater if the members returned by the newly formed Irish party were subtracted

71 Ibid.

72 Ibid. A contemporary observer believed that a majority of the election addresses of 1874 were retrospective and moderate, rather than forward looking. See, John B. Martin, "The Elections of 1868 and 1874" Journal of the Statistical Society, XXXVII (June 1874), 193-229.

73 Harrison to Morley, 10 February 1874, quoted in McCready, "Election of 1874," p. 175.

from the Liberal minority. Gladstone himself ran second in Greenwich; and on February 17, without waiting to meet Parliament, he resigned his office and advised the Queen to send for Mr. Disraeli.

In South West Lancashire the Conservatives were triumphant. Letters of congratulations poured in to Cross, and the Conservative spirit of Lancashire was held up as an example for the nation. Observed one delighted Conservative:

We certainly gave the Radicals a good thrashing, but it was Lancashire in 1868 who [sic] set the good example which Middlesex and the Metropolitan boroughs have now followed. . . .<sup>74</sup>

The Conservative candidate in Liverpool ran 100,000 votes ahead of his Liberal opponent, and the city as a whole returned two Conservatives to the one Liberal,<sup>75</sup> the latter from the Irish district. In Preston, the Conservatives swept the polls, gathering 8,000 more votes than opposition candidates.<sup>76</sup> In Lancashire as a whole the Conservative party won twelve seats to the Liberal one, a victory impressive even for a district with traditional Conservative sympathies.

In addition the Conservatives made substantial gains in the counties, where they had long been established,

<sup>74</sup>George Hamilton to Cross, 16 February 1874, Cross Papers Add. MSS 51270 f. 75.

<sup>75</sup>Martin, "Elections of 1868 and 1874," pp. 204-205.

<sup>76</sup>Ibid., pp. 206-207. In 1868 the Conservatives won by only 1,000 votes.

but even more distressing to the Liberals were the notable Conservative victories in the larger boroughs. Disraeli's party won 44 seats in the boroughs, compared with the Liberals' 68, but the figure represented an increase of 19 from the Conservative total in 1868.<sup>77</sup> A further measure of Liberal distress is the number of candidates each party put into the battle. The Liberals had 22 fewer men standing for election, while the Conservatives had 59 more than in 1868. The Conservatives were largely successful in 1874 with the voters who had been newly enfranchised in 1868, or among those who had for some reason not voted in the previous general election.<sup>78</sup>

Reasons for the Liberal defeat are difficult to assign. Conservatives attributed it to the nation's rejection of Liberal philosophy, while Liberal observers hinted at shadowy influences at work in Conservative ranks, especially the liquor interests. Gladstone himself seemed certain as to the cause of his downfall, as he wrote his son Robertson: "I have no doubt what is the principal [ of the Liberal defeat ]. We have been borne down in a torrent

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<sup>77</sup>Hanham, Elections and Party Management, p. 92. The Conservatives were especially successful in the Home Counties.

<sup>78</sup>Ibid., p. 195.

of gin and beer."<sup>79</sup> The well-known hostility towards Gladstone exhibited by the liquor industry made it a simple matter to attribute their money and political pressure as indispensable elements in the Liberal downfall.

Some observers, however, considered that Gladstone's loss was occasioned by more than the drinking man's displeasure. Punch, for example, while agreeing that Bruce's licensing regulations had generated hostility among the liquor interests, also pointed to the Ballot Act as a leading cause of the Liberal defeat. A two-page cartoon in Punch pictured Gladstone's chariot in the dust, with Disraeli sweeping forward to victory carrying a banner inscribed "Beer and Ballot."<sup>80</sup> The Ballot Act had just been given its first nation-wide test and to the discomfort of the Liberals who had passed it, the Act resulted in large numbers of voters abandoning Gladstone's cause. Liberal tacticians had expected the Ballot Act to enable rural voters to escape the domination of the Conservative landlord and to vote for the party of progress and humanity, the Liberal. Instead, the new voting procedures gave opportunity for urban working men to vote contrary to the wishes of their employers, and in large numbers of cities, the

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<sup>79</sup>Morley, Gladstone, II, 495. A twentieth century socialist historian, G.D.H. Cole, agreed with Gladstone and observed: "It was not Trade Unionism but the drink trade that overthrew Gladstone's government at the General Election." G.D.H. Cole, British Working Class Politics (London, 1941), p. 73.

<sup>80</sup>Punch, LXVI (21 February 1874), 78-79.

lower class voter seized the chance to "dish the Whigs." The Conservative benefited when thousands of urban voters expressed their displeasure with the factory owner and landlord by voting for the opposition. Some Conservatives, however, had long predicted the swing towards Conservatism under a secret ballot system, on the grounds that the nation was naturally Conservative and needed only the opportunity to demonstrate their true feelings. One of Cross's correspondents, for instance, noted:

Within the last few weeks I have had the greater pleasure of seeing the result of late general elections under Household Suffrage and the Ballot, which has shown that my view of them was the correct one, . . . as measures that would advance the interests of the Conservative Party.<sup>81</sup>

Many Conservatives, including Disraeli himself, could face the Reform Bill of 1867 unafraid, armed with the expectation that wider voting rights would mean simply more Conservative votes.<sup>82</sup>

Another popular evaluation of the election result cited not "Beer and Ballot" as the deciding factors, but "Beer and Bible." The Liberals were still reaping the bitter fruits of the struggle over the Education Act of 1870. The powerful non-conformist community of Britain had

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<sup>81</sup>Charles Gerrard to Cross, 28 March 1874, Cross Papers, Add. MSS 51271 f. 60. Gerrard was a Conservative newspaper editor from Lancashire.

<sup>82</sup>Disraeli's speech in Buckingham, 10 February 1874, London Times, 11 February 1874, in which the Conservative leader cites the election results as proof of the Tory faith in the essential good sense of the people.

not forgiven Gladstone and the Liberals for their compromise with the established Church. By not instituting at once a system of voluntary and public education in 1870, the Liberals had stirred up the Non-conformist anger while not fully satisfying the desires of the Anglican Church.<sup>83</sup> Thus Gladstone found himself caught between two abrasive and opposing forces, the Church on one hand and the movement towards state aided schooling on the other. Such a political position could not but have unfortunate results for Liberalism, and indeed the polls in 1874 demonstrated the powerful religious feelings which animated so many British citizens.

One further cause might be cited to explain the Liberal defeat: the efforts of the trade unionists. Disappointment over the failure of the Liberals to eradicate fully the injustices in the laws governing union activity had, by 1874, alienated the once-powerful trade union support for Gladstone. The rapidly growing trade union movement mobilized significant numbers of voters in 1874, and worked to defeat those candidates who refused to adopt pro-union principles.<sup>84</sup> The Trade Union Congress and local union organizations urged their members to vote on

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<sup>83</sup>A good account of the dispute is G.F.A. Best, "The Religious Difficulties of National Education in England, 1800-1870," The Cambridge Historical Journal, XII (1956), 155-173.

<sup>84</sup>H.W. McCready, "British Labour's Lobby 1867-1875," Canadian Journal of Economics and Political Science, XXII (May 1956), 141-160.

the issue of the labor laws, not on the party affiliation. By thus manifesting a desire to change the existing trade union laws, Conservative candidates could win votes in areas once considered safe for Gladstone's Liberals.

The election of 1874 has been labelled by one recent writer as one of the first "modern" contests in British history, in that each side appealed to a nationwide electorate with equal chances of winning, and each side conducted its campaign on a party basis.<sup>85</sup> Cross was one such party loyalist; and if he can be taken as representative of the younger generation of Conservatives, pointed the way towards greater adherence to party discipline in the future. Cross rarely displayed any zeal for independence, either in Parliament or on the election platforms. He was a man who could be relied upon by the party leadership, without those unsettling characteristics of independent behavior and erratic voting which often brought grief to a political party. His loyalty was sorely tested when his mentor Derby bolted Conservative ranks in 1878; but Cross remained faithful even at the peril of losing his most valuable ally. As this episode revealed, the day of the bold political independent in British life was drawing to a close, and the bonds of party discipline becoming ever more secure.

Upon assuming office in February 1875, Disraeli was

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<sup>85</sup>Hanham, Elections and Party Management, p. 209.

faced with the uncommon but enjoyable problem of a multiplicity of talents with only a limited number of cabinet offices in which to place them. In rapid succession, however, Disraeli filled the leading posts with a group of capable individuals to form a ministry that Herbert Paul called "one of the strongest that had ever been formed in England."<sup>86</sup>

As Chancellor of the Exchequer, Disraeli selected Sir Stafford Northcote, a former private secretary to Gladstone when both were Peelites.<sup>87</sup> Northcote's financial ability was well known and he was considered second only to Gladstone himself as a director of the nation's finances. He was an expected choice for the Exchequer post and in his budgets during the following six years, Northcote fulfilled his promise. The Northcote budgets were lacking in the surprises and showmanship which Gladstone had exhibited, and Northcote himself was a less dazzling personality than Gladstone. He prepared and delivered able and workmanlike speeches in the House but as a political leader he failed to inspire his followers. Even his biographer admitted that Northcote's "strength was one of balance, not of

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<sup>86</sup>Herbert Paul, History of Modern England (5 volumes; London, 1905), Vol. III, p. 372.

<sup>87</sup>See, Andrew Lang, Life, Letters and Diaries of Sir Stafford Northcote, First Earl of Iddesleigh (2 volumes; London, 1890). The Iddesleigh Papers are in the British Museum.

brilliance of parts."<sup>88</sup>

Disraeli went to the House of Lords and picked the Earl of Derby as Foreign Secretary. Once again, Derby was the natural choice for the difficult role as manager of the nation's foreign affairs. He had occupied the post during the ministry of his father, the fourteenth Earl, in 1867, and his knowledge of diplomatic affairs was unquestioned. Derby's tenure at the Foreign Office was to be a stormy one, culminating in his resignation in 1878 over the Eastern Crisis.

The Colonial Secretaryship went to the fourth Earl of Carnarvon, who had rebelled against Disraeli's leadership during the debate over the Second Reform Bill but had remained a dominant figure in the Conservative party.<sup>89</sup> Another rebel of 1867, Lord Salisbury, was named to the India Office in an effort to maintain unity within the party. Salisbury, despite his vigorous opposition to the Second Reform Bill, was a political figure impossible to ignore as spokesman for the traditionalist wing of the party. It was in fact a notable victory for Disraeli when he induced Salisbury to join the Cabinet, and while there

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<sup>88</sup>Ibid., xiv. Northcote began his tenure as Chancellor with the pleasant problem of dealing with a six-million pound surplus passed on by the Gladstone government. See Lang, Northcote, II, 56-58.

<sup>89</sup>Sir Arthur Hardinge, The Life of Henry Howard Molyneux Herbert, Fourth Earl of Carnarvon 1831-1890 (3 volumes; London, 1925). The Carnarvon Papers are in the Public Record Office, London.

continued to be moments of conflict between these two strong-willed men, their association proved fruitful.<sup>90</sup>

In 1878, upon Derby's resignation from the Foreign Office, Salisbury assumed the duties of Foreign Secretary, and with Disraeli's death in 1881, virtual leadership of the Conservative party.<sup>91</sup>

Sir Michael Hicks Beach was the Secretary for Ireland and did so well in that troublesome post that Disraeli was compelled to grant him a seat in the cabinet, a new status for the Secretary for Ireland.<sup>92</sup> Andrew Gathorne Hardy, former President of the Poor Law Board and earlier Home Secretary, was named to the War Office. Hardy fulfilled Disraeli's expectations at the War Office and later succeeded Salisbury at the India Office.<sup>93</sup> In the Upper House, Lord Cairns was chosen as Lord Chancellor and the Duke of Richmond as President of the Council. Both were loyal Conservatives and acquitted themselves well during the years of Conservative ascendancy. In only one

<sup>90</sup>Lady Gwendolen Cecil, The Life of Robert Marquis of Salisbury (4 volumes; London, 1921-31).

<sup>91</sup>Until 1885 there was a joint leadership of the party, divided between Northcote in Commons and Salisbury in Lords, but Salisbury was without question the senior partner. In 1885 he was formally chosen the sole head of the Conservative party. Ensor, England, p. 71.

<sup>92</sup>Lady Victoria Hicks Beach, Life of Sir Michael Hicks Beach (2 volumes; London, 1932). The period of Disraeli's government was an unusually quiet one in Ireland, and Hicks Beach was credited with the peaceful condition.

<sup>93</sup>A.E. Gathorne Hardy, Gathorne Hardy First Earl of Cranbrook: A Memoir.

case did Disraeli's judgment falter, in naming George Ward Hunt to the Admiralty. Hunt was an able politician and orator, who had been energetic in supporting the Reform Bill of 1867. In the Admiralty, however, Hunt's predilection for reform produced a bitter dispute with the Liberal party over the condition of the Navy, and he proved to be an unwelcome center of controversy. With Hunt's death in 1877, Disraeli went to the ranks of the younger Conservatives to select W.H. Smith as a replacement. Smith, a friend of Cross and a self-made man, performed his role satisfactorily and continued a steady rise into the Conservative leadership.<sup>94</sup>

It was Disraeli's firm intention to limit the number of Cabinet members to twelve, an objective he won at first although subsequent events compelled him to enlarge the body. Among those department heads without cabinet rank were George Solater-Booth at the Local Government Board; Sir Charles Adderly at the Board of Trade; and Viscount Sandon, Vice-President of the Council on Education. Disraeli believed that large cabinets of twenty or more were detrimental to effective leadership, causing only confusion and debate when the goal was unified action. Disraeli meant to keep the reins in his own hands, held loosely but firmly so that the decisions would come, in the last analysis, from the Prime Minister. He allowed

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<sup>94</sup>Viscount Chilston, W.H. Smith (London, 1965); also Sir Herbert Maxwell, W.H. Smith (London, 1893).

extensive leeway to his Cabinet members, in long-range planning as well as in daily administration. Yet there was no question who had the final word. It was an administrative structure well suited to Disraeli's temperament; he was able to propose and influence while steering clear of the prosaic business of administration, for which he had neither aptitude nor liking. Cross himself testified to the high quality of the new cabinet, although not with perfect accuracy, when he wrote:

I have had the honour of sitting in many Cabinets, but that is the best in which I have ever sat. The members were few, all joined equally in discussion; there was no shadow of a shade of a Cabinet within a Cabinet.<sup>95</sup>

Cross found the loosely organized Disraeli cabinet congenial to his own talents. He was given substantial freedom at the Home Office to organize legislation, administer his department and deal swiftly with problems of parliamentary relations. While final authority remained with the Prime Minister and often Cross had to defend his actions in cabinet meetings, there was no question but that he was firmly in control of his own department. It was a large measure of trust to place in a relatively untried man, but Disraeli seems to have well understood Cross's nature, for

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<sup>95</sup>Cross, Political History, p. 23. Cross ignored the serious split in cabinet ranks that occurred in 1878 at the time of the Eastern Crisis. Derby and Carnarvon resigned in protest over Disraeli's war preparations, and in the remaining cabinet "war" and "peace" factions emerged.

Cross would have performed poorly under close direction from above. A self-willed man, confident of his own ability, Cross required the loose control which Disraeli exercised. Under a more demanding Prime Minister, Cross may well have abandoned his task.

Disraeli early decided to give Cross high office although the appointment to the Home Office was unexpected. Disraeli struggled with the cabinet assignments and his indecision was noted by Hardy, who wrote in his diary entry for February 17:

I have been with Disraeli and have gone through his plan for a Ministry, in some points altered in talking over. Beach, Booth, and Cross change places originally with doubt assigned to them.<sup>96</sup>

The offer of the Home Office seems to have been a surprise to Cross, but he had expected some post in the cabinet. His wife Georgianna had apparently been informed of Cross's impending elevation but she also had not expected the Home Office. "I hope Georgy will be pleased," wrote one of Cross's relatives after the news was revealed, "although your post is not exactly the one which she wished for you."<sup>97</sup> Georgianna left unnamed the desired cabinet post, but it may have been the Board of Trade, a position which would have been prestigious but was probably unsuited to Cross's training and interests. The possible substitution

<sup>96</sup>Gathorne Hardy, Memoirs, Vol. I, p. 335.

<sup>97</sup>Francis Lyon to Cross, 22 February 1874, Cross Papers Add. MSS 51284 f. 60.

of Cross for Selater-Booth at the Local Government Board would have made sense in the light of Cross's background in local government, but Selater-Booth probably lacked the moderate temperament needed to deal with the intricacies of the Home Office. On the other hand, Cross's knowledge of government, especially on a local level, his financial experience, and his recognized expertise concerning the legal system, made the Home Office a more likely, and logical, position for him than any other.<sup>98</sup> It may have been the position that Cross himself sought. "Am I right in thinking it is the office you should have desired?" wrote Cross's sister.<sup>99</sup> The final decision came on February 17th, after a ninety-minute meeting between Disraeli and Cross.<sup>100</sup>

On February 18th, Disraeli sent the cabinet selections to the Queen for her approval. Opposite Cross's name on the list was the notation, "an able man, much respected."<sup>101</sup> There was probably little more that Disraeli could say to recommend Cross since he was barely

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<sup>98</sup>Blake, Disraeli, p. 539.

<sup>99</sup>Sarah Cross to Cross, 21 February 1874, Cross Papers Add. MSS 51284 f. 60. Italics in original.

<sup>100</sup>William Cross to Cross, n.d., Cross Papers Add. MSS 51285 f. 51. Hardy was also present at the meeting, according to William Cross, but made no mention of it in his diary or later autobiography.

<sup>101</sup>George Earle Buckle, ed., The Letters of Queen Victoria, Second Series (3 volumes; London, 1926-28), Vol. II, p. 321.

acquainted with his new cabinet member. Nor did Queen Victoria have any deeper knowledge of Cross or his qualifications for high office. Disraeli felt it necessary to explain, in person, the selection of the relatively unknown Lancashire banker to be Home Secretary. He told the Queen:

It would be necessary to introduce a stranger to public, or rather official, life for the office of Home Secretary . . . and mentioned for Her Majesty's consideration the name of Mr. Cross, the Member for Lancashire.<sup>102</sup>

Disraeli offered no further explanation to the Queen as to why it would be "necessary" to name a political unknown for the Home Office, but the Queen might have easily understood the advantages of having a fresh, and therefore unencumbered man in the delicate Home Office position. She made no objection, in any case, and Cross was duly appointed a Minister in Her Majesty's government, an appointment that caused "some surprise" in the country.<sup>103</sup> The Prime Minister then notified Cross of his new post and cautioned him regarding his duties and the unusual responsibility which he now carried:

I have advised Her Majesty to confer on you the high office of Secretary of State for the Home Department. This is an act of almost unexampled confidence, both in your character

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<sup>102</sup>Disraeli to Richmond, 18 February 1874, quoted in Monypenny and Buckle, Disraeli, Vol. II, p. 627.

<sup>103</sup>Jeyes, Salisbury, Vol. I, p. 186.

and abilities, but I have assured the Queen that [her] confidence will not be disappointed.<sup>104</sup>

The unexpected nature of Cross's appointment is well illustrated by a description of the change of government upon Gladstone's resignation, written by Queen Victoria's private secretary, Sir Henry Ponsonby. He remembered:

At 3 the new ones came but I did not see any except Derby who hoped I would correspond freely with him. He introduced me to Mr. Cross. Torrington asked Lord Malmesbury if Mr. Cross was married. 'I haven't an idea-- I never saw the man before.' And so the government was changed.<sup>105</sup>

Malmesbury was an aging Tory aristocrat who might ordinarily be unaware of the private life of a Lancashire banker and lawyer such as Cross, but he was nevertheless a leading figure in the Conservative party and his unfamiliarity with a future Home Secretary was indicative of Cross's lack of a substantial political reputation. Queen Victoria and the court circle were equally unfamiliar with Cross, but this situation soon changed as he became a regular visitor to Windsor and in later years a close friend of the Queen.

It remains to be considered why Disraeli should

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<sup>104</sup>Disraeli to Cross, 19 February 1874, Cross Papers Add. MSS 51265; also Cross, Political History, p. 24. Cross had known for at least two days of his nomination to the Home Office. The tone of the letter suggests that Disraeli was reemphasizing the risk involved in appointing a political unknown to a cabinet post.

<sup>105</sup>Arthur Ponsonby, Henry Ponsonby, His Life From His Letters (London, 1942), p. 179.

have chosen Cross as Home Secretary. Indeed, one might ask why was Cross included at all in the cabinet? The answer is doubtless contained in Ponsonby's description of the change of government, where the secretary noted that he had been introduced to Cross by Lord Derby. The close personal relationship between Cross and Derby, extending back decades to their school days, played a crucial part in Disraeli's selection.<sup>106</sup> Lord Derby's inclusion in the cabinet was inevitable but the politically experienced Derby realized that he needed allies within the cabinet, and, furthermore, that he possessed enough political leverage to impose conditions upon Disraeli. Cross, an old friend and unshakable supporter of Derby, was pressed upon Disraeli as part of the price of Derby's support for the new ministry.

The alliance between Cross and Derby remained strong until the very day of Derby's resignation in 1878. Cross was considered, and rightly so, as the "Derby man" in the cabinet; and it was accepted on all sides that Derby exerted a powerful influence in the affairs of the Home Department. Charles Darwin, for instance, in trying to organize opinion in favor of an anti-vivisection bill in

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<sup>106</sup>For a discussion of the influence of the noble families in late Victorian politics, see J.P. Cornford, "Parliamentary Foundations of the Hotel Cecil," in Ideas and Institutions of Victorian England, ed. by R. Robson (New York, 1967), esp. p. 272. Cornford indicates that Cross's career was substantially aided by his having attended school with one of the Stanley family.

1875, first called on Lord Derby to "gain his advocacy with the Home Secretary."<sup>107</sup> Although both were cabinet members, the relationship between Cross and Derby was unmistakably that of a noble with a middle-class businessman, with all the deference that might be expected in mid-Victorian England between two such men. Cross was junior, if not in years, then certainly in rank and status. Derby, for instance, advised Cross freely about his political behavior, telling him in 1875, "I do not think it is the business of a Home Secretary to be canvassing a constituency in the interest of his colleague; . . . in your place I should do no more than is indispensable."<sup>108</sup> It was a regular occurrence for many years that Derby, finding himself unable to sit as Chairman of the Kirkdale Quarter Sessions, would ask, or rather instruct, Cross to take his place.<sup>109</sup>

This deference which Cross exhibited and which Derby seems to have expected did not, however, imply that friendship was absent. Derby felt comfortable in speaking or writing to Cross, secure in the knowledge that Cross was both sender and receiver of the frank letter. "I have the

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<sup>107</sup>Francis Darwin, ed., Life and Letters of Charles Darwin (2 volumes; New York, 1959), Vol. II, p. 381. Derby agreed to help Darwin and wrote a short note to Cross on the subject of the Vivisection Bill, Cross Papers Add. MSS 51266 f. 24.

<sup>108</sup>Derby to Cross, 20 October 1875, Cross Papers Add. MSS 51266 f. 17.

<sup>109</sup>Derby to Cross, 2 January 1871, Cross Papers Add. MSS 51266 f. 3.

never-to-be-sufficiently-execrated job to do at Edinburgh," wrote Derby, "in the way of coddling the students of the big Scotch school they are pleased to call a University."<sup>110</sup> Again, in 1877, when Cross was unhappy over the lack of initiative shown by the party leadership, Derby advised that general apathy was the cause as much as the Eastern Question, and told Cross "to speak to the Cabinet in this sense, you will find backers enough."<sup>111</sup>

The break between Cross and Derby came when Derby found himself unable to support Disraeli's war preparations against Russia, and left the government. Cross remained in the cabinet but sadly reduced in political power and fearing for his position without the support of his noble friend. Cross, along with Northcote, made a determined effort to calm Derby's fear and to induce him to return, not merely for the sake of Conservative unity but because both Cross and Northcote needed Derby's backing. Lady Derby accurately described the situation in a letter to Carnarvon:

The way in which Stanley was asked to come back was so curious. It was the work of the colleagues--Cross and Northcote; the Premier hardly appeared in it; it struck me that

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<sup>110</sup>Derby to Cross, 2 December 1875, Cross Papers, Add. MSS 51266 f. 19. Derby also relied on Cross to keep political secrets, as when he asked Cross to deliver a message to Gorst, the party's political manager. Cross Papers, Add. MSS 51266 f. 8.

<sup>111</sup>Derby to Cross, 28 October 1877, Add. MSS 51266 f. 34.

neither he nor the great lady wished to have him  
 [Derby] back, but that C. [Cross] and  
 N. [Orthcote] saw their whole future was gone  
 in separating from him.<sup>112</sup>

Cross was unsuccessful in convincing Derby to return and the resulting alienation between the two men was a personal as well as a political hardship for Cross. In the elections of 1880, when Cross and Derby faced each other across the political ramparts, neither man cared to attack the other. Derby refused to speak against Cross in South West Lancashire, believing that it would not "be becoming for him to campaign actively against a late colleague. He should remain neutral."<sup>113</sup> Cross, for his part, carefully avoided the painful subject and steadfastly refused to belabor Derby as a "renegade" as some of the party workers wished him to do.<sup>114</sup> The friendship was ended, however, as might be seen in the absence of correspondence between Cross and Derby following 1878. The number of letters falls off rapidly in 1878, and after one brief business-like note in 1880, stops altogether.<sup>115</sup>

But in 1875 the Cross-Derby relationship was firm, and it certainly influenced Disraeli in his choice of Home

<sup>112</sup>Lady Derby to Carnarvon, 7 February 1878, in Hardinge, Carnarvon, Vol. III, p. 2.

<sup>113</sup>Hanham, Elections and Party Management, p. 288.

<sup>114</sup>See letters to Cross following his unopposed reelection in 1880, in which the party workers in Lancashire were bitter against Derby's defection and gloated over his inability to defeat Cross. Cross Papers, Add. MSS 51273 f. 30

<sup>115</sup>See, Cross Papers, Add. MSS 51266.

Secretary. But another factor has to be weighed, this being the need to satisfy Lancashire. The voters there had given outstanding support to Disraeli's cause and it therefore became expedient for him to reward somehow the loyal Conservatives in that county. Ignoring Lancashire in the creation of his government would have entailed serious risks for Disraeli; and while Derby might be considered a representative of Lancashire, it was imperative that the county have a voice in the House of Commons as well. Herbert Asquith, in 1875 a newly elected Member, later observed of Disraeli's new government:

In the cabinet of twelve there was only one new man--Cross--whose appointment was a recognition of the electoral debt which the Conservatives owed to Lancashire; he proved himself a very capable Home Secretary.<sup>116</sup>

Cross, as a long-time member for Lancashire and a powerful voice in local political life, would have eminently satisfied the Lancashire Conservatives. In addition, Cross's brand of Conservatism was compatible with the desires of his constituents, who had long been notable for their advocacy of legislative reforms. His extensive experience on the Quarter Sessions, plus his work in local government during the years he was out of Parliament, demonstrated Cross's ability to deal with local affairs and further reassured the Lancashire voter of Cross's commitment to needed reforms.

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<sup>116</sup> Earl of Oxford and Asquith, Fifty Years of Parliament (2 volumes; London, 1926), Vol. I, p. 33.

The working class voters of Lancashire were especially pleased with Cross's appointment to the Home Office. Being vitally affected by the administration of the Home Office, the union members and working men of Lancashire were interested in having as Home Secretary a man who would be either sympathetic or at least neutral in regard to the conflicts between capital and labor. Cross received enthusiastic cheers from the Working Men's Associations in Lancashire, as well as from working class organizations that were normally Liberal in their politics. Representative of the congratulatory letters was the one sent by the Liverpool Working Men's Conservative Association. The letter congratulated Cross

upon the high and important office, which her most Gracious Majesty, acting on the advice of the Right Honorable B. Disraeli M.P., has been pleased to confer. . . .<sup>117</sup>

The Liverpool working men were deeply interested in factory legislation, sanitary measures and law reform; and they carefully phrased an appeal to Cross asking his aid in the coming session. "Hoping that it will be your pleasurable task," they wrote to Cross, "to assist in the administration of measures that will satisfy the nation, and at the same time preserve our national institutions."<sup>118</sup> The working men paid the required obeisance to Conservative

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<sup>117</sup>Liverpool Working Men's Conservative Association to Cross, 2 March 1874, Cross Papers, Add. MSS 51271 f. 24.

<sup>118</sup>Ibid.

principles in defending "national institutions" but they left no doubt of their desire for reform.<sup>119</sup> In his replies to the scores of congratulatory letters, Cross exercised considerable caution in promising specific legislation but left the very clear impression that he listened with an open mind to such requests and would be prepared to satisfy the justifiable demands of the working men.<sup>120</sup>

Cross moved rapidly to adjust his personal life to his new political status. On February 26, 1874, he sent a letter of resignation to the clerk of the Kirkdale Quarter Sessions, ending his tenure as Deputy Chairman of that body.<sup>121</sup> He secured lodgings on Warwick Square, a fashionable address which better suited his new station. Cross's family rarely joined him in London, even during the Parliamentary sessions, preferring to reside on the Cross estate at Eccle Riggs in Lancashire. Cross himself hurried home to Lancashire as soon as Parliament was adjourned, finding little comfort or attraction in London social life. Only when invited to attend the Queen at Balmoral did he forego his stay at Eccle Riggs, and while he seems to have been deeply honored at being an invited member of the Queen's party, he wrote to his wife of his desire to be

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<sup>119</sup>See also, Southport Working Men's Conservative Association to Cross, 28 February 1874, Add. MSS 51270 f. 243.

<sup>120</sup>Cross Papers, Add. MSS 51270.

<sup>121</sup>Cross to Clerk of the Peace at Preston, 26 February 1874, Cross Papers, Add. MSS 51271 f. 60.

with her. He took little part in the busy social activities of London. Cross attended on occasions when his political role rendered it necessary, but left early, earning a reputation as one of the less festive of the cabinet members.<sup>122</sup>

Cross was fifty-one years old when he took office as Home Secretary, a relatively young man among colleagues who served for decades in public life, often in high offices. Contemporary photographs reveal him as a tall, sturdily built man whose most noticeable feature was a magnificent beard, worn full length and in later years brushed to either side to reveal his chin.<sup>123</sup> Otherwise there was little to distinguish him in appearance. He wore rimless glasses and his hair was grey in 1874 but the passing years treated him well. Ill health was rarely a problem for him and he possessed the powerful frame famous among the Lancashire gentry. Cross was not a sportsman, unconcerned with even the traditional Conservative pastimes of riding and shooting, an attitude he shared with Disraeli. But he nonetheless retained a youthful vigor throughout much of his life and lived to an advanced age in remarkably good health.

#### Cross's ascension from opposition to the Front

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<sup>122</sup>Cross, however, was agile on the dance floor, and Queen Victoria once commented on his "activity and agility" during a Balmoral visit in 1890. Gathorne Hardy, Cranbrook, diary entry for 21 October 1890.

<sup>123</sup>See photograph in Ponsonby, Henry Ponsonby, p. 60. Cross was pictured as part of the holiday group attending the Queen at Balmoral in 1878.

Bench was a rapid one. He barely had sufficient time to acquaint himself with the procedures of the office before he had entered the arena in the House of Commons in his new capacity. Disraeli had promised reform, and pledged publicly his concern for the condition of the people. It was Cross, however, who was to lead the Conservative legions in the fulfillment of their leader's promises.

The circumstances of Cross's appointment, and the political climate of the day, encouraged Cross's own inclinations towards dealing with questions of social and sanitary legislation. He joined the cabinet with the benefit of a secure position, his association with Derby guaranteeing him a respectful hearing and releasing him from the uncertainties often faced by new men in the government. In addition, the necessity of having a Lancashire man in high office made Cross a useful figure for the Conservative leadership--to dismiss him would have alienated the most powerful allies of the party. Again, the party's need to bring new blood into high councils was crucial to Cross's appointment, for the image and continued success of Conservative leadership.<sup>124</sup> The matter of public image also contributed to Disraeli's eagerness to initiate reform legislation, for it was imperative that he prove his party more capable and successful than the Liberals in passing

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<sup>124</sup>Gerard Noel to Benjamin Disraeli, 12 February 1874, quoted in H.J. Hanham, The Nineteenth Century Constitution (Cambridge, 1969), p. 103.

needed health and reform measures. For all these reasons, Cross came into government with more than usual freedom to act, and with a unique amount of security in office. He could, in short, follow his inclinations with some assurance of support from the leadership and without constant anxiety about his position.

His firm position in the cabinet freed Cross's own reforming instincts and permitted the full use of the personal resources acquired during a long career in local government. Cross, for instance, had grappled with the Poor Law in Lancashire, he had studied the question of public health in his own county, he had served local authorities in dealing with jails, schools and lunatic asylums. The progressive traditions of Preston, combining a strong working class movement with a readiness to adopt novel methods of improvement, had accustomed him to think in terms of government-sponsored sanitary reforms. By training and inclination, then, he began his work as Home Secretary with the goals of reform well established in his mind. He sought the opportunity of initiating useful legislation and his unexpected appointment to the cabinet provided him with the propitious moment in national affairs.

## CHAPTER III

CONSERVATISM IN POWER: TENTATIVE STEPS  
TOWARDS SOCIAL REFORM, 1874

Despite the formulation of a Conservative policy of social reform in the preceding years, the electoral victory of 1874 found Disraeli and his party unprepared to launch a legislative program that would match their declared intentions. In matters of social and sanitary reform, the Conservatives entered office with a set of principles announced by Disraeli over several years, but with almost no concrete measures or bills in hand to submit to the new Parliament. Part of the explanation for the desultory showing of the Conservatives in their first year may be found in the suddenness of their election. The new government had barely enough time to wage a campaign, after an unexpected dissolution, when they were faced with an expectant Parliament and a host of eager social reformers who looked to Disraeli to fulfill his promises made in 1872. Under the circumstances it is not surprising that the new ministers, Cross included, had not organized an effective legislative program for 1874. The few important measures that the new government dealt with were either continuations of earlier Liberal proposals, such as the Factory Act of 1874, or were mishandled and unproductive attempts to fulfill the demands for action, such as the Licensing Act of 1874. In either case, the legislative record of the Conservative ministry

was barren in its first year and seemed to offer little encouragement to those who expected Disraeli to carry out his promise of rational sanitary legislation.

Just the same, the Conservative party had been granted an unexpected opportunity for reform, although it remained for the new ministry to learn how to use more effectively the political power gained at the polls. The lessons of that first year were hard won, but they were to prove invaluable in 1875 when Cross led his party to a dazzling series of social and sanitary reforms. The program of that year, including the Artizans' Dwelling Act, derived both in spirit and execution from the period of adjustment in 1874. It is necessary, therefore, prior to examining in detail the passage and contents of the Artizans' Dwelling Act of 1875, to review the events of 1874 in order to comprehend the successful enactment of reform measures in Disraeli's administration.

If the legislative record of the first year of Conservative government was disappointing, the future still held the promise of fulfillment for many of Disraeli's electoral programs. The scanty results of their first year in power stimulated the reform-minded ministers, notably Cross, to prepare more completely at an earlier stage, so that the next session would witness a rush of important, well-written legislation in several areas of social policy. The new legislation also owed much to an increased skill in parliamentary technique of the Conservative leadership, as

the cabinet became more accustomed to exercising political power. The first year of Conservative government may be viewed as a period of apprenticeship, especially for Home Secretary Cross. He learned some difficult lessons in 1874, but he learned them well, as he was to prove in subsequent years.

The earliest days of the Disraeli ministry gave Cross his first unpleasant surprise. Sitting as Home Secretary at the first cabinet meetings, Cross was disturbed and disappointed by the absence of anything resembling a party program for the coming session. He later recalled his dismay when the cabinet discussed the Queen's Speech:

I was, I confess, disappointed at the want of originality shown by the Prime Minister . . . I had quite expected that his mind was full of legislative schemes, but such did not prove to be the case; on the contrary, he had to entirely rely on the various suggestions of his colleagues.<sup>1</sup>

Cross, expecting more from the tone of Disraeli's addresses in 1872 and 1873, had anticipated much activity by the Conservatives to fulfill the pledges made by their leader, only to find Disraeli empty handed.

Nor did the Queen's Speech contain much that was original with regard to reform legislation. Noting the cabinet's difficulty in framing the Speech, Cross concluded that, aside from matters of foreign policy, "the Queen's

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<sup>1</sup>Cross, Political History, p. 25.

Speech was not much to boast of."<sup>2</sup> It appeared, however, that Disraeli would make good his pledge to end the "harassing legislation" of the Gladstone era and provide a period of rest and reflection for a nation which he believed to be tired of change and dispute.

It fell therefore to the responsible cabinet ministers to proceed according to their own discretion, although the possibility of a veto by the Prime Minister was always to be considered in their planning. Disraeli in fact preferred a loosely controlled cabinet, providing each minister ample scope for his own initiative but keeping final authority in the Prime Minister's hands. He loathed the tedious work of detail and formulation. His talent, indeed his genius, lay in other areas. When plans were drawn and petty problems solved, then Disraeli would enter the discussion, not as the administrator but as the supreme political strategist. In the words of his latest biographer, "Disraeli reconciled differences, settled disputes, decided priorities; but he did not initiate nor did he try to understand the details of the measures proposed."<sup>3</sup> This cavalier attitude towards the dull business of daily government lingered in Disraeli as a reminder of a different era in

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<sup>2</sup>Ibid. The Ashantee War and the famine in India were the major topics of foreign policy touched upon in the Speech; see London Times, 20 March 1874.

<sup>3</sup>Blake, Disraeli, p. 543. Blake attributed Disraeli's lack of energy and direction to old age and illness, but criticized him nevertheless for ignoring the details of his own government's activities.

British life, one rapidly disappearing beneath the urgent demands of a modern industrial society. For Cross, the business-minded administrator and efficient Minister, Disraeli's lack of attention to detail was difficult to accept. As he later observed:

Disraeli's mind was either above or below (whichever way you like to put it) mere questions of detail. When the House was in Committee he was, comparatively speaking, nowhere.<sup>4</sup>

Yet he was compelled to admit Disraeli's undoubted leadership of the Conservative government. "On great questions of principle," Cross wrote, "and on all questions of high and imperial policy he without doubt asserted his supremacy."<sup>5</sup>

The different approaches to administration widened, but did not create, the often visible breach which existed between Disraeli and his Home Secretary. On Disraeli's part, the gulf between them was a social one: Cross was inescapably middle-class, a fact rarely forgotten by the Prime Minister. His feelings were unmistakably expressed in a letter to his cherished friend Lady Chesterfield, as he described an embarrassing moment in the House of Commons. The Prime Minister wrote:

I was in the House last night till midnight, and only left because I was assured there would be no more divisions. There was one, however,

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<sup>4</sup>Cross, Political History, p. 44.

<sup>5</sup>Ibid.

and Mr. Secretary Cross talked, I see, of the Prime Minister's absence on account of the state of his health! What language! This comes of giving high office to a middle class man.<sup>6</sup>

Disraeli viewed his Home Secretary as a hard-working, faithful administrator, but hopelessly beyond his class origins and clearly not the manner of man to be accepted upon terms of social equality. Communications between them rarely evolved beyond the level of correctness and official reserve. To Cross's letters, addressed to "Dear Mr. Disraeli,"<sup>7</sup> Disraeli replied "Dear Cross," or sometimes "Dear Mr. Secretary."<sup>8</sup> There were occasions when the Prime Minister's manner was abrupt, as when he reprimanded the Home Secretary for sending a faulty list of proposals: "Have the kindness," Disraeli ordered, "to send the correct titles of the bills which you propose introducing this session."<sup>9</sup> At times, Disraeli expressed amusement at the eagerness and zeal of Secretary Cross, as on one occasion

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<sup>6</sup>Marquis of Zetland, ed., Letters of Disraeli to Lady Chesterfield and Lady Bradford (2 volumes; New York, 1929), Vol. I, pp. 87-88. Disraeli to Lady Chesterfield, 18 April 1874.

<sup>7</sup>See Disraeli's letters to Cross in, Cross Papers, British Museum Add. MSS 51265. The Prime Minister rarely addressed more than a sentence or two to Cross and almost always on matters of immediate business.

<sup>8</sup>In 1880, the aging Disraeli mentioned several of his former cabinet ministers, including "Mr. Secretary Cross, whom I always forget to call Sir Richard." Lord Ronald Gower, My Reminiscences (2 volumes; London, 1883), Vol. II, p. 356.

<sup>9</sup>Disraeli to Cross, 19 January 1875, Cross Papers, Add. MSS 51265 f. 21.

when deputations of working men threatened to cause trouble outside the Parliament. "Mr. Secy. X [Cross]," wrote Disraeli, "who is a naturally brave and firm man, got so frightened about his chief, that I believe there were 1,000 constables hid in the bowers of Whitehall Gardens and about."<sup>10</sup>

Perhaps influenced by Cross's success as a cabinet minister, Disraeli, with the passage of time, adopted a somewhat friendlier tone towards his Home Secretary.<sup>11</sup> In 1878, upon his elevation to the House of Lords, Disraeli addressed a long and cordial note to Cross, explaining his acceptance of a peerage and thanking Cross for his devoted service.<sup>12</sup> The element of friendship remained absent in their relationship but certainly Disraeli came to admire the qualities which a cabinet career revealed in Cross.<sup>13</sup>

For his part, Cross expressed the deepest regard for Disraeli as a political strategist and leader of the party, including him among the leading Prime Ministers of British history and comparing him favorably with Lord

<sup>10</sup>Monypenny and Buckle, Disraeli, Vol. II, p. 726.

<sup>11</sup>Cross's loyal contributions during the Eastern Crisis, when he made a successful speech to the House and generally defended Disraeli's policies, may have brought him into greater favor with the Prime Minister. See Cross, Political History, pp. 48-49.

<sup>12</sup>Disraeli to Cross, 10 August 1878, Cross Papers, Add. MSS 51265 f. 37.

<sup>13</sup>Blake, Disraeli, p. 543. Cross may have, as Blake noted, won Disraeli's confidence but never his friendship.

Palmerston, a man whom Cross greatly admired.<sup>14</sup> He interpreted Disraeli's retirement in 1878 as a serious blow to the Conservative party. "There was no one of like genius to succeed him in the House of Commons," wrote Cross later, "and in course of time he himself lost touch with the House of Commons."<sup>15</sup> When Disraeli died in 1881, Cross expressed fears for the party and the nation. "It is a great loss to the nation," Cross observed to W.H. Smith, "and to the Queen and to our party. How and when his successor will be chosen it is not easy to see."<sup>16</sup> In later years, Cross reviewed the events surrounding Disraeli's retirement and viewed it more philosophically. Cross wrote:

Eventually . . . he fell, as other great Ministers have fallen, and without doubt he was a great Minister; but I always thought that he felt that country had not used him well, and he died in 1881--long before the reaction came in his favour.<sup>17</sup>

Cross did not pursue, nor did he explain, his statement that Disraeli felt ill used by the nation. Clearly, however, Cross himself regarded Disraeli as one of the towering figures of British life.

As noted, Cross had expressed deep disappointment

<sup>14</sup>Cross, Political History, pp. 44-45. Palmerston was a vastly admired figure in Lancashire due to his China Policy of the 1840's, which opened the Far East to the cotton trade and thus increased Lancashire's wealth.

<sup>15</sup>Ibid., p. 45.

<sup>16</sup>Cross to W.H. Smith, April 20, 1881, in Chilston, W.H. Smith, p. 165.

<sup>17</sup>Cross, Political History, p. 45.

over the absence of any firm plan for legislation. At the earliest meetings of the new cabinet in 1874, Cross had put forward suggestions for various reform measures and had asked for some commitment on the part of the Prime Minister regarding future programs.<sup>18</sup> Disraeli however declined to initiate a full-scale legislative program, resisting Cross and other ministers who pressed for some outline of Conservative plans. He put the matter to Cross with unusual frankness, in reply to a suggestion by the Home Secretary that the government take action concerning the reform of London municipal organization. "We came in," Disraeli told Cross, "on the principle of not harassing the country, and I think from prematurely embarking on such questions as Railway Reform, University Reform and the one respecting which you have written me today."<sup>19</sup> Political judgment thus played a crucial role in the Prime Minister's decision to avoid what he considered excessive legislation in the first year of the Conservative government. Disraeli felt that he had taken the measure of the nation, and that it demanded repose, not reform, in 1874. Further, Disraeli had to contend with pessimistic economic forecasts being submitted by his advisors. If, as Disraeli was regularly informed, the financial picture was dim and expected to grow

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<sup>18</sup>Smith, Disraelian Conservatism and Social Reform, pp. 198-202.

<sup>19</sup>Disraeli to Cross, 22 October 1874, Cross Papers, Add. MSS 51265 f. 29.

worse, then reform on a large scale was economically impossible.

A pessimistic note was struck when Northcote, Chancellor of the Exchequer, informed Disraeli as early as April 1874 that by all available indications the economy of the nation was declining and knowledgeable persons were warning of worse days ahead.<sup>20</sup> An extensive background in finance and business led Cross to join in predicting a trade setback in the coming years. Northcote told Disraeli that "many persons . . . and especially Cross (who is very urgent on the subject), think that we are going to have bad times and that we ought not to speculate on a rise in the revenue."<sup>21</sup> Lord Salisbury also feared declining trade and cautioned Northcote in 1874 not to lower the income tax below 3d for fear that the Conservative government would leave themselves "without means for the reforms of next year. . . ."<sup>22</sup> These bleak forecasts proved correct, for Britain was entering a period of financial and economic distress which would not end until the 1880's.

The steadily declining trade revenue, the drop in agricultural production and the reduced taxation, combined to cast a shadow upon the reform efforts of the mid-1870's.

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<sup>20</sup>Northcote to Disraeli, 2 April 1874, Iddesleigh Papers, Add. MSS 50016 f. 196.

<sup>21</sup>Iddesleigh Papers, Add. MSS 50016 f. 196.

<sup>22</sup>Northcote to Disraeli, 22 March 1874, *ibid.*, Add. MSS 50016 f. 179.

In the case of the Artizans' Dwelling Act, the state of the economy led to a cautious approach to building workingmen's homes in the cities. Municipal governments were not encouraged to engage in large-scale rebuilding efforts, when they were faced with unemployment and falling revenues. Nor was the Conservative government inclined to stimulate local efforts; the loans and financial supports that would have come from the national government were in short supply during depressed years.

The uncertain economic picture painted by government advisors and by private observers as well went far to create an atmosphere within Parliament unfavorable to reform legislation. The possibility that it might result in heavy expenditures was carefully examined within the House of Commons, for fear that the government would burden itself to the danger point by embarking upon expensive programs of social improvement. The emphasis on economy was manifest when the Public Health Act of 1875, although a consolidating measure, received a painstaking examination in the House until the government gave assurance that the Act would not add to the nation's financial burden. Cross and Conservatives were always careful to minimize the expenditures involved in their reform legislation, and as a result a good deal of the legislation enacted during the 1870's did not result in large government expenditures. The Trade Union Acts, the Public Health Act, and the Friendly Societies Act, among the leading measures, committed only a

minimal amount of government funds to their use, and even these small amounts were grudgingly given by the Parliament. In defending his housing legislation Cross steadily made the point that the financial clauses of the Bill were carefully drawn to prevent a heavy outlay of funds. In fact, the strongest debates in the House were engendered by the loan and cost provisions, not by the underlying principle of the legislation. The House accepted the need for government participation in building workingmen's homes, but focused its attention upon the cost. In a more favorable economic climate, with trade and industry producing revenue as before, the reforms of the Disraeli ministry might have been different, even bolder in their approaches to government assistance.

If the Conservative government as a body was being educated in the realities of political life in 1874, it was a valuable period for Cross as well. During that year he endeavored successfully to impose his authority on the Home Office, and in addition gained priceless experience in legislative affairs. The process was often painful for him, but when he returned to face Parliament again in 1875, Cross was secure in his ability and able to translate his ideas into legislation. Cross, it must be reemphasized, entered the cabinet without experience in national affairs. An extensive background in local government and politics was useful, but it did not prepare him adequately for the demands of high cabinet office. Cross's two major attempts

to enact legislation in 1874 demonstrated this lack of experience. The Licensing Act and the Factory Act comprised the heart of the Home Office legislative plans in 1874, but the measures failed to reveal any substantial abilities on Cross's part.

The Factory Act had been introduced as a private members bill by A.J. Mundella, the Liberal friend of the working man, as the "Nine Hours Bill." Mundella had first made his proposal in 1872, asking for a limit on the hours worked by women and children and extending the powers of the Factory inspectors.<sup>23</sup> When Mundella and several other Liberal members again raised the issue, Cross was receptive. Taking control of the legislation and labelling it a government bill, Cross slightly altered Mundella's Factory Bill and passed it rapidly through the Conservative House of Commons. Cross was careful to uphold the rigid doctrine that able bodied men should remain free agents in the market place, unhindered and unprotected by state action, but he acknowledged willingly the responsibility of the state to shelter the weak and unknowing.<sup>24</sup> Having been slated for consideration by Liberals in 1874, the Factory Act encountered little opposition from the Liberal benches

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<sup>23</sup>W.H.G. Armytage, A.J. Mundella: The Liberal Background to the Labour Movement (London, 1951), pp. 111-113.

<sup>24</sup>Cross told the House of Commons during the debate: "So far as adult males were concerned, there could be no question that freedom of contract must be maintained. . . ." 3 Hansard, cxxviii, 1793 (6 May 1874).

and was quickly enacted. The Act extended the earlier legislation dealing with factories and working men, but signalled no fundamental departure from previous measures. Cross was careful to declare his faith in existing tenets of laissez faire and non-intervention.

The Licensing Act of 1874 was a far more contentious issue. The problem of regulating the drink trade and making some effort to control the serious matter of alcoholism had long troubled the Liberal government. In 1872, the Gladstone ministry had passed a measure limiting the hours of sale for drink and raising the possibility of further control by local governments. Known as the Bruce Act, after Gladstone's Home Secretary Herbert Bruce, the legislation was unpopular among both temperance groups and obviously among the liquor dealers.<sup>25</sup> The liquor industry, as noted, had played a significant although widely exaggerated role, in the electoral victory of the Conservative party in 1874. The liquor interests looked forward confidently to some relief from the Conservative government, expecting revocation of the Bruce Act or, at the least, amendments to render it useless. They first assumed Cross to be responsive to their requests; he listened

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<sup>25</sup>See, Earl of Kimberley, A Journal of Events During the Gladstone Ministry 1868-1874, ed. Ethel Drus, Royal Historical Society Publications Camden Series, XXI (1958), third series. Kimberley played a role in the drafting of the Licensing Act of 1872, claiming that he and Thring, the Home Office counsel, had written the measure after Bruce had botched the job, pp. 29-30.

sympathetically and was not known to be a temperance reformer.<sup>26</sup> Cross, however, faced sizable obstacles in altering the existing liquor legislation, and when he introduced his own bill on the subject in 1874, he foundered among the intricacies of parliamentary technique.

Cross might be termed a moderate on the temperance question, neither an ally of the liquor industry nor a strong opponent of alcoholic drink. He deplored the excessive drinking habits of the working class districts and was willing to consider proposals for reducing the amount of liquor available to the poorer classes. Yet he drew back from legislating on matters essentially private in nature that touched upon the rights of property. Given the choice, Cross would have preferred to retain the existing legislation as a minimum and necessary regulation of a vexing problem. Political necessity, however, dictated that Cross introduce a measure aimed at removing most of the restrictions imposed by Bruce's Act of 1872. In April 1874, Cross brought in a bill to amend present legislation concerning the liquor trade.

In essence, Cross's bill took from the local authorities certain powers granted to them by Bruce's Act of 1872, moderated the sections of the existing Act dealing with adulteration but, to the dismay of the liquor trade, gave wide discretionary powers to local authorities

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<sup>26</sup>Herbert Paul, History of Modern England, Vol. III, p. 376; London Times, 11 March 1874.

regarding closing hours.<sup>27</sup> The heart of Bruce's Act was retained, to the anger of the liquor interests and the surprise of many Liberals, who had expected a Conservative licensing bill to be weak and politically determined. The Earl of Kimberley, a member of Gladstone's government and closely connected with Bruce's Act of 1872, wrote with surprise:

I must admit that Mr. Cross deserved some credit for not having given way further to the liquor-interest which did such yeoman's service to the Tories at the last election.<sup>28</sup>

The moderate approach favored by Cross in this instance was the most difficult for he found himself not only criticized by the disappointed liquor interests, but by the very vocal temperance group within the House of Commons, who found his timidity infuriating.

Members of the United Kingdom Alliance, the nationwide temperance organization which had carried on a long struggle against the evils of drink, joined with supporters of the brewer's interests in the House of Commons, to attack the Cross proposal and eventually to force changes in the measure. Neither side was satisfied with the

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<sup>27</sup>The issue of local control was crucial, for many localities had strong temperance movements and would have banned liquor entirely if given the opportunity. The change in the law concerning adulteration was a concession to the liquor industry and possibly harmful to the public. R.C.K. Ensor, England 1870-1914 (Oxford, 1936), p. 75, n. 4.

<sup>28</sup>Kimberley, Journal of Events during the Gladstone Ministry, p. 30.

arrangements for closing hours, for licensing of new drinking houses, the separate rules for London and the rest of the nation and with the vague powers granted to local governments. The bill was severely battered during Committee stages, emerging finally in a stronger version.

The battle over the Licensing Bill reflected little credit on Cross or on the Conservative government. "I have not much to be proud of in this matter," wrote Cross later.<sup>29</sup> The inexperienced Home Secretary had committed the grave error of losing control of his own bill in the House of Commons, seeing it altered and criticized freely by members of his own party as well as by the opposition. Even within the cabinet, Cross found himself isolated, given sympathy but no aid by Salisbury. Many Conservative members were troubled by the extension in drinking hours permitted under the Cross Bill, and enough discontent was felt within the party to reach the cabinet, which insisted that Cross remove the added time from his measure. Cross submitted a revised table of closing hours to the cabinet, which accepted it, except for Salisbury, who wrote on his copy of the memo sent back to Cross, "I regret it exceedingly but am obviously in a minority."<sup>30</sup> Both Salisbury and Cross shared the opinion, expressed during the debate

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<sup>29</sup>Cross, Political History, p. 25. Henry W. Lucy, A Diary of Two Parliaments (London, 1885), pp. 36-40. For an eyewitness account of the episode.

<sup>30</sup>Salisbury to Cross, n.d., Cross Papers, Add. MSS 51265 f. 11.

over Licensing, that matters of morality should be privately corrected and not form the subject of state action or intervention. Cross warned the House of Commons against trying to "insist by Act of Parliament on the sobriety of the people,"<sup>31</sup> while Salisbury castigated the Bishops in the House of Lords for relying upon laws instead of moral persuasion to correct the evils of drink.<sup>32</sup>

The episode ended ingloriously. The Conservative government was forced to rewrite a measure in the face of bipartisan opposition in the House of Commons, and Cross had to bear the indignity of sitting by while his own bill was altered. It was a valuable lesson, however, both for Cross and for the new government. Cross came to understand at this time that being a member of a majority government did not ensure passage of a bill and that the House of Commons had a mind of its own, often expressed and frequently unpredictable. In the future, Cross would tread more lightly and with greater success. In the words of Wemyss Reid, an astute political observer who watched the debate over the Licensing Bill, Cross became "satisfied that he had not the power needed to enable him to command the House, [he] resolved to conciliate it; and this

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<sup>31</sup>3 Hansard, ccxix, 968 (4 June 1874).

<sup>32</sup>3 Hansard, ccxx, 2101-1202. "Sobriety was no doubt a very good thing, but it ought to be enforced not by Act of Parliament," said Salisbury, "but by moralists and preaching and admonition." (7 July 1874)

course he has since consistently pursued."<sup>33</sup> In the next session, Cross was to demonstrate a far more sophisticated approach to the problem of parliamentary control. He had learned the technique of alternating persuasion with power, and he would prove highly capable during the debates over the major reform measures of 1875.

In the major parliamentary conflict of the session, concerning the Public Worship Bill of 1874, Cross played a minor role.<sup>34</sup> He was strongly opposed to the growth of Catholicism in Britain and came out against any laxity in Church ritual which might have opened the doors wider to Roman practices. Yet he stood aloof from the bitter fight over the Public Worship Bill, perhaps more occupied with his role as Home Secretary.

The problems facing Cross as Home Secretary were many, ranging from the eternal question of Ireland to a movement against vivisection. Cross needed time to gather the reins of power in a cabinet office and to formulate plans that would be national in their scope. He was aided in his work, as were all cabinet officers, by the permanent staff of the Home Office. Immediately upon his assuming the post, Cross received an urgent note from Adolphus Liddell,

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<sup>33</sup>Wemyss Reid, Politicians of Today (2 volumes; London, 1880), Vol. I, p. 287.

<sup>34</sup>Gladstone came out of retirement to fight this measure, which Disraeli described in a careless phrase as one "to put down ritualism." Cross, judging from the space devoted to this bill, was deeply interested but not directly involved. Political History, pp. 29-30.

Permanent Secretary of the Home Office, telling him "the question of the HO legislation for the next session must be considered as soon as possible."<sup>35</sup> Cross needed little urging on the question of legislation, for he came to the office aware of the need for action in many areas. The immediate question, as Cross viewed it, was the necessity for organizing and consolidating the huge amount of legislation that had been passed in preceding decades. In August 1874, Cross addressed a note to Lord Cairns, the Lord Chancellor, asking advice in planning legislation for the session of 1875. He outlined his plans to Cairns, noting that the most immediate task was to remake and consolidate "the Acts of Parliament with which this office is now immediately connected."<sup>36</sup> He wrote that he would specifically like to deal with burials, factories, police, municipal corporations and criminal law, asking Cairns to provide a barrister to help with the drafting of several bills.<sup>37</sup> Even earlier, Cross had indicated his firm intention to deal with existing legislation. In March 1874 he had explained to a deputation urging a more comprehensive Factory Act, that he intended to combine the mass of legislation dealing with factories in a future bill.<sup>38</sup> The

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<sup>35</sup>Liddell to Cross, 21 February 1874, Cross Papers, Add. MSS 51270 f. 125.

<sup>36</sup>Cross to Cairns, 3 August 1874, Cairns Papers, PRO 30/51/12.

<sup>37</sup>Ibid.

<sup>38</sup>London Times, 27 March 1874.

Factory Act of 1876 fulfilled his promise, although he supported the Act of 1874 as an immediate but partial solution to a difficult question.<sup>39</sup>

Cross had been cautioned by Liddell in his first days in office that "The HO is the 100 yards target which every fellow fires his shot at and thinks he can hit--so you must expect a little peppering occasionally."<sup>40</sup> Liddell's advice proved more than correct, as Cross struggled with a whole galaxy of tender issues almost guaranteed to provoke criticism from both sides of every question. He was confident of his abilities, however, writing to Carnarvon:

I have worked for so many years on Boards of Guardians, Highway Boards and Cattle Plague Committees with mixed justices and elected wardens etc. and I was always able to get my own way in the long run.<sup>41</sup>

Cross would rapidly understand the qualitative difference between convincing a Highway Board and winning a majority in the House of Commons; his self-esteem was perhaps damaged but his effectiveness was increased as he learned the hard lessons of cabinet office. Yet, as several contemporaries noted, Cross was unusually successful in

<sup>39</sup>The Factory Act of 1874 was in reality the Mundella Nine Hours' Bill of the previous session; the Factory Act of 1876 was Cross's consolidation measure.

<sup>40</sup>Liddell to Cross, 21 February 1874, Cross Papers, Add. MSS 51270 f. 125.

<sup>41</sup>Cross to Carnarvon, 17 December 1875, Carnarvon Papers, PRO 30/69 f. 27. The note was occasioned by a proposal for changes in the county court system, a change which Cross was against.

avoiding the obloquy which was the fate of his predecessors. "As a rule," observed Wemyss Reid in 1880, "the Home Secretary is the best abused man in every government. It has been the great good fortune of Mr. Cross hitherto to escape the common lot."<sup>42</sup> Prior to 1880, Cross had indeed been a popular figure in the cabinet and had rarely suffered in public esteem.<sup>43</sup> His generally conciliatory manner won him respect on both sides of the aisle, as well as the approval of large segments of the British public.

Cross's approach as an administrator was one of moderation and consensus. Rarely did he assume an extreme position, preferring rather to seek the middle road, to find the best arguments on both sides and then to bring forth a mutually acceptable program. In the potentially explosive matter of Ireland, Cross demonstrated his ability to unearth a mild solution and to leave both sides, if not fully satisfied, at least convinced of the Home Secretary's good intentions. Cross immediately found himself embroiled in a dispute over the release of several prisoners who had been jailed since the unsuccessful Fenian uprising in 1865. He was besieged by deputations and petitioners of every

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<sup>42</sup>Reid, Politicians of Today, Vol. I, p. 280. In 1880, Cross was widely criticized for his role in the Water Companies Bill, in which he tried to sell stock in the municipal water companies at an unusually low price. The episode was both embarrassing and politically damaging, although Cross laid the blame on his Home Office staff.

<sup>43</sup>Cross, Political History, pp. 62-63.

sort, some asking for immediate release and others demanding that the dangerous Irish rebels be kept safely in prison. Rather than issue an immediate decision, Cross allowed the opposing sides to argue by the hour, so that often he had little to do beyond refereeing shouting matches between groups of angry men.<sup>44</sup> In the end, he decided upon the policy of retaining the rebels in custody, but not before listening politely to contrary arguments and making clear his intention of reviewing the case in the near future. His willingness to receive deputations of any variety was to prove a valuable asset in the future, for he avoided the charge of intolerance and aloofness which had burdened so many other Home Secretaries. He was a courteous and available cabinet minister, prepared to discuss issues and to take advice.<sup>45</sup>

In his role as Home Secretary, Cross pursued an often contradictory course. He hesitated to overturn established procedure in the Home Office, on many occasions insisting upon obedience to the rules rather than effective administration. Sir Howard Vincent, who was a minor police official in 1877, related how Cross preferred to accept the

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<sup>44</sup>Punch (April 11, 1874), pp. 150-152, has some amusing descriptions of Cross's meetings with the Irish delegations. He was a bitter opponent of Home Rule and not at all flexible regarding the Irish question.

<sup>45</sup>Blackwood's Magazine (May 1874), pp. 643-645. The Conservatives were praised for being more truthful than the Liberals, and the Conservative ministers, especially Cross, were described as being far more receptive to deputations and willing to accept advice, pp. 644-645.

established rules and not to interfere in daily operations of his Department. In the case of Scotland Yard, Cross as Home Secretary overruled his own officials in favor of strict administrative rules, in effect standing behind the bureaucracy while admonishing his juniors in the Home Office to do the same.<sup>46</sup> At times he took a restricted view of his Department's powers and responsibilities, seeking to limit them in the face of pressure towards increased intervention. In the case of the canal boat workers, Cross informed the Local Government Board that in his opinion, inspection of the boats was the duty of the local sanitary authorities and not the Home Office.<sup>47</sup> He resisted the opportunity to increase the size of the Home Office staff, commenting in 1877 to Carnarvon that he would make only two appointments, "so that I cannot be accused of making more patronage than necessary."<sup>48</sup>

Cross's administration of the Home Office might be described as cautious, rather than restricted on the basis of any administrative principle. He was capable of expanding Home Office responsibilities if he felt the issue was important and would result in substantial improvements. In

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<sup>46</sup>Samuel Henry Jeyes and F.D. How, The Life of Sir Howard Vincent (London, 1912), pp. 64-65.

<sup>47</sup>Home Office to Local Government Board, 30 December 1875, Public Record Office MH 25/27. See Roy M. MacLeod, "Social Policy and the 'Floating Population' 1877-1899," Past and Present, X (December 1966), 101-132.

<sup>48</sup>Cross to Carnarvon, 19 July 1877, Carnarvon Papers, PRO 30/69, f. 67.

the case of control over the police, Cross found himself at odds with Northcote when he tried to assert stronger Home Office authority. Northcote argued strenuously for retaining the traditional Treasury command over the police, writing to Disraeli:

We feel at the Treasury that the whole principle of Treasury control is at stake, and that if we give way to the Home Office we shall lose our hold over Army, Navy and everything else. I have sent Cross two strong protests . . . and have told him that I see no course open but a reference to you.<sup>49</sup>

Disraeli, not unexpectedly, sided with Northcote; and the administration of local police forces remained firmly in the hands of the Chancellor of the Exchequer. The incident demonstrated, however, that Cross would, depending upon the specific instance, exert his power and seek expansion of his role in governmental affairs. As Wemyss Reid said of the Home Secretary, "He occasionally astonishes the world by displaying that leaning towards centralisation which is the distinguishing characteristic of all Home Secretaries."<sup>50</sup> This willingness to move towards increased intervention was amply demonstrated during the session of 1875, when Cross introduced and carried the Artizans' Dwelling Bill, a measure which added enormously to the power of the Home Office.

Concerning a matter of widespread public attention

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<sup>49</sup>Northcote to Disraeli, 20 June 1875, Iddesleigh Papers, Add. MSS 50017 f. 32.

<sup>50</sup>Reid, Politicians of Today, I, 289.

and of strong personal interest to Cross, the need for reform of the labour laws, the Conservative government fell back on the classic parliamentary maneuver of appointing a commission to study the question. Disraeli proposed a Royal Commission in 1874, with instructions to report within a year, to investigate the current status of the laws governing trade unions and to recommend any needed changes. The delay angered the trade unions, who had expected more immediate satisfaction from the new government in light of the valuable electoral support given by organized working men in 1874. Their immediate reaction was a refusal to cooperate in any way with the Royal Commission, characterizing it as "a clever surprise" whose real purpose was to silence the rightful demands of the workingmen.<sup>51</sup> Cross's role, which he performed with great skill, was to win enough working class participation in the Commission to make it representative and able to deal with all reasonable proposals.<sup>52</sup> Despite the bitter objections of the trade union leadership, Cross persuaded two well known union figures to sit as representatives of the working man: Thomas Hughes, a Christian Socialist and author of Tom Brown's School Days, and Alexander MacDonald, a mining union official who had won a seat in the House of Commons in 1874. The report of the Royal Commission

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<sup>51</sup>London Times, 19 January 1875.

<sup>52</sup>W.H.G. Armytage, A.J. Mundella, pp. 148-149; H.W. McCready, "British Labour's Lobby," pp. 156-157.

appeared in 1875, with a minority opinion by MacDonald. It will be shown that Cross, dissatisfied with the official recommendations, sponsored Trade Union legislation that went far beyond the proposed changes.<sup>53</sup>

The Parliament was prorogued on August 7, 1874, with a limited amount of work to show for its efforts and with a generally unfavorable reception for its measures. Cross, however, emerged from the session with his stature increased, having generated a considerable amount of good will for his efforts at reform legislation. Even his naive direction of the Licensing Bill brought him some rewards, evidenced by the jingle which appeared at the end of the session:

For he's a jolly good fellow,  
whatever the Rads may think;  
For he has shortened the hours of work  
and lengthened the hours of drink.<sup>54</sup>

The Factory Act of 1874 had won the tentative approval of the trade union movement, although the government's temporizing attitude towards labour law reform disturbed many working class observers. The liquor interests were unsatisfied by the very minor concessions won during the session. They expressed their discontent in July 1874:

How the Trade would have fared had it not been  
well and zealously represented in the lobby of  
the House during the passage of the Bill we dare

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<sup>53</sup>Second and Final Report of the Royal Commission on the Working of the Master and Servant Act, 1867, and the Criminal Law Amendment Act, Parliamentary Papers (1875), XXX, 1.

<sup>54</sup>Quoted in Blake, Disraeli, p. 550.

not reflect upon; for never in Parliamentary history has a party shown so little disposition to remedy a class and public grievance as the party which now holds the helm of the State ship.<sup>55</sup>

If Cross had not as yet demonstrated any outstanding abilities, his debut on the Parliamentary scene was by no means the utter failure which many had predicted for an inexperienced man.

The problems and issues which remained untouched in the first year of Conservative government formed a long list. Education, housing, shipping, friendly societies and public health were all matters that were becoming increasingly urgent, both within and without the House of Commons. The list was a familiar one. These subjects had been debated and studied for years before the Conservatives assumed power; some items, such as educational reform, had already been dealt with, while others, notably shipping, had struggled unsuccessfully for a Parliamentary hearing. It fell to the Conservative government to deal at last with these difficult matters, and they did so in 1875, a year described by R.C.K. Ensor as the "annum mirabilis for useful domestic legislation."<sup>56</sup>

When Parliament opened in 1875, the Conservative party was prepared to deal with the questions at hand.

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<sup>55</sup>Licensed Victuallers' Guardian (18 July 1874), quoted in Smith, Disraelian Conservatism and Social Reform, p. 211.

<sup>56</sup>Ensor, England 1870-1914, p. 35.

Cross, determined from the first to initiate legislation on various problems, had settled firmly into his cabinet position and was eager to act in several areas. The Conservative election promise of "giving the country a rest" had been fulfilled in 1874; few persons could now accuse the party of deception when it moved to satisfy the grievances of many groups whose needs were matters of public concern and discussion. The first minister to introduce a major piece of reform legislation was Richard Cross. He rose on February 8, 1875, to bring forward his Artizans' Dwelling Bill, and in doing so he launched the Conservative government upon an eventful and historic parliamentary session.

## CHAPTER IV

CONSERVATISM IN POWER:  
YEAR OF ACHIEVEMENT, 1875

The passage of the Artizans' Dwelling Act in 1875-- the climax of a year of achievement in Conservative social reform--grew in large part out of the increasingly common realization that reform of existing housing laws had become mandatory. Groups and individuals had been at work for decades before 1875, laboring both to convince the nation of the urgent need for improved housing and to demonstrate solutions.<sup>1</sup> These early efforts at housing reform had succeeded, if not in solving the problem of sub-standard dwellings, at least in bringing the matter to the attention of political leaders. There are numerous signs that when the session of 1874 had come to an end, awareness was widespread both in and out of parliament that the living conditions of large numbers of people was far below acceptable standards. It had become plain to many, including Cross, that the working people in cities existed in surroundings which not only shortened their lives but which by their very presence posed a serious threat to social stability. When Cross began to draft his housing legislation during the winter of 1874-75 he did not lack for advice or

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<sup>1</sup>For a survey of earlier efforts at housing reform, see Frank L. Turner, "Origins of the Artizans [sic] Dwellings Act of 1875," Southern Quarterly, VII (October 1968), 1-15.

documentation, for housing had long been a subject of study.<sup>2</sup>

Living conditions in urban Britain had been a source of dismay and concern for decades.<sup>3</sup> From the time of Dickens in the 1840's, and before him of Hogarth in the eighteenth century, the slums of London, Manchester and the other large cities had been described, condemned and subsequently ignored by governments of every political shade, and by society at large. Poor housing was often attributed exclusively to ignorance and crime, the fault of the lower classes themselves. The rapidly expanding cities which grew up as part of the Industrial Revolution attracted the land developer and the builder of crowded, unhealthy living quarters.<sup>4</sup> Intended to house the workers from the new factories and to turn a profit for the builder, the urban

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<sup>2</sup>Turner suggested that Cross discovered the ideas of the housing reformers when he began to draw up his own legislation, in the manner of a buyer meeting a seller. This seems overly simple, in that it denies Cross's own predilection for reform and his own contribution to the legislation, see ibid., p. 10.

<sup>3</sup>J.J. Clarke, The Housing Problem (London, 1920), pp. 17-21. Almost any novel of Dickens was in some way concerned with the housing conditions of urban Britain, e.g., Bleak House, written in 1853, where Dickens describes the slum known as Tom-all-Alone's, Chapter XVI. Frederick Engels provided similar images of the Manchester slums in the 1840's, Marx and Engels on Britain (Foreign Languages Publishing House; Moscow, 1962), pp. 84-85.

<sup>4</sup>Some modern economic historians have disputed the view that the early years of the Industrial Revolution meant increased hardship for the working man, notably T.S. Ashton, The Industrial Revolution (New York, 1964), pp. 108-111.

housing of the early and mid-nineteenth century provided only the most elementary health facilities. Crowded together, cheaply built, and erected upon unimproved lots, the working class housing of the mid-nineteenth century was both inadequate for its population and a health menace to the surrounding society. Although the paternalistic attitude of some factory owners led to their building proper homes for the working men, the overwhelming majority of factory employees were left to fend for themselves.

The resulting social disorder has been described in several well-known works. In London, the condition of the working classes was made a matter of public concern in a series of articles in the Morning Chronicle written by Henry Mayhew in 1849-1850. Later published as London Labour and the London Poor (1861-1862), these essays describing the living conditions of the London poor created a sensation.<sup>5</sup> It was true that Mayhew was a journalist, who often emphasized the more dramatic aspects of the slum problem so as to add color to his stories. Yet his work was built upon a foundation of reality. Mayhew had a genuine concern for the poor, and he was a good reporter, qualities to some degree offsetting his instinct for the spectacular and lurid detail. The evidence that he provided his readers revealed London, the center of world trade, as a foul, degrading dwelling place for masses of the poor.

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<sup>5</sup>Henry Mayhew, London Labour and the London Poor (London, 1861-1862).

Mayhew was not alone in describing the grim existence of the urban slums. Dozens of writers, journalists and reformers after visiting the working class dwellings came away with additional evidence of the growing social problem.<sup>6</sup> Their proposed solutions varied, ranging from the practice of Christian charity to recommendations of revolution on the part of the poor. What they could all agree upon was the fact that the existing slums were a continuing affront to the conscience of the nation and must be dealt with. A typical peroration came from John Knox, a churchman deeply involved in social welfare projects for the poor, when he wrote of London in the 1850's:

This great city, with all its pomp and splendor-- its wealth, power and greatness . . . [its] swarms of wretched, filthy, haggard, dissolute, profligate, careworn, outcast masses who inhabit the dingy courts, dingy cellars, and miserable garrets . . . call loudly upon us to go and carry the message of peace to their benighted homes.<sup>7</sup>

The immigrant Irish in Liverpool existed in cellars, so wretched as to defy description, while in Manchester in 1845, 7000 inhabitants shared 33 toilets--212 for every facility.<sup>8</sup>

Poor housing afflicted those people in society who

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<sup>6</sup>See the exhaustive bibliography in H.J. Dyos, "The Slums of Victorian London," Victorian Studies, XI (September 1967), pp. 5-40.

<sup>7</sup>Knox, The Masses Without! (London, 1857), quoted in Dyos, "Slums of Victorian London," pp. 13-14.

<sup>8</sup>Lewis Mumford, The City In History (New York, 1961), p. 462.

were least able to bring about changes by their own efforts. The inhabitants of the garrets and warrens of London consisted of the lowest grade of unskilled labourers, street peddlers, and semi-employable individuals, who lived apart from the increasing prosperity of the Victorian era. Unlike the organized trade unionists, who even in the 1850's were finding their political strength, and who could if necessary provide some measure of assistance by their own efforts, the slum dwellers lacked the ability to change their conditions. If their lot were to be improved it would require the aid either of the state or of the wealthier segments of the society. The lead had been taken, early in the century, by various humanitarian and charity groups.

But for some time it appeared that private wealth and good will alone, unaided by the state, would be able to make significant progress in the struggle against slums. Long before the government began even a modest program of housing improvement, the wealthier segment of the society had evolved a system to bring help to the poorly housed. The lead had been taken early in the nineteenth century by various humanitarian and charity groups. Particularly notable was the Charity Organisation Society, which dealt in all areas of social improvement but whose contribution toward housing reform was vital. Almost equally important in developing an approach to housing improvement was the Peabody Trust, a philanthropic body which worked almost exclusively on the question of slum conditions. Its members

were intimately involved in the drafting and enactment of the Artizans' Dwelling Act of 1875. Indeed, both organizations played crucial roles in the passage of Cross's housing legislation. The measure that Cross brought before parliament in 1875 owed much to the efforts and arguments of these private housing reform groups such as the Charity Organisation Society and the Peabody Trust, who in turn built upon the efforts of earlier bodies.

There were several organizations devoted to housing reform created in the first half of the century. The Metropolitan Association for Improving the Dwellings of the Industrial Classes (1841) and the Society for the Improvement of the Condition of the Labouring Classes (1844) were the two best known housing reform groups in mid-century but neither succeeded in even organizing properly to deal with slums. They fought bravely against the spread of unwholesome dwellings but made little headway.<sup>9</sup> Undercapitalized and constricted by cautious planning, these early groups merely nibbled at the urban disease. New and larger efforts were needed.

One such new effort was initiated by the Peabody Trust, founded in 1862, which soon began a more significant attack upon the slums. The Peabody Trust was created by an American banker, George Peabody, who spent much of his life

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<sup>9</sup>William Ashworth, The Genesis of Modern British Town Planning (London, 1954), pp. 82-88. These early associations were essentially building companies with the reform objects being second to profits, Ashworth, p. 83.

in Britain and was moved by the conditions of the cities. He endowed the Trust with £150,000 and gave it wide latitude to alleviate the ills of Britain's poor.<sup>10</sup> The donation was timely, for the existing building societies were in a period of inactivity, and housing conditions were worsening. The direction of the Peabody Trust was given to a distinguished Board of Trustees, preeminent among them being Cross's friend, Lord Stanley, who was elected chairman in 1862 and retained the post until 1892.<sup>11</sup> The method of the Peabody Trust, once it had decided that housing offered the most promising field for giving aid to the poor, was to erect clean dwellings and then rent them out to worthy tenants. Although by twentieth century standards the Peabody buildings were grim and crowded, they marked a notable improvement over the dwellings usually available to the working man in the 1860's. The Improved Industrial Dwellings Company, founded in 1863 by Sir Sydney Waterlow, took a similar approach to the construction of working class housing in London.<sup>12</sup> The goal, for both the Peabody Trust and Waterlow's group, was to raise the standard of living by

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<sup>10</sup>John Nelson Tarn, "The Peabody Donation: The Role of a Housing Society in the Nineteenth Century," Victorian Studies, X (September 1966), pp. 7-38.

<sup>11</sup>Other trustees included J.S. Morgan, banker; James Tennent, Liberal Member of Parliament, and Curtis Lampson, manufacturer; Tarn, "Peabody Donation," pp. 9-10.

<sup>12</sup>Ashworth, British Town Planning, p. 83. Waterlow played an important role in the Parliamentary debates over the Artizans' Dwelling Bill of 1875; he sat on the Liberal side.

enabling certain working men to rent improved dwellings.

The building societies in the years before 1875 were frank in their desire to earn at least nominal profits from their buildings. The Peabody group secured a relatively modest 2% profit on its investment, while Waterlow's organization reported a profit of 8% in its first years, dropping later to 5%.<sup>13</sup> The object was not to dispense charity to the poor, for that would have violated the economic thinking of the day and, in the minds of many, would have reduced the poor to the level of beggars. Rather, the building societies worked within the market system and hoped to demonstrate that reasonable prices and good quality would yield a fair profit. To preserve the profit, however modest, required that rents in the new buildings be kept close to the market price. By adhering to the existing rental prices, the building societies effectively excluded the very lowest class of working man, so that the Peabody buildings were, to all practical purposes, open only to the better paid, regularly employed labourer, the artisan as opposed to the casual worker, or in Eric Hobsbawm's term, the "labour aristocracy." In the Peabody buildings of the 1880's, for instance, the average earnings of the head of household was 23 shillings, while the average for the population at large was 20 shillings.<sup>14</sup> As will be demonstrated, Cross followed a similar approach

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<sup>13</sup>Ibid.

<sup>14</sup>Ibid., p. 84.

in 1875. The title of his measure indicated, with good reason, that the persons being aided were artizans and not paupers.

Concerned individuals were busily engaged in housing reform before 1875, sharing the work of social improvement with the charity organizations and building societies. One of the most intriguing of these individuals was Octavia Hill,<sup>15</sup> who played a major part in the preparation and passage of Cross's housing measure in 1875. In many ways the Artizans' Dwelling Act was a monument to her unremitting efforts on behalf of slum dwellers. Cross often looked to her, both as an expert in housing affairs and as a skilled political strategist. Octavia Hill devoted her life to the cause of providing clean, pleasant homes for the city working man. Her method was rigorous: she directed the tenants themselves into projects of self-help and self-management and then left behind her smoothly operating groups of tenants who had learned how to improve their own surroundings. Miss Hill would purchase slum buildings with her own funds, organize the tenants either by persuasion or coercion, indicate the proper solutions to their problems and then hopefully move on to the next street, having set the slum dwellers upon the road to improvement. Her outlook was often patronizing and she obviously regarded the poor as

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<sup>15</sup>E. Moberly Bell, Octavia Hill (London, 1943); William Thompson Hill, Octavia Hill (London, 1956).

kind-hearted children in need of adult guidance.<sup>16</sup> Her method was in accord with the mid-Victorian belief in self-help and hard work as the means to social betterment--Samuel Smiles provided her with much inspiration and she recommended his works to the poor. Yet she succeeded in building a movement, of self-management, which spread rapidly in Britain and eventually was utilized by other industrial nations as well. Setting herself squarely against the notion of dispensing charity, Miss Hill advocated instead that tenant self-interest in good housing, if properly directed, would inevitably result in clean streets, healthy inhabitants and, not least, sound profits for the property owner. The rules were strict in Miss Hill's houses: rent must be paid promptly or eviction was inevitable. Strict financial integrity was important for her goals, not only to provide fair return on the owner's investment, but to instill a sense of responsibility in the tenants. The goal, as in the Peabody buildings, was to instruct the slum dweller in the value of prudence and in the moral worth of fulfilling his obligations. The result of such demanding rules, however, was to limit rentals to regularly employed workingmen who could afford the market price for their dwellings.

Miss Hill's activities were varied. As noted, she

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<sup>16</sup>Octavia Hill, House Property and Its Management (New York, 1921), pp. 27-28. She advised her followers to be strict and even harsh with the tenants in order to teach them the qualities of prudence and diligence.

took an active part in the preparation and enactment of Cross's Artizans' Dwelling Act. When Cross introduced his measure, it was Octavia Hill who sat in the gallery of the House and provided him with the factual data required for answering his critics.<sup>17</sup> She could speak on a variety of subjects with an authority acquired from a career that spanned nearly five decades. Nor was housing the only outlet for her formidable social conscience and energy. Much of her time was given to sanitary and health reform, but she also struggled for women's rights and helped in the establishment of the National Trust, which was dedicated to the preservation of Britain's natural and historic resources.<sup>18</sup> Finally, she contributed in an important way to the formation of the Charity Organisation Society, a union of reform and charitable groups that played a vital role in housing reform before 1875.

Organized in 1869, the Charity Organisation Society (COS) had its roots in the philanthropy of Lord Shaftesbury and the Evangelicals.<sup>19</sup> Its importance lay in combining

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<sup>17</sup>William Ghompson Hill, Octavia Hill, p. 95. She kept in close touch with several other Members during the passage of the Artizans' Dwelling Act of 1875 and was regarded as the authority on housing questions.

<sup>18</sup>Bell, Octavia Hill, pp. 172-178.

<sup>19</sup>C.L. Mowat, The Charity Organisation Society 1869-1913 (London, 1961); also, David Owen, English Philanthropy 1600-1960 (Cambridge, Mass., 1964), pp. 215-246. The COS continued to favor private initiative and to oppose government-sponsored welfare programs. It is presently known as the Family Welfare Association.

the efforts of several previously unrelated groups into one organization, whose aim was to administer charity in an effective manner while seeking additional help from the public. The COS performed creditably in placing the distribution of charity funds on a business-like foundation and in channeling the humanitarian impulse of these years into useful projects. It was an eminently respectable organization, untainted by suggestions of radicalism or trade-union connections. Its membership included many of the leading political, social and religious personalities of the mid-nineteenth century, including important figures within the Conservative party such as Stafford Northcote, Gathorne Hardy and W.H. Smith.<sup>20</sup>

The COS was deeply concerned with the question of proper housing for the working classes, and performed some of its most useful work in that area. A substantial part of its annual budget was devoted to constructing model housing for the poor, to experimenting with new building methods and to proving that proper housing would result in a morally uplifted population. Again, this was no exercise in charity, for the COS was dedicated to the principle of self-help. The formal title of the COS was "The Society for Organizing Charitable Relief and Repressing Mendicity," the last two words representing an important article of faith among its membership. Its goals set forward in

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<sup>20</sup>Mowat, Charity Organisation Society, p. 54.

1880, were:

To promote, as far as possible, the general welfare of the poor by means of social and sanitary reforms, and by the inculcation of habits of providence and self dependence.<sup>21</sup>

Self-dependence was stimulated by observing strict rules in the housing erected by the Society. Rents were set at a fair but competitive level and the dwellings were expected to earn a reasonable profit. The purpose, aside from instructing the poor in "habits of providence," was to demonstrate two things. First, that adequate housing was a sound business investment, and secondly, that private enterprise was capable of resolving the housing problem without massive state intervention.<sup>22</sup>

The first point was accepted by most observers. There was profit to be made in providing working class housing. But the second item was rightly questioned, not only by businessmen but also by many government officials. The rate of building was inadequate for the expanding urban population, and after several years of effort on the part of the COS, Octavia Hill and the Peabody Trust, the condition of the great mass of urban poor had hardly been improved at all. According to Octavia Hill herself, the private efforts of all the groups concerned had, by 1874, provided only

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<sup>21</sup>Charity Organisation Society Reports (London, 1881), p. 10. The membership of the society in 1880, according to its official report, included such names as Gladstone, Salisbury, Forster, Goschen, and John Ruskin.

<sup>22</sup>Mowat, Charity Organisation Society, p. 55.

26,000 people with new housing.<sup>23</sup> Considering the steady growth of the population by 1874, the housing situation was in all probability worse after several decades of effort by the charity and reform organizations. "All that private effort unaided by statutory power could do to minimize the evil had been or might be done," commented Miss Hill in 1874.<sup>24</sup> Those who had been laboring to improve the housing of the poor had begun to conclude, by the mid-1870's, that private effort by itself could not meet the great, and growing problem of the slums.

The alternative seemed to be some form of state assistance to aid in the elimination of slums, or in Miss Hill's words, some "statutory power." When Cross turned to the problem of housing in 1874, he could call upon ample precedent in the direction of state intervention, notably the so-called Torrens Act of 1868. But there were earlier efforts to involve the state in housing reform and in this sense it might be said that the genesis of Cross's Artizans' Dwelling Act is to be found in the earlier decades of the nineteenth century. These years had witnessed an increasing concern with public health, in large part stimulated by the recurrent outbreaks of cholera and typhus in the crowded cities. The cholera epidemic of 1838 disturbed so many people that the Secretary of the Poor Law Board,

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<sup>23</sup>Octavia Hill, "The Homes of the London Poor," MacMillan's Magazine (June 1874), pp. 131-138.

<sup>24</sup>Ibid., p. 132.

Edwin Chadwick, was prevailed upon to report upon conditions of health throughout the country in an attempt to stifle further outbreaks. His observations and recommendations were contained in his famous Report on the Sanitary Condition of the Labouring Population of Great Britain, issued in 1842. In essence, Chadwick described the unhealthy and dangerous mode of life followed by great masses of the working population and advised that until the living conditions of these people were improved, disease would continue to prevail among them. High upon his list of recommended improvements was a proposal for clearing and rebuilding the worst of the slums.<sup>25</sup> The Public Health Act of 1848 established a General Board of Health, with Chadwick as one of the Commissioners, but the Board was allowed to expire at the end of five years, having done only a limited amount of work in the area of substandard housing.<sup>26</sup> Dr. John Simon, Medical Officer of the Privy Council, continued to call for stronger government action against dangers to the public health, including poor housing. Simon was instrumental in the years after 1853 in keeping the problem of public health before the government and in establishing a scientific and

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<sup>25</sup>Report on the Sanitary Condition of the Labouring Population of Great Britain (London, 1842), pp. 370-372.

<sup>26</sup>S.E. Finer, Life and Times of Edwin Chadwick (London, 1952); David Roberts, Victorian Origins of the British Welfare State (New Haven, 1960); Royston Lambert, Sir John Simon and English Social Administration (London, 1963), esp. pp. 346-349.

statistical basis for his recommendations.

The question of housing had been touched upon specifically by a number of measures prior to 1875. Lord Shaftesbury added to his reputation as the working man's friend by proposing and passing the Lodging Houses Act of 1851.<sup>27</sup> Shaftesbury was concerned about the existing conditions within the thousands of rooming and lodging houses which provided homes for many working people in the middle years of the nineteenth century. Run almost without control, the lodging houses were notorious centers of crime and vice which outraged the surrounding inhabitants and presented a glaring threat to both health and safety. Shaftesbury's Act provided minimum standards of size, fire safety and health regulations.<sup>28</sup> Shaftesbury also introduced another Lodging House Act in 1851, this one giving powers to the local authorities to construct proper housing for the transient working man and to raise rates for that purpose. The power was rarely employed, however, and the second Lodging House Act of 1851 rapidly passed into disuse.<sup>29</sup>

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<sup>27</sup>John and Barbara Hammond, Lord Shaftesbury (Penguin edition; London, 1939), pp. 161-162.

<sup>28</sup>Ibid., p. 155.

<sup>29</sup>Most local authorities were extremely hesitant about using the powers granted to them by various public health and housing acts; it was one of the major problems encountered by Cross in attempting to make use of his Act of 1875. See W.H.B. Court, A Concise Economic History of Britain (Cambridge, 1965), pp. 260-261.

The most significant attempt to deal with sub-standard housing prior to 1875 came in the form of the Artizans' Dwelling Act of 1868. Commonly known as the Torrens Act, after the man most responsible for its passage. McCullagh Torrens, the Liberal Member for the London borough of Finsbury, introduced his measure as a private bill but quickly won the support of the Derby-Disraeli government, who passed the bill in 1868 after delaying it for one year. The Torrens Act enabled local authorities to order repairs upon slum housing and, in certain clearly defined circumstances, to demolish and rebuild housing for the working classes. The Act was directed not at slum neighborhoods, for it gave no power to deal with whole areas, but at individual dwellings which violated the health laws.<sup>30</sup> Perhaps the most important defect was its limited application, which Cross's legislation corrected in 1875. In addition, the rights of private property and ownership were so jealously guarded that long delays and procedural difficulties made the Act almost impossible to invoke. A similar problem hindered Cross's Act but was overcome.

As might be expected, few local authorities were willing to raise rates in order to implement Torrens's Act, while others shielded their eyes from the housing conditions around them and so found little need for the legislation.

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<sup>30</sup>H.A. Hill, The Complete Law of Housing (London, 1931), pp. xxxvi-xxxvii.

The achievement of the Artizans' Dwelling Act of 1868 was not in removing the slums, for it did not, but in establishing a precedent on the statute books. The housing reformers were encouraged by the Act of 1868 and when Cross introduced his own measure seven years later, he described Torrens as a forerunner in the battle to provide healthy dwellings for the poor.<sup>31</sup> Torrens judged his Act at best a noble failure; he admitted: "vast slums remained unredeemed, and gigantic rookeries in the several of the centres of the towns continued to set at naught the hope of improvement."<sup>32</sup>

The Torrens Act demonstrated another significant point: that Disraeli and many Conservatives were very willing to invoke the powers of compulsory purchase and involve the government in rebuilding working class housing. It was the Conservatives who took the lead in 1868 in proposing and supporting legislation designed to alleviate slum conditions. The Liberals were divided on the issues involved; and while many on the Liberal benches, including Torrens, voted eagerly for such measures, it is equally true that the most determined opponents sat on the Liberal side of the aisle. Insofar as he was committed to any specific forms of social reform, Disraeli demonstrated his support of housing measures. This became apparent during the busy session of 1867, when Torrens was struggling to

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<sup>31</sup>g. Hansard, ccxviii, 1981 (8 May 1874).

<sup>32</sup>w. McCullagh Torrens, Twenty-Five Years of Parliament (London, 1893), p. 317.

steer his Bill through a Select Committee. At that time, despite his preoccupation with the Reform Act, Disraeli threw his influence behind the Artizans' Bill and brought it before the House. Disraeli also gave public support after Torrens estimated that the Bill might ultimately cost £100,000. Brushing aside that figure, Disraeli told Torrens: "You shall have double that if you want it."<sup>33</sup> After his Bill had been enacted, Torrens publicly acknowledged his debt to Disraeli when he referred to the Conservative leader's "unsleeping sympathy, . . . untiring aid and the true succor rendered . . . from first to last."<sup>34</sup>

Disraeli's determination to create better housing conditions for the working classes rested ultimately upon his belief that the stability of the social structure required more adequate dwellings. Poor housing, leading to an unstable and disruptive working class population, was by its nature a danger to the security of all classes. He had long believed, Disraeli told an audience in 1874 upon the opening of a housing development sponsored by the Charity Organisation Society:

that the best security for civilisation is the dwelling, and that upon properly appointed and becoming dwellings depends more than anything else the improvements of mankind. Such dwellings are the real nursery of all domestic

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<sup>33</sup>Ibid., p. 53.

<sup>34</sup>3 Hansard, ccxviii, 1981 (8 May 1874).

virtues, and without a becoming home the exercise of those virtues is impossible.<sup>35</sup>

A similar concern was expressed by several other Conservatives, and Cross himself was not unaware of the stabilizing effects that proper housing would have upon the lower classes.

Conservative willingness to enact a housing bill in 1868 did not satisfy the various organizations concerned with public health and safe dwellings.<sup>36</sup> Torrens's Act had been seriously weakened in the House of Lords when the Peers removed a clause permitting easy acquisition of slum sites. The ensuing years demonstrated that the Artizans' Act of 1868 lacked effective power to alter seriously the conditions in the large cities, and a new campaign was begun to strengthen or replace the existing law.

While the origins of Cross's housing legislation may be found in the preceding decades, the immediate antecedent conditions were developed in 1874, when the Liberal Ughtred Kay-Shuttleworth introduced a bill designed to reinforce the existing Torrens Act. Kay-Shuttleworth, a close associate of Octavia Hill and other housing reformers, acted as spokesman for the various housing groups and played a notable role in helping the passage of Cross's measure in 1875. In 1874, Kay-Shuttleworth's own proposal was not

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<sup>35</sup>Blackwood's Magazine (September 1874), p. 260.

<sup>36</sup>Times, 10 April 1874. An exchange of letters from assorted groups and individuals, all asking for some decisions regarding housing.

enacted at the insistence of the Conservative government. Cross opposed the Kay-Shuttleworth bill, not on principle, but because he was at that moment engaged in preparing his own legislation.

Kay-Shuttleworth was inspired and guided by a report of the Charity Organisation Society in 1873 that called for a new approach to the housing question. Dealing specifically with London, the Society urged Gladstone's government to become involved meaningfully in the construction of adequate housing for the working classes.<sup>37</sup> The condition of the urban slums, it was said, had reached the point where municipal government needed greatly enlarged powers to deal with them; further, compulsory purchase of poor dwellings must be made a central feature of any new legislation.<sup>38</sup> The report had been prepared by a Committee whose composition assured its findings of at least a respectful hearing in Parliament. Kay-Shuttleworth himself sat on the Committee, as did the Earl of Shaftesbury and twenty-one other Members of Parliament, including the Conservatives Northcote, Gathorne-Hardy and W.H. Smith. It was a bi-partisan group, attesting not only to the respectability of the Charity Organisation Society, but to the widespread feeling that urban housing conditions called for improvement. The Committee had been created out of an

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<sup>37</sup>Mowat, Charity Organisation Society, pp. 55-58.

<sup>38</sup>Ibid.

awareness that the existing housing legislation was insufficient. Its final report, written after several months of investigation and hearings, was submitted to the Gladstone ministry in November 1874, only two months before the Liberal government dissolved Parliament. Gladstone, therefore, was unable to act upon the recommendations and the report was passed along to the new government.

Additional support was given the housing reformers by a memorial presented to the new Conservative ministry, written by the Medical Officer of Health for the City of London, Dr. Henry Letheby.<sup>39</sup> The Letheby recommendations originally prepared for the Gladstone government, centered on the widespread efforts on the part of the municipal government to uplift the living conditions of the working men. Letheby found the City of London in a state of imminent danger as the result of appalling health and sanitary conditions in the working class districts. Unless immediate steps were taken, warned Letheby, the health hazards to the entire metropolis would increase and might lead to grim results. His solution was that the municipal government acquire slum sites, clear them and then sell the land to private groups willing to erect suitable housing.<sup>40</sup>

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<sup>39</sup>London Times, 5 May 1874.

<sup>40</sup>Memorandum on the Artizans' Dwelling Improvement Bill, Public Record Office, PRO 3/6/72. This memorandum was submitted to the Cabinet during discussions about Cross's measure in January 1875. It quoted extensively from Letheby's report, pp. 234-239.

Letheby believed that this scheme, based on a partnership between government and private enterprise, would create sufficient housing for the poor without violating the principles of free trade. The builders would expect, and earn, a reasonable profit for their work, while solving a serious social problem.<sup>41</sup> Letheby's observations and recommendations were substantiated in yet another memorial presented to the Liberal ministry in 1874, from the Royal College of Physicians.<sup>42</sup> This memorial advised immediate government action to meet the serious health problems brought about by sub-standard housing. In short, the health hazard involved in slum housing was a much discussed topic of the day, and it came as no surprise when, in May 1874, Kay-Shuttleworth arose in the House of Commons to introduce his bill.

Kay-Shuttleworth's address restated the position taken in the Charity Organisation Society's report and advised that only large-scale municipal endeavors, combined with the powers of compulsory purchase, could deal effectively with the massive problem posed by slum housing.<sup>43</sup> It maintained the position that private enterprise, once provided with the necessary land and legal backing, could erect healthy dwellings at a profit both to the community

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<sup>41</sup>Ibid.

<sup>42</sup>London Times, 7 May 1874.

<sup>43</sup>Handard, ccxviii, 1943-1967 (8 May 1874).

and to themselves. Kay-Shuttleworth did not call for government housing, certainly not for anything resembling the socialist vision of homes built for the poor by the state. What he sought was governmental assistance for the private builder, a way to clear the field for the working of free enterprise. He was careful to reserve a place in his building plans for the work of the philanthropic groups and building trusts but the stress in his remarks was on private enterprise that could and should provide adequate housing for the urban poor.

Kay-Shuttleworth had acted as the spokesman for the housing reformers in proposing a bill in 1874. His speech was intended to be the combined opinion of several of the active charities and slum clearance groups, and of individuals such as Octavia Hill and Shaftesbury. Writing long after the passage of the Artizans' Dwelling Act of 1875, Shuttleworth recalled his debt to the Charity Organisation Society report and to Miss Hill:

In 1874, with encouragement from Miss Octavia Hill and others, I brought the subject of slum housing before the House of Commons, basing my speech a good deal on the excellent and very practical report of the C.O.S. Committee.<sup>44</sup>

Prior to his address in Parliament, Kay-Shuttleworth had met with the housing reformers and with the directors of

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<sup>44</sup>Kay-Shuttleworth to C.D. Maurice, n.d., C. Edmund Maurice, Life of Octavia Hill (London, 1913), p. 323. Maurice had apparently written Kay-Shuttleworth asking him for recollections of his role in the Artizans' Dwelling Act.

several building trusts, and had agreed that the Charity Organisation Society report offered the most satisfactory basis for legislation.<sup>45</sup> The proposal then was hardly the work of one man, nor did it represent a newly discovered formula for dealing with slums. It was well planned legislation whose purpose, frankly expressed by Kay-Shuttleworth, was to implement the ideas of persons and groups long interested in the problem.

The debate on Kay-Shuttleworth's measure revealed the harmony with which the House of Commons viewed the question of urban housing. The suggestion for compulsory purchase, potentially the most explosive section of the Bill, received support from both sides of the aisle; indeed some Conservatives called for even stronger language in the Bill.<sup>46</sup> The Bill was abandoned in 1874, but not due to opposition in the House of Commons. Rather, the government, in the person of Home Secretary Cross, advised the House that he had been devoting much attention to the housing situation and that substantial legislation would soon be introduced. The government measures, Cross said, would fully satisfy the sponsors of the present bill and on that basis, asked that Kay-Shuttleworth refrain from introducing

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<sup>45</sup>Ibid.

<sup>46</sup>John Hubbard, a Conservative, remarked that "nothing short of a severe despotism would meet these cases." 3 Hansard, ccxviii, 1978 (8 May 1874).

his proposals.<sup>47</sup> Cross was careful to demonstrate that his objections to the Kay-Shuttleworth bill were not based upon principles but upon timing. In the session of 1875, he was to utilize almost all of the suggestions put forward by Kay-Shuttleworth and his allies.

The first year of the Conservative government was important and valuable to the housing reformers, for Cross had clearly demonstrated his commitment to improvement. He actively supported and helped pass a bill introduced by two Liberal Members whose purpose was to give municipal governments the power needed to construct artisans' housing on municipally owned land.<sup>48</sup> Known as the Working Men's Dwelling Bill of 1874, the legislation avoided the crucial issue of purchase, for it dealt only with land already owned by the local authorities. Speaking of the Act, Cross said:

He was sure that anything which tended to an improvement of the dwellings of the poor . . . provided it did not infringe those laws of political economy by which they ought to be bound--would be hailed with satisfaction by the House.<sup>49</sup>

Cross assumed a position that he would hold throughout the debates on his own measure in 1875. He attempted, although

<sup>47</sup>3 Hansard, ccxviii, 1967-71 (8 May 1874); Maurice, Octavia Hill, p. 323.

<sup>48</sup>Introduced by Herbert Whitwell and John Morley, the Working Men's Dwelling Act of 1874 was rarely used and was superseded by Cross's act of the next year.

<sup>49</sup>3 Hansard, cxix, 264 (14 May 1874).

often unsuccessfully, to maintain the established rules of economics whereby government interference was to be either avoided or kept to a minimum. It was his argument that his own Artizans' Dwelling Act of 1875 was consistent with the "laws of political economy," and should not be viewed as a measure of state interventionism or collectivism.

Cross was involved in another important measure affecting housing during his first year as a cabinet minister. He intervened in a dispute between the railroad companies and several local authorities who objected to the railroad's practice of destroying housing in order to construct new lines. The powerful rail companies had long been accustomed to winning Parliamentary approval, via private bills, for the compulsory purchase of needed land.<sup>50</sup> The railroads had maintained that they had been performing a dual function, by improving transportation while at the same time clearing slums. By 1874, however, it had become apparent to many observers that simple destruction of slum dwellings was a poor solution. Housing had then to be provided for the slum dwellers, and this the railroads declined to do.<sup>51</sup> Cross, as Home Secretary, introduced legislation in 1874 which made it mandatory for promoters of

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<sup>50</sup>H.J. Dyos, "Railways and Housing in Victorian London," Journal of Transport History, II (1955-56), 11-21, 90-100.

<sup>51</sup>"Demolitions for docks, railways, and new streets added immeasurably to the slums that were spared, and exacerbated a problem they were powerless to solve." Dyos, "The Slums of Victorian London," p. 38.

private bills dealing with railroad construction to provide for the rehousing of the displaced tenants.<sup>52</sup> The proposal was resisted by the spokesmen for the railroads but the House of Commons supported Cross and his measure was made part of the Standing Orders of the House.<sup>53</sup>

Cross had become acutely aware of the necessity for housing legislation during the session of 1874, not only through parliamentary debates but through other means of influence as well. Speeches, writings, personal interviews and communications all brought Cross under steady pressure to act in the field of housing reform. That uncertain entity known as "public opinion" was being mobilized by the slum reformers, and Cross was the target of their efforts. It was hardly surprising, therefore, that the bill which he introduced in February 1875 reflected to a great extent the desires and suggestions of people such as Octavia Hill, Sydney Waterlow and the Peabody trustees.

There is ample evidence of a widespread public sentiment favorable to housing legislation existing even before Cross's Artizans' Dwellings Bill had taken shape. He was visited at the Home Office in April 1874 by a distinguished group seeking to convince him of the need for

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<sup>52</sup>3 Hansard, cxxx1, 964 (30 July 1874). As Home Secretary, Cross had earlier intervened and prevented the Midlands Railroad Company from pushing a new line through a working class section of London. <sup>3</sup> Hansard, cxviii, 1985 (8 May 1874).

<sup>53</sup>Dyos, "Railways and Housing in Victorian London," p. 18.

immediate government action to deal with the slums. It was a joint deputation, representing the views of the Charity Organisation Society, the Peabody Trust and several other private philanthropic and reform groups. Included were such people as Lord Shaftesbury, Thomas Hughes, Kay-Shuttleworth, Sydney Waterlow and Earl Grey, persons of assorted political and social hues but agreed on the necessity for housing legislation. The purpose of the deputation was simply stated: they asked Cross to introduce legislation that would enable local authorities to deal with housing conditions, for "the evil can only be adequately dealt with by making it the duty of some public body . . ."54 They did not ask for massive state building programs but insisted upon the state's duty to remove obstacles in the way of private and charitable groups. They were proposals that fitted in well with Cross's own conception of the role of government and he replied in a friendly, if non-committal, manner. Also in April 1874, the London Times had taken a stand favoring legislation for clearing the slums and had even expressed a willingness to accept a rise in taxation for the purpose. "Any slight apparent loss to the Rates," noted the Times, "is sure to be more than counterbalanced by the saving due to the reduction in sickness and crime."55 The Times urged the Conservative government to accept the

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54London Times, 20 April 1874.

55London Times, 8 April 1874.

advice contained in the report of the Royal College of Physicians, warning of the great threat to public health posed by unhealthy dwellings. In a lengthy exchange of letters over the following days, some readers of the Times showed themselves willing to accept even public housing, built by the state, as a means to ease the problem of slums in London.<sup>56</sup>

In June 1874, Octavia Hill published an article describing the slums of London and offering suggestions for their improvement.<sup>57</sup> Miss Hill's writing quickly gained public attention and stimulated a widespread discussion, not only on the problem, but on the proposed solution. If any doubts remained in Cross's mind in June 1874, the article in MacMillan's Magazine must have dispelled them. The extent of the problem described by Miss Hill, the intense anger which she manifested in her writing, and the apparent workability of her ideas, combined to stimulate support for housing legislation and to make a firm ally out of the Home Secretary.

In her article, Miss Hill called for swift government intervention to help solve the ills of the slums and insisted upon adequate powers of compulsion to enable the local governments to work effectively. Her suggestion went even further than compulsory sale, for Miss Hill advocated,

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<sup>56</sup>London Times, 10-12 April 1874.

<sup>57</sup>Octavia Hill, "The Homes of the London Poor," in MacMillan's Magazine (June 1874), pp. 131-138.

in addition, a scheme whereby the local authority could, as a last resort, "itself undertake the task of rebuilding."<sup>58</sup> As proof of how enlightened local government could initiate work on urban slums, Miss Hill described the program instituted in Glasgow. The Lord Provost of Glasgow had spoken the year before to the Charity Organisation Society and Miss Hill quoted approvingly from his address. The basis of Glasgow's success, in her mind, was compulsory purchase of slum dwellings, to enable the private concerns to erect decent housing. "The committee at once felt that here was the desired solution," wrote Octavia Hill, and she urged the English parliament to move in a similar direction.<sup>59</sup> The energetic social reformer had been stimulated enough by the reports of Glasgow's success to visit the Scottish city and, after being shown the new housing for the poor, wrote:

I could not help feeling how proud and glad these men must be to have achieved such reforms; and the longing rose strong in me that some one, some day, in London might be able thus to point to the sites of the old fever-dens, and say, "they are gone."<sup>60</sup>

Although Miss Hill specified the principle of compulsion as being essential in any housing program, she was adamant in rejecting notions of outright charity. "Give him [the tenant] by all means as much as you can for his

<sup>58</sup>Ibid., p. 134.

<sup>59</sup>Ibid. Miss Hill, along with Shaftesbury and Waterlow, sat as a member of the Charity Organisation Society Committee on Housing.

<sup>60</sup>Hill, "Homes of the London Poor," p. 135.

money," she wrote, "but do not house him by charity, or you will house few but him, and discourage instead of stimulating others to build for the poor."<sup>61</sup> The proper method, Miss Hill advised, was to open the way for private enterprise, and she was confident that the challenge would be met. She forecast:

As soon as the ground was cleared--perhaps even before it was cleared--companies and private builders would see their way to a profitable undertaking, and as at Glasgow . . . would soon come in and replace the condemned dwellings by buildings of the kind required.<sup>62</sup>

There were other considerations in eliminating slums as Octavia Hill was quick to recognize, and Cross himself had to struggle with them in the formulation of his measure in 1875. Slums, observed Octavia Hill, were often surrounded by healthy buildings and in order to remove the slum, the proper housing might have to be destroyed as well. There was in addition the question of rehousing sites, for the working people needed adequate transportation. If the new dwellings were constructed in the suburbs, as in Glasgow, the working man might face great difficulties in reaching his employment.<sup>63</sup> In short, it was a comprehensive approach

<sup>61</sup>Ibid., p. 138.

<sup>62</sup>Ibid., p. 137. Miss Hill considered charitable and philanthropic building societies as part of the private sector and thus did not exclude them from constructing dwellings, so long as they charged fair rents and made fair profits.

<sup>63</sup>Ibid., pp. 137-138. The construction of regular trains for working class people later in the nineteenth century partially solved this problem and enabled new housing to be erected far from central London.

to the problem of slums and slum dwellers, not one based purely on destroying old housing. When Cross presented his measure to Parliament, he demonstrated that he had studied Miss Hill's argument and had adopted significant portions of her scheme.

Although Octavia Hill's article appeared during the session of 1874, too late to have any concrete legislative results, Cross proved that he had been influenced by it. The Home Secretary, however, took a cautious approach to housing legislation. While public sentiment was obviously in favor of some housing reform, Cross wished to assure himself of sufficient parliamentary support. So as to draw up the most practical legislation, Cross undertook a personal tour of inspection during the summer and early fall of 1874. He travelled to Manchester, Liverpool, Edinburgh and Glasgow for the express purpose of gathering information pertaining to his contemplated housing legislation.<sup>64</sup> He was especially interested in Glasgow, after reading of Miss Hill's impressions, and wished to verify first hand that the method employed in that city could be applied to other urban centers. These visits were productive for Cross, not only in providing a personal insight into the workings of slum clearance projects, but in furnishing an ample supply of statistics, observations and precedents

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<sup>64</sup>Liverpool Mail, 20 February 1875; also London Times, 9 February 1875. Cross made no mention of this trip in his Political History.

with which the Home Secretary could confront his opponents in 1875.<sup>65</sup> His long journey attested to Cross's personal commitment to housing legislation, as did the close attention that he paid to even the smallest detail connected with the forthcoming legislation. By the time Parliament reassembled in February 1875, Cross had acquired a sizeable amount of material related to housing, slum conditions and working class life. He could speak about slum dwellings in Liverpool, housing schemes in Edinburgh, and the rise of local rates in Glasgow, with an authority matched by a very few of his colleagues in the House of Commons.

The actual drafting of his bill was under way by September 1874. Originally titled the "Working Class Dwellings Bill," during the debates it acquired the permanent title "The Artizans' and Labourers' Dwelling Bill of 1875."<sup>66</sup> As the autumn cabinets of 1874 drew close, Disraeli began to solicit proposals from his ministers in preparation for the Queen's Speech. Disraeli assumed that a housing bill was under consideration when he wrote Salisbury in October 1874. "Is there any question connected with home affairs that occurs to you, which has not been touched upon in our councils. I believe that Mr. Secy. X [Cross] is working

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<sup>65</sup>3 Hansard, ccxxii, 105-106 (3 February 1875).

<sup>66</sup>The change is significant and is discussed below, pp. 202-204.

at a Dwellings Bill. . . ."<sup>67</sup> Salisbury was wary of excessive government intervention into housing, but accepted the need for legislation dealing with the slums, with the qualification that if compulsory sale was required, that power should be in the hands of the local government, not the central authority in London.<sup>68</sup> Northcote, Chancellor of the Exchequer, also expressed approval of a housing measure for the coming session, but warned against over-confidence. He was concerned with the financial burdens that a slum reform program would entail. He wrote to Disraeli in October 1874:

I am glad to hear that Cross is at work on a Dwellings Bill; but I fancy he will find his task a hard one. It will lead us into problems which I don't expect to see solved in a single year--Still, the attempt should be made and I think it will be very useful if only in bringing to light some of the unobserved difficulties which exist, and perhaps in suggesting methods of dealing with them.<sup>69</sup>

Northcote was especially anxious about provisions in Cross's measure which enabled the Treasury to lend money to local governments for the purposes of housing improvements. Such a lending scheme was not original, having been the central feature of the Public Works Loan Commission, created in 1863. What Northcote found troublesome was the provision

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<sup>67</sup>Disraeli to Salisbury, 12 October 1874, in Monypenny and Buckle, Disraeli, Vol. II, p. 700.

<sup>68</sup>Jeyes, Salisbury, Vol. II, p. 2.

<sup>69</sup>Northcote to Disraeli, 14 October 1874, Iddesleigh Papers, Add. MSS 50016 f. 255.

that loans were to be made at a level below the current interest rates, in order to encourage housing programs by the local authorities.<sup>70</sup> Aside from his financial objections, however, Northcote was an advocate of Cross's plan and supported his colleague throughout the debates.

By January 1875, plans for housing legislation were well advanced. The Queen was informed of the proposed measures for the coming session by Salisbury, who "spoke of the Cabinet, of Mr. Disraeli being quite well again, of the different measures under discussion, of the new dwellings for the poor etc. . . ." <sup>71</sup> Cross discussed his bill before the assembled cabinet on 28 January 1875, setting forth a comprehensive scheme for the eventual elimination of urban slums and the creation of healthful and sufficient housing for the working people of the cities.<sup>72</sup> In his statement to the cabinet, Cross emphasized the need for taking immediate action against the moral and physical dangers represented by slum dwellings, and he supported his contentions by reference to the reports and memoranda submitted by the College of Physicians, the Charity Organisation Society and, most importantly, by Dr. Henry Letheby. He compared conditions in London with the rapidly improving

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<sup>70</sup>Northcote to Follett, 11 March 1875, Iddesleigh Papers, Add. MSS 50052, f. 105-106.

<sup>71</sup>Queen Victoria's Journals, Vol. II, p. 369.

<sup>72</sup>Memorandum on the Artizans' Dwelling Improvement Bill, PRO 30/6/72, see n. 40.

situation in Glasgow, holding up the program in that city as a model for the nation.<sup>73</sup> The bill as presented to the cabinet in January 1875 was an advance over existing legislation, even though it hewed closely to accepted standards of economy and administration. It permitted the local government to move decisively, if it so chose, against the evils of slum housing and permitted such governments to aid in the construction of suitable dwellings for the poor. Cross limited his scheme entirely to urban centers, not touching upon the question of rural housing, and did not involve the national government directly in the building of new housing. On both counts he avoided any serious disagreement within the cabinet, and his plan was accepted with little trouble.

The first government measure to be introduced in the session of 1875 was Cross's Artizans' Dwelling Bill. The measure provided a means whereby local authorities would be given sufficient power to remove and rebuild slum housing. The first step would be inspection by the local health officer, who would certify to the authorities that the housing under question was a danger to public health. The municipal government could then draw up a rebuilding scheme, taking care that displaced slum dwellers were properly rehoused, and then submit their proposals to

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<sup>73</sup>Ibid.

either the Home Office or the Local Government Board.<sup>74</sup> If approved, the local slum rebuilding program would begin. Loans would be granted, at reduced interest rates, to enable the local government to purchase the slum dwellings and destroy them. Once the land had been cleared, private builders or charitable building societies would be invited to construct new housing. These private groups might either buy the land from the local government, or lease it on a long-term basis. Expenditures by the local governments, and repayment of the loans, would be supported by local rates. Sale of slum housing to the local government for clearance would be, if necessary, by compulsion. The forced sale of private property was a sensitive issue for Cross, his party and for the public, and as such was to be permitted only in limited and carefully regulated instances. Indeed, the legal encumbrances to compulsory sale were so formidable that in later years Parliament was compelled to remove most of them in the interests of efficient operation. Cross's Bill, in short, was a permissive measure which depended for its success upon the willingness and energy of the local governments. It did not directly inject central planning into the building of urban housing, nor did it establish a system of publicly built working class dwellings. Yet, despite its moderation, the Artizans'

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<sup>74</sup>The Home Office would be the responsible agency for London, while the Local Government Board would deal with all other cities and boroughs, 3 Hansard, ccxxii, 108 (8 February 1875), also Parliamentary Papers, Artizans' Bill, 1 (1875), p. 89.

Dwelling Act of 1875 signalled an important change in policy and marked a new direction for British housing legislation.

The differences between Cross's Act of 1875 and the earlier Torrens Act of 1868 were substantial. In 1882, a Royal Commission on Housing commented upon the distinction between the Acts of 1875 and 1868. Compared to Torrens's Act, the Commission noted:

The Acts of 1875-79 proceed upon a different principle. They contemplate dealing with whole areas . . . the local authority, armed with compulsory powers, at once enters as a purchaser, and on completion of the purchase proceeds forthwith to a scheme of reconstruction.<sup>75</sup>

The Commission rightly pointed out the crucial distinction: Torrens in 1868 contemplated repair and rebuilding of a single unhealthy dwelling; Cross in 1875 was concerned with slum neighborhoods, encompassing dozens and even hundreds of substandard houses. More than a difference in size was involved, for Cross's measure recognized that poor housing could not be considered in isolation. It was insufficient, so he believed, to tear down one noisome habitation while the surrounding poverty and disease remained untouched. The largely unsuccessful attempts to deal with slums prior to 1875, and the achievements of Glasgow, had illustrated the point that slums were the result of complex conditions,

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<sup>75</sup>Report From the Select Committee on Artizans' and Labourers' Dwellings, Parliamentary Papers, Vol. VII (1882), pp. 252-253.

centering not only upon the physical condition of the housing but related as well to employment, transportation and education. The piecemeal approach of the past, typified by Torrens's Act of 1868, no longer sufficed.

The Cross legislation of 1875 went beyond the Torrens Act of 1868 in establishing the responsibility, although limited at first, of the local government in the reform of housing. The earlier Act had depended solely for its success upon the individual property owner, who had voluntarily to ask for governmental aid in the repair of his housing property. In 1875, a great deal of the voluntary aspect was removed and individual owners were not consulted in preparing redevelopment programs. It is true that the local governments were under no compulsion, for Cross relied upon the willingness of local authorities to accept the need for slum reform, plan a program and then seek government aid in the form of loans. It was still a voluntary measure, but voluntary on the part of local authorities, not individuals.<sup>76</sup> Once the medical officers had declared the housing a public danger, the local town councils might decide against any rebuilding program; there was no compulsory power on the part of the Home Office or the Local Government Board to ensure action by the local groups. Yet, more clearly than in prior years, the local municipal government was faced with responsibility

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<sup>76</sup>Walpole, Modern England, Vol. III, p. 316.

regarding housing. In addition, the central government was delegated additional responsibility towards urban dwellings. By approving or condemning local slum programs, and by granting loans to municipal governments, the authorities in London and Parliament as a whole, had to assume a certain responsibility towards the results of the Artizans' Dwelling Act. Cross's measure engaged, in a more meaningful way, the governments on both a national and a local level in an attempt to alleviate the conditions which all observers agreed were deplorable and becoming worse.

Cross rose to introduce his housing measure on February 8, three days after the Queen's Speech officially opened Parliament. The Artizans' Dwelling Bill had been prominently mentioned in that Speech, and had been well received by members of both parties.<sup>77</sup> Alexander Whitelaw, a Glasgow Conservative, had especially warm words for the Dwelling Bill, calling it "a work of the highest importance to the nation, and consequently one on which Parliament might most profitably employ its time."<sup>78</sup> Lord Hartington, Liberal party leader, expressed some criticisms of other proposed legislation, but left no doubt that he favored the Artizans' Bill and hoped it would follow the lines set out by the useful projects in Glasgow and Edinburgh.<sup>79</sup> Thus, when Cross addressed the House of Commons regarding his

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<sup>77</sup>3 Hansard, cxxxii, 6 (5 February 1875).

<sup>78</sup>Ibid., p. 52.

<sup>79</sup>Ibid., pp. 61-62.

bill, he could be confident of receiving a fair, if not favorable, hearing.

In his introductory remarks, Cross sought to reassure his colleagues concerning the objects of his legislation. He believed, Cross said,

that it is not the duty of the Government to provide any class of citizens with any of the necessities of life, and among the necessities of life we must include that which is one of the chief necessities--good and habitable dwellings. That is not the duty of the state because if it did so, it would inevitably tend to make that class depend not on themselves, but upon what was done for them elsewhere, and it would not be possible to teach a worse lesson than this . . . that "if you do not take care of yourselves, the State will take care of you."<sup>80</sup>

Cross thus explicitly denied that he proposed instituting a system of free housing for the poor or of injecting the state into the business of constructing homes for any class of citizens. In fact, Cross insisted, the proposed legislation would not even provide housing at rents lower than the prevailing market price.<sup>81</sup> He had stated, in blunt terms, the widely held attitude regarding state intervention and had restated the view that self-help and free enterprise were the desired solutions to the ills of society. On this point he was in agreement with the proponents of laissez-faire economics, men such as Henry Fawcett and Robert Lowe, who argued that pure charity was debilitating to the

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<sup>80</sup><sub>3</sub> Hansard, ccxxii, 100 (8 February 1875).

<sup>81</sup> Ibid., pp. 100-101.

individual and dangerous to the society.

Yet Cross went beyond simple laissez-faire theories and declared that another factor had been too often ignored, that being the matter of health and sanitation. "There is another point of view from which we may look," Cross said, "and another ground upon which we may proceed."<sup>82</sup> It seems clear that Cross, despite his outward acceptance of laissez-faire doctrines, had come to understand the need for governmental action in housing but that he needed an approach by which he could circumvent existing theories of political economy. He found the means in sanitation. "No one will doubt the propriety and right of the state," asserted Cross, "to interfere in matters relating to sanitary laws. Looking at this question as a matter of sanitary reform, there is much to be done by the Legislature."<sup>83</sup> Conceding the field to the opponents of social legislation, Cross had turned the flank and had discovered another reason to propose a plan for state intervention in housing of the poor. Health, as Disraeli had noted in 1872, was the concern of all and as such, a proper field for state activity. Cross adhered to the same argument, insisting that by improving the housing of the poor, the state would be bestowing benefits upon all classes. It was not his purpose, Cross said:

to enable the working classes to have houses provided for them, but to take them out of the miserable condition which they now find

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<sup>82</sup>Ibid.

<sup>83</sup>Ibid.

themselves--namely, that, even if they want to have decent homes, they cannot get them.<sup>84</sup>

Recounting the horrors of slum life, Cross asserted that the excessive death rates to be found in all large towns and cities were a direct result of the substandard housing in which so many poor had to live. "If by our legislation," Cross said, "and without any inroads upon the sound principles of political economy, we can prevent such a waste of life . . . it is our duty to interfere and see whether we cannot do something to arrest this waste."<sup>85</sup>

By basing his proposal on sanitation, Cross was following a well-trodden path taken by sanitary reformers for many years. It was essentially a plea for good health and not for social readjustment. People such as Cross, Shaftesbury, Chadwick and Simon did not seek to reform the social structure of British society; they did not envision significant changes in modes of behavior or in class relationships. What they sought was a healthier nation, a nation wherein children of all economic levels survived to adulthood and in which the great mass of the population could lead lives of moderate comfort and health. The sanitary idea had a long history in British life, extending to the earliest days of the nineteenth century when men

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<sup>84</sup>Ibid.

<sup>85</sup>Hansard, cxxxii, 101 (8 February 1875). The death rate, cited by Cross in his speech, was 22.5 per 1000 for the country as a whole; in London it was 24.5; in Manchester 30.0; and in Liverpool 38.0.

found that questions of hygiene concerned every member of society, not only the poor.<sup>86</sup> Local governments had begun to implement sanitary reforms even in the eighteenth century, so that by Cross's day, a great body of legislation and custom had been created to deal with sanitation and health.<sup>87</sup>

In an age as economically oriented as was nineteenth century Britain, it was perhaps inevitable that sanitation would become a function of economics. In the 1840's, a medical journal observed:

One broad principle may be safely enunciated in respect of sanitary economics--that it costs more money to create disease than to prevent it; and there is not a single structural arrangement chargeable with the production of disease which is not also in itself an extravagance.<sup>88</sup>

Cross made the point several times during the debates over his bill, that sanitary neglect was not only dangerous to the health but wasteful as well. "We have to consider what a waste of human life this is," Cross told his colleagues, "and ask ourselves whether we can give the children of the working classes an equal chance of growing up to healthy

<sup>86</sup>Asa Briggs, "The Sanitary Idea," New Society, Vol. XI (February 15, 1968), pp. 229-231.

<sup>87</sup>B. Keith Lucas, "Some Influences Affecting the Development of Sanitary Legislation in England," Economic History Review, Vol. VI (1953-54), second series, pp. 290-296.

<sup>88</sup>British and Foreign Medico-Chirurgical Review, quoted in Asa Briggs, Victorian Cities (New York, 1963), p. 20.

manhood and womanhood."<sup>89</sup> Cross insisted that his housing program would be far more economical and practical than allowing slums to exist. It was an argument that found favor among the sensible men who sat in the House of Commons. Good housing was simply better business than poor housing; the initial expenditures would be more than repaid over the ensuing years.

Cross was proposing not charity, not radical schemes of social upheaval, not visionary programs or utopias, but a well-planned design for improving the health and wealth of the nation. "The only practical way of dealing with them is to pull them down," Cross said of the disease-filled dwellings that some of the poor inhabited.<sup>90</sup> He was willing to extend his powers so that the Artizans' Dwelling Act would operate well: in a later communication to the Metropolitan Board of Works, Cross asserted:

Neighboring lands even though covered with good wholesome houses may be taken and cleared as land necessary for making the scheme efficient for sanitary purposes.<sup>91</sup>

The principle of sanitary reform carried broad implications. It might introduce novel methods of state intervention, and its natural logic might result in activities far beyond those contemplated by the framers of the reform measure.

<sup>89</sup>3 Hansard, cccxii, 6 (5 February 1875).

<sup>90</sup>Ibid., p. 103.

<sup>91</sup>Home Office to Clerk of the Metropolitan Board of Works, 20 May 1876, Home Office Papers, HO 43/124, pp. 309-311.

But Cross steadily denied any intention of enacting anything but a purely sanitary act. He did not, Cross insisted:

wish this Bill to be dealt with as one passed for the purpose of beautifying towns. It was simply a Bill for improving the wretched and unhealthy rookeries which were to be found in towns, for rebuilding them in such a form as would be least expensive to the ratepayers, and, above all, for providing proper accommodation for the people who were displaced.<sup>92</sup>

Again and again, Cross reasserted his belief that the bill was limited in its application and intention. While some members of the House of Commons raised questions about the true intentions of the measure, the relatively easy passage of the bill attested both to Cross's success in convincing his colleagues and to the unspoken agreement in the country that the government should act to improve the conditions of the people.

Cross summarized his presentation of the Artizans' Dwelling Bill by an appeal to the moral sense of his listeners. Admitting that reformation of the urban slums would be a great undertaking and even a costly one, Cross nevertheless asked for a beginning:

I ask you [Cross said] on these dens of wretchedness and misery to cast one ray of hope and happiness . . . and on these courts and alleys where all is dark with a darkness which not only may be, but is felt--a darkness of mind, body, and soul--I ask you to assist in carrying out one of God's best and earliest laws--"Let there be light."<sup>93</sup>

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<sup>92</sup>3 Hansard, ccxxiii, 114-115 (19 March 1875).

<sup>93</sup>3 Hansard, ccxxii, 111 (8 February 1875).

The statement typified much of the earlier opinion in favor of housing legislation and certainly represented an important aspect of Cross's own viewpoint. The obvious moral injustice of permitting thousands of fellow countrymen to live in intolerable conditions struck a responsive note in Cross, as it did in so many of his contemporaries.

The brief discussion in the House of Commons which followed introduction of the bill was largely favorable, although it could not be taken as significant at that early stage. Kay-Shuttleworth and Sydney Waterlow, not surprisingly, offered immediate support of Cross's legislation although each raised questions about specific sections of it. Kay-Shuttleworth was concerned about the role of the medical officers in Cross's scheme, fearing that they would be too often under the control of the very local authorities they were expected to advise.<sup>94</sup> Waterlow expressed similar doubts as did Samuel Waddy, a Liberal who offered his opinion that local governments would be more concerned with rates than with slum housing.<sup>95</sup> Cross responded in general terms to these objections, assuring the House of Commons that medical officers were capable of acting independently in submitting their reports. He went on to state that, under his measure, the London metropolitan region would be

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<sup>94</sup>3 Hansard, ccxx11, 111-112 (8 February 1875). Kay-Shuttleworth proposed that the medical reports be given at once either to the Home Office or to the Local Government Board.

<sup>95</sup>Ibid.

governed by a special code as befitted its size and unique problems. Cross assured his colleagues that the building societies and private concerns who would erect the new dwellings would be carefully regulated and that fears regarding excessive profits or corruption were groundless.<sup>96</sup>

Several Members expressed the hope that Cross would bring his Artizans' Dwelling Bill back to the House of Commons quickly for the second reading. The generally approving tone of the House of Commons on February 8th, while hardly unusual on a government's introduction of a piece of major legislation, had indicated to Cross that he had ample support among his colleagues and he therefore made haste to schedule the second reading. On February 15th, only one week after introducing it, Cross brought in his housing legislation for the second stage.

The second reading of the bill gave opponents their first opportunity to make their points. Such disagreement that existed was not on a party basis and, in fact, was never substantial enough to endanger the measure at any point. The first speaker during the second reading was a Liberal, James Stansfeld. Head of the Local Government Board in Gladstone's ministry and with a reputation as a "radical," Stansfeld launched a discussion of the Bill's

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<sup>96</sup>Ibid., pp. 112-114.

defects, although maintaining his support for housing reform of some nature.<sup>97</sup> Stansfeld was primarily concerned with the principle of compensation, fearing that unscrupulous slum owners might actually profit from overgenerous payments for their property. Sydney Waterlow, whose words carried great weight during these debates, rose to question the motivating force behind the Artizans' Dwelling Bill. It was, Waterlow said, "to too great an extent a Permissive Bill," and warned against placing excessive faith in the enforcement powers of the local governments.<sup>98</sup> Waterlow's criticisms were designed to strengthen the measure, to remove any vagueness and uncertainty from the legislation as presented by Cross. These opening remarks on the second reading of the Bill set the tone of the discussions that followed. The criticisms of the Bill were almost invariably friendly, presented with a view toward improving the practicality or efficiency of the measure.

The debates in the House of Commons continued until April 30th and centered about four major issues. The areas of concern were: first, the matter of compulsory sale; second, the application of the measure to rural slums as well as urban; third, the intended beneficiaries of the

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<sup>97</sup>3 Hansard, cccxi, 337-340 (15 February 1875).

<sup>98</sup>Ibid., p. 340. Waterlow expressed great satisfaction at the provisions of the Bill which enabled local governments to borrow for rebuilding purposes.

measure; finally, and most fundamental, was the matter of principle raised by Henry Fawcett dealing with political economy and the role of the state in social reform. The existence of these questions should not, however, suggest that opposition was serious or that the measure was in danger. The issue was never in doubt. Cross was firmly in control of his Bill throughout and it would be mistaken to view the passage of the Artizans' Dwelling Act as the result of a bitter struggle. The debates in the House did, however, touch upon important matters and raised questions whose relevance extended beyond the particular Bill under discussion.

Serious debate on the principle of the Bill was initiated during the second reading by Walter James, a Liberal sitting for Gateshead. Although the chief defender of economic orthodoxy, and the Bill's leading opponent, was Henry Fawcett, the fundamental problem of the government's role in reform was first raised by James. This Bill, he insisted on February 15th, violated the laws of economics and would therefore lead to unhappy results. He informed the House that:

he had faith in commercial principles, and could not help thinking that interferences with the laws of supply and demand might lead to results the very opposite to those which their promoters supposed. . . .

James questioned the assertion, as put forward by Cross, that the Bill was a sanitary measure and was not intended to provide living quarters for any class in the nation.

Still, James noted, the Bill contemplated the clearing of certain slums and the construction of new housing. "Ought not the erection of houses for this purpose [sanitation] to proceed solely on commercial grounds?" he asked.<sup>99</sup> James feared that the Artizans' Dwelling Bill endangered the traditional freedoms of the citizen because the measure permitted, indeed encouraged, the compulsory sale of private property. He rebuked the Conservative party for initiating such legislation, confessing "to a feeling of surprise that a Conservative government . . . should have put forward this measure under rather exceptional circumstances, as hitherto it had generally been left to individual enterprise to provide accommodation in the matter of dwellings."<sup>100</sup> It was the Conservatives, noted James, who had campaigned against excessive legislation and yet were now proposing a massive increase in state power.

Henry Fawcett, whom Cross regarded as his "chief opponent," delivered the major critical address on March 18th. This celebrated figure in the House of Commons representing Brighton, stood forthrightly during his nearly two decades in Parliament against state intervention in any form. He had opposed tampering with the relationship between labourer and employer, he had fought the policy of

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<sup>99</sup>Ibid., p. 362.

<sup>100</sup>Ibid., pp. 361-362. James believed that legislation was unnecessary, as the existing building societies were satisfying the need for more housing.

compulsory education for children, and he emerged as a leading critic of any attempts to legalize the position of Trade Unions. A forceful speaker and a man of deep intelligence, Fawcett rose to cabinet rank in 1884. He was throughout his career the spokesman for free trade and laissez-faire attitudes.<sup>101</sup>

Fawcett's opposition to the Artizans' Dwelling Bill centered upon his belief that it was a piece of class legislation and the denial that any single class in the nation had special claims to governmental assistance. He believed, Fawcett declared:

that differentiating a class and singling it out for special favour was a course that was fraught with the utmost peril, as it would encourage among persons of that class the idea that their interests were more worthy of the attention of Parliament than were the concerns and welfare of any other section of the community.<sup>102</sup>

Admitting that the slums of London were a distressing sight and needed to be eliminated, Fawcett maintained that the most satisfactory way to achieve that end was to apply the principle of free enterprise. Charity and government pampering would not only fail to solve the problem; it would in the process erode the qualities of self-reliance and independence in the people affected. Further, asked Fawcett, what right had the artizan to ask for special

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<sup>101</sup>Leslie Stephen, Life of Henry Fawcett (London, 1885), pp. 134-181.

<sup>102</sup>3 Hansard, ccxxiii, 122 (19 March 1875).

treatment from Parliament, a body whose historic role was to represent all classes of the nation? In a later address, Fawcett wondered if it would not make equal sense for Parliament to construct housing for bankers, clergymen or dukes? He even introduced an amendment, almost certainly in order to weaken the Bill, which would have applied the housing legislation to "those who earn wages," making it possible for millions of middle-class people to be eligible for aid.<sup>103</sup> The amendment was easily defeated but Fawcett had nevertheless raised important issues, which Cross felt compelled to answer at length.

His answers reveal much of Cross's own philosophy regarding state assistance. In reply to one of Fawcett's amendments, which would have removed from the local authorities the obligation to rehouse displaced tenants on the original site, Cross clearly stated his objections. He said that the question of compulsion

was the sole issue between himself and the Hon. Member [Fawcett], but it was a grave one, and was one which all the people of the country had the deepest interest. The Hon. Member wished to leave the accommodation of those who were turned out of their dwellings to be met by the law of supply and demand, and by those of political economy.<sup>104</sup>

In a rare outburst of anger, Cross in effect accused Fawcett of being callous towards the well-being of the labouring population. By allowing Fawcett's opinion to prevail,

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<sup>103</sup><sub>3</sub> Hansard, ccxxiii, 122 (19 March 1875).

<sup>104</sup><sub>3</sub> Hansard, ccxxiii, 754-755 (12 April 1875).

Cross warned, the persons who had lost their dwellings would be cast out into the market place, with no assurances of future security. The Government, Cross proclaimed,

wanted to take care that in clearing out the rookeries for the benefit of the whole community the persons driven from these rookeries should not be damaged by it.<sup>105</sup>

Past experience had demonstrated, Cross said, that when slums were uprooted, it was the working people living in those slums who had suffered most, being forced into already crowded areas and thereby creating new slums. His Bill would specifically prevent such wholesale dispersion of the population, and while not providing free homes for any group, would ensure the proper settlement of the people involved. If a limited amount of compulsion and state interference was required to achieve these beneficial goals, then Cross declared himself ready to accept it.<sup>106</sup>

Fawcett levelled other charges against Cross and his Bill, including one that it was financially unsound and would result in the bankruptcy of many local governments.<sup>107</sup> Cross denied any suggestion of ignoring the financial burdens that the Bill might impose, saying "nothing could be further from his desire than to allow local authorities

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<sup>105</sup>Ibid. Fawcett interrupted the Home Secretary's speech at several points, objecting to the charge of callousness and lack of pity.

<sup>106</sup>Ibid., pp. 755-756.

<sup>107</sup>3 Hansard, ccxxiii, 41-42 (18 March 1875). Fawcett seriously doubted whether the local governments could earn back the money spent on housing.

to enter unrestrictedly into large-scale building operations."<sup>108</sup> Another time, Fawcett suggested that local governments be prohibited from selling the land but be allowed only to lease it for 99 years. Selling the cleared land, especially when the sale was forced, as had been suggested when no private builder would buy at the original price, would be economically unwise according to Fawcett since the local authorities might have to dispose of the property at "a ruinously low price."<sup>109</sup> The Home Secretary quickly pointed out the impossibility of imposing restrictions upon local governments, since

One of the main objects of the Bill was to place in the hands of the great corporations of the country, power which they did not now possess, which they had asked for, and were desirous of exercising.<sup>110</sup>

Further, said Cross, to interfere with the operations of local governments would create unnecessary difficulties and would seriously hinder the effectiveness of his legislation. Kay-Shuttleworth, obviously speaking for the building societies, argued that free sale was absolutely essential to the continued operation of these groups and that Fawcett's proposal would almost eliminate the Peabody Trust

<sup>108</sup>3 Hansard, ccxxiii, 736 (12 April 1875). Cross noted that the city of Glasgow had the power to build its own housing, but rarely exercised it.

<sup>109</sup>Ibid., p. 733. "Nothing at the present moment," said Fawcett, "was so serious connected with the finances of the country as the extraordinary rapidity with which the local authorities were accumulating debt."

<sup>110</sup>Ibid., pp. 733-734.

and similar groups from consideration.

Almost all who spoke on the Artizans' Dwelling Bill shared a common faith, that being a reluctance to introduce anything but the most necessary amount of government intervention. It was the same faith that informed Cross's approach to the legislation and he repeatedly announced his belief in the efficacy of free enterprise and private capital, properly guided, to solve the housing problem. While he might plead necessity as cause for violating some of the accepted rules of economic behavior, Cross nonetheless assured his colleagues of his devotion to those rules. "The Government did not wish to place houses at the disposal of the people turned out at a cheaper rate than they ought to pay, they did not want to pauperize these people," Cross insisted.<sup>111</sup> In the House of Lords, Earl Beauchamp, who spoke for the government during passage of the Bill through the Upper House, emphasized again the desire of the government to adhere to normal economic practice. He declared:

The Bill would not run counter to the principles of political economy, because interference with the inexorable laws of political economy must ultimately bring about much wider misery than would be temporarily caused by the existence of those hard cases which produced bad law.<sup>112</sup>

Cross's housing legislation was not considered radical or

<sup>111</sup> Hansard, ccxxiii, 754-755 (12 April 1875).

<sup>112</sup> Hansard, ccxxiv, 450-451 (11 May 1875).

innovative by its sponsors and Cross found the criticism of devout laissez-faire partisans such as Henry Fawcett to be misplaced and unjust.

Fawcett, however, was not entirely mistaken when he attacked Cross's measure as being in violation of the principle of free trade and conducive to state intervention. What separated Cross, an avowed believer in laissez-faire, and Fawcett, that doctrine's defender, was a common-sense approach to a serious social problem. The debates in the House reveal that while Cross would publicly and often assert his belief in free enterprise, he was nevertheless prepared to travel some distance towards state participation in the interest of efficiency and practicality. He set limits on the degree of state intervention, as demonstrated when he fought certain compulsory features that were introduced, and he thereby marked his position off from the more advanced reformers of his day. He cannot be considered a collectivist or a radical social reformer. Experience and a sense of moral obligation to the poor led Cross, often despite his political and economic convictions, to advocate measures that differed from Fawcett's notion of the role of the state. He saw the need to abolish the slums and to provide livable quarters for the working man, and a pragmatic, business-like approach to this social problem turned him increasingly toward a solution that involved substantial government participation in housing reform.

Cross was far, however, from accepting the state's

role in all phases of the citizen's life and steadily worked, during the debates, to keep state intervention to the inescapable minimum. This effort to define boundaries may be seen in the dispute over the Bill's title, which was more precisely drafted during the debates. The issue was raised early in the second reading by Samuel Waddy, a Liberal, who asked if Cross's measure was directed at those who truly needed assistance. "So far as it went," said Waddy, "it was an admirable Bill; but they must take care that they were addressing themselves to the necessity which really existed."<sup>113</sup> Waddy described the Bill as being one which met the needs of a small segment of the working population, the relatively well-paid, while the poorest in the group were passed over. What about those slum dwellers, he inquired, who could not pay for the handsome new housing contemplated by the Home Secretary?

Of what use was it to tell the poor people who were evicted that they should have a handsomer lodging, if they paid more than they could afford to pay? . . . In some respects the remedy might be worse than the disease.<sup>114</sup>

Charles Dilke, the Radical member for Chelsea, spoke in a similar vein and proposed that the Bill's title be changed to include "labourers" as well as artizans.<sup>115</sup> Several other well-known friends of the working man, including

<sup>113</sup>3 Hansard, ccxx11, 345 (15 February 1875).

<sup>114</sup>Ibid., p. 347.

<sup>115</sup>3 Hansard, ccxx11, 48-49 (18 March 1875).

Mundella and Kay-Shuttleworth, proposed similar changes in the Bill's title so as to ensure coverage for all who might be affected and, in effect, to broaden the application of the measure.<sup>116</sup> Cross resisted these efforts and spoke against such wholesale government aid to a large portion of the population, but he was forced to admit the addition of the word "labourers'" to the title.<sup>117</sup>

This discussion concerning the Bill's title was significant, for it led Cross to clarify his concept of the working man and revealed among the Members a divergence of opinion regarding the goals of such sanitary reform. On March 19, William E. Forster, creator of the Education Act of 1870 and a popular figure in the House of Commons, suggested to Cross that he provide the House with a more exact definition of the words "working class," so that the proposed housing bill would be more fully understood.<sup>118</sup> Forster's appeal was supported by the recently elected Alexander MacDonald of Stafford, a mining union leader and a recognized spokesman for the working men. MacDonald, who played a relatively minor role in passing the measure, called for the outright elimination of the words "Working

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<sup>116</sup>Ibid., pp. 49-52.

<sup>117</sup>The Bill came to be known as the "Artizans' and Labourers' Dwelling Improvement Bill of 1875," although it was always referred to as the Artizans' Dwelling Bill.

<sup>118</sup>3 Hansard, cxxxiii, 128 (19 March 1875). Forster also requested more information regarding the existing housing plans and the work of the building societies.

Class." Unless this phrase were deleted, he warned, it would "lead to invidious distinctions, which would be well understood outside the House."<sup>119</sup> MacDonald was concerned lest his followers, the unionized and more prosperous working men, consider the measure as one aimed at the very lowest segments of society and neglectful of their rightful claims. His scarcely concealed threat of union displeasure was sufficient to alarm the Conservative government. Cross assured the House of Commons that local authorities would, he was certain, have little difficulty in understanding the intention of the legislation and that a formal definition of "working class" within the Bill would be a hindrance and therefore unnecessary.<sup>120</sup> James Hogg, President of the Metropolitan Board of Works, further assured his colleagues that the Bill was sufficiently clear as to terms. His organization in London, said Hogg, would be fully capable of distinguishing working men from other classes and expected no trouble in making good use of the new Bill.<sup>121</sup>

The question of application was raised once again by a commanding personality in the House of Lords, the Earl of Shaftesbury. Who, asked Shaftesbury, is to be helped by the Artizans' Dwelling Bill? He feared that the proposed legislation would create turmoil among the elements of society who were least able to help themselves or begin

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<sup>119</sup>Ibid., p. 130.

<sup>120</sup>Ibid., pp. 130-131.

<sup>121</sup>Ibid. Hogg informed the House of Commons that he favored the Bill and expected to "make it pay."

life anew. He pictured in vivid terms the unhappiness and despair that a slum removal scheme would invoke among the slum dwellers. Shaftesbury described how:

When the moment arrives for the levelling of the domiciles in which they reside, they are like persons possessed--perplexity and dismay are everywhere; the district has all the air of a town taken by assault.<sup>122</sup>

Shaftesbury's words could not be taken lightly, for he had by 1875 assumed a position in public life as a man whose knowledge and devotion to social and sanitary reform was without equal. "I must repeat," said Shaftesbury, "that unless we reconstruct dwellings adapted to their means, great injury will be inflicted on those people who are displaced."<sup>123</sup> He pointed out that the overwhelming majority of those removed by slum clearance projects would be the poorest classes, not the "artizans" spoken of by the Bill. Experience gained in various London rehousing schemes and by the work of the building trusts had revealed, Shaftesbury informed the Peers, that the slum inhabitants so easily ejected had rarely been properly housed again and that their dispersion simply added to slum conditions in other areas. Unless clean and financially available housing was provided for the poorest workers, the Artizans' Dwelling

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<sup>122</sup>3 Hansard, cccxiv, 454 (11 May 1875).

<sup>123</sup>Ibid., p. 457. Shaftesbury understood that much of the work of the poor was dependent upon the cooperation and proximity of neighbors and that violent dispersion would destroy the economic life of the slum dwellers.

Bill would create as many slums as it cleared.<sup>124</sup> The new legislation was necessary and he supported it, Shaftesbury noted, but it must be applied with caution and with due regard for the human conditions involved. "I cannot but think that the Government are over sanguine in their forecast of what will be effected by the Bill," he warned.<sup>125</sup>

Cross was willing to compromise on the title of his legislation, but he was soon faced with a far more significant challenge, one which might have extended the housing reforms into rural districts. As early as the second reading on February 15th, Cross had resisted efforts to have the bill made applicable to rural housing as well as urban. "He must again implore the House," Cross said, "not to seek with however good an intention, to extend it to places and classes of property to which it had not been intended to apply."<sup>126</sup> Cross had no wish to foment opposition to his Bill through a hasty attempt to correct rural as well as urban abuses. As the debate over the Artizans' Bill passed through the Committee stage, another attempt was made to extend the measure into rural areas. Insisting that it was illogical to limit coverage of the Bill to towns of 25,000 population or more, a small but vocal group from both

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<sup>124</sup>Ibid., pp. 457-458; the dangers of unplanned slum clearance programs are discussed by Dyos, "Railways and Housing in Victorian London," pp. 7-11.

<sup>125</sup>Ibid., p. 454.

<sup>126</sup>3 Hansard, ccxxii, 387 (15 February 1875).

parties made a vigorous attempt to change the Bill on March 18th. The proposal would have made villages of 10,000 population eligible under the Bill and would have permitted a sizeable proportion of rural dwellers to come under its provisions. Cross immediately made clear his opposition to the extension of the Bill and informed the House that he would deal at a later date with the problems of rural housing. He stated:

It was the intention of the government to apply a different remedy to towns with a population of 10,000 which he hoped would have considerable effect in reducing the evils which he quite admitted existed in such places.<sup>127</sup>

Pointing out that the Torrens Act of 1868 enabled small towns of 10,000 or less to introduce slum clearance measures, Cross suggested that extending the coverage of the present Bill was unnecessary. In fact, few of the smaller towns had ever made use of existing legislation; and there was little reason to believe that such towns would benefit under his Bill. The proposed amendments were defeated on March 18th, demonstrating that the conditions existing in rural areas had not yet become a matter of urgency within the Conservative government.<sup>128</sup>

The important question of compulsion was not raised until March 19th, as the Artizans' Dwelling Bill was

<sup>127</sup> Hansard, ccxxiii, 53 (18 March 1875).

<sup>128</sup> Ibid., p. 58. Cross pointed out that the smaller towns were free to utilize existing legislation, especially Torrens' Act of 1868, but that few had ever done so.

debated by the Committee of the Whole House. One day earlier, the London Times had commented upon the matter and had viewed the Artizans' Dwelling Bill as a piece of voluntary legislation whose purpose would be to free local governments from unnecessary restrictions. "It was an enabling, not a compelling Bill, and it throws the ultimate solution of the problem where alone it can be safely left, on the free action of the public of all classes."<sup>129</sup>

Kay-Shuttleworth agreed with the Times that the Artizans' Dwelling Bill was enabling legislation, but he considered the enabling approach to be incorrect under the circumstances. How, asked the experienced housing reformer, would the government ensure the carrying out of the provisions of the Bill, in those cases where local governments flatly refused to assume the expenses of slum programs?<sup>130</sup> Kay-Shuttleworth especially mistrusted the provisions of the bill which permitted local authorities to consider, to debate and to delay almost indefinitely if they so desired. His proposal was to make acceptance of the medical officer's report mandatory upon the local government, after a reasonable waiting period and after certification of the need for improved housing. If local governments were allowed to debate, warned Kay-Shuttleworth, "there would be serious

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<sup>129</sup>London Times, 18 March 1875.

<sup>130</sup>Hansard, ccxxiii, 113-116 (19 March 1875).

risk that no resolution would ever pass."<sup>131</sup>

For a variety of reasons, some political and some philosophical, Cross resisted any such attempt to make his Bill purely compulsory and he repeatedly denied any intention of forcing housing improvements upon the local authorities. Cross argued that it would be highly improper, and patently foolish, for the central government to insist upon unwilling acceptance of the medical officer's proposals without first considering the state of the local government. "He was," Cross said, "disinclined to compel the law to be carried out irrespective of any judgement as to resources."<sup>132</sup> Cross took a more optimistic view of local government and felt that outright compulsion would prove unnecessary, if not itself a hindrance to effective slum removal. George Sclater-Booth, President of the Local Government Board and co-sponsor of the Artizans' Dwelling Bill, supported Cross in his contention that local governments were capable of fulfilling their duties without compulsion from Parliament. Sclater-Booth assured the House of Commons that in his experience, the local authorities and town councils were eager to better the living conditions of their people and were anxious to begin work under the

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<sup>131</sup>Ibid., p. 114. Kay-Shuttleworth pointed out that the Bill as it existed made no provision for refusal of the local government to accept the medical officer's report.

<sup>132</sup>Ibid., p. 116.

pending legislation.<sup>133</sup>

Sydney Waterlow, the eminent housing reformer, followed his friend Kay-Shuttleworth in proposing an amendment whose purpose was to ensure the effective utilization of land for housing programs. Waterlow suggested that an arbitration scheme be established in those cases where no private builder had come forth to buy or lease the cleared land. After three years, under Waterlow's plan, an arbitrator would be appointed by either the Home Office or the Local Government Board and the local government would be required to accept the decision of the arbitrator regarding the sale price of the land.<sup>134</sup> Waterlow and others were concerned lest the local authorities set too high a price upon the land and thus prevent private groups from participating in the rebuilding. It was admittedly a concern, Cross noted, but Waterlow's proposal once more raised the issue of compulsion. Cross doubted the usefulness of compulsory legislation, believing it would "cause endless confusion and be impracticable."<sup>135</sup> He hesitated to place any additional obstacles in the path of rebuilding. His goal was to have the urban slums cleared and proper housing

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<sup>133</sup>Ibid., pp. 116-117. George Sclater-Booth played a significant role in the reform measures of the Conservative government, especially the Public Health Act of 1875; Blake, Disraeli, p. 555 n. 1.

<sup>134</sup>Hansard, ccxxiii, 741 (12 April 1875).

<sup>135</sup>Ibid., p. 741. It is possible that Cross's long experience in local affairs made him acutely aware of the possibilities for delay and evasion.

erected in the shortest possible time, and he had substantial faith in the good will of local authorities.

Several voices were raised in support of Waterlow's proposal, among them Fawcett's, who argued that the Bill as it stood offered little insurance that the land cleared by government order would ever be utilized. McCullagh Torrens spoke, his words given added meaning by virtue of his own experience in housing reform, and joined Waterlow in asking that Cross provide more substantial assurance that the local governments would use the cleared land as intended. Torrens did not share the sanguine attitude of Cross regarding the abilities of local governments and insisted that the House of Commons must write into the proposed Bill a compulsory section. Torrens was concerned about the future, when Cross and the present government would no longer be in power to carry out their goals. "He had no doubt," commented Torrens, "that [Cross] would make the corporations do their duty; but that was not the security they required for the carrying out of this most perplexing problem."<sup>136</sup>

Under considerable pressure from his own strongest supporters to allow a measure of compulsion, Cross compromised the issue for the moment by agreeing to discuss it at a later date, "to determine whether any further provision was necessary to carry out the full extent, the spirit and

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<sup>136</sup>Ibid., p. 742.

principle of the Bill."<sup>137</sup> Cross did not entirely fulfill his commitment, for the question of compulsory building was allowed to fade from notice during the remaining stages of the Bill. Aside from a brief effort by Fawcett to carry an amendment whose purpose was to guarantee the sale of cleared land,<sup>138</sup> the troublesome question was almost absent from the final days of debate.

Not until the Artizans' Dwelling Bill reached the House of Lords did the issue of compulsion once again assume importance. On May 11th, Lord Napier and Ettrick, after approving the Bill in principle, suggested a method to compel the local authorities to accept a slum clearance scheme drawn up by the Home Office, if the authorities had been unable or unwilling to adopt their own plan. Citing other instances where the central government had been supplied with compulsory powers, Napier maintained that a limited amount of pressure upon the local authorities would be beneficial.<sup>139</sup> Speaking as a man experienced in local affairs, Napier observed that the mere threat of compulsion was often sufficient to ensure compliance. "If they could tell the ratepayers," said Napier, "that there was a

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<sup>137</sup>Ibid., p. 744. On the basis of Cross's promise to consider compulsion at a future date, the amendment put forward by Waterlow was defeated 173-48.

<sup>138</sup>Ibid., pp. 743-745.

<sup>139</sup>Hansard, ccxxiv, 1340-1342 (3 June 1875). Napier was a member of the Charity Organisation Society Committee on Housing in 1873 and a steady supporter of housing legislation.

compulsory power behind the municipality . . . that would put them in a much better position with their constituents."<sup>140</sup> In those cases, easily envisioned, where rate-payers objected to the expenditures entailed in slum programs, the ever-present threat of governmental intervention could overcome the objections and would in any case remove the onus from the local authorities.

Napier was opposed by Lord Beauchamp, defender of the Artizans' Bill in the House of Lords, who essentially repeated an earlier argument against compulsion put forward by Cross himself. During the second reading of the Bill, Cross had voiced his opposition in terms of practicality rather than philosophy. Bluntly, he explained on April 12th, that compulsion would cause grave political difficulties:

it might be impossible to carry the Bill through the House; and even if they succeeded in forcing the measure through Parliament, it would be impossible to compel the corporations to carry its provisions into useful effect against their will.<sup>141</sup>

Beauchamp maintained the same position, insisting that compulsion would be in practice a useless device, for the local governments must enter into slum clearance programs freely and not under threats from the central authority. "The evils to be dealt with were local, and the improvements

<sup>140</sup>Ibid., p. 1344.

<sup>141</sup>Hansard, cccxiii, 734 (12 April 1875).

under the Bill must be carried out by persons on the spot, and with the concurrence of the locality."<sup>142</sup> He objected to the notion that the central government, even if provided with a corps of inspectors, could surpass the local officials in dealing with local problems. Beauchamp was supported by Lord Aberdare, the former Henry Bruce, Home Secretary in the Gladstone ministry, who proclaimed that compulsion would be unnecessary once the local government had been made aware of the need for adequate housing.

Aberdare told the Peers:

The only effective mode was to bring public opinion to bear, and this the Bill would do, for when the evil was declared and the remedy provided, it was not likely the inhabitants would elect persons not to do it.<sup>143</sup>

The House of Lords apparently shared Napier's contention that some measure of compulsory power invested with the central government would prove useful, for his amendment was adopted despite Beauchamp's reluctance. The Bill was further amended by the Peers when Beauchamp agreed to a clause requiring modifications in the slum clearance program involving increased expenditures to be approved "as soon as practicable" by both Houses of Parliament.<sup>144</sup> Despite a final examination of the Bill by Lord Rosebery, during which he criticized both the principle and the specifics of

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<sup>142</sup><sub>3</sub> Hansard, cccxiv, 1345 (3 June 1875).

<sup>143</sup>Ibid., p. 1346.

<sup>144</sup><sub>3</sub> Hansard, cccxiv, 1621 (10 June 1875).

the measure but voted nonetheless in favor of it, the Artizans' Dwelling Bill passed through the House of Lords.

On the question of compulsion, it was the upper House that assumed the stronger position, passing several amendments with the aim of adding to the compulsory power of the central government. While these alterations in the Bill were neither decisive nor damaging to the legislation, their appearance demonstrated a widespread attitude among the Peers. State activity was often calmly accepted by the aristocracy and on occasion, as in the Artizans' Dwelling Bill, the House of Lords went beyond the lower House in amplifying the power of the central government. In the case of the Artizans' Dwelling Bill, the Conservative party's own leaders in the House of Lords, the Duke of Richmond and Lord Cairns, both spoke in favor of the compulsory amendment. Lord Beauchamp, who was obviously under instruction from the cabinet and likely from Cross personally, had to retreat in some confusion when it became clear that the Peers would insist upon stronger central controls over the local authorities.<sup>145</sup>

The House of Commons accepted the amended Bill without difficulty.<sup>146</sup> By June 25th, only one week after

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<sup>145</sup>3 Hansard, ccxxv, 82-84 (17 June 1875). Beauchamp found himself in the odd position of having spoken against a compulsory amendment, only to have the leaders of his own party speak in support.

<sup>146</sup>Lords Amendments to the Artizans' Dwelling Bill, Parliamentary Papers, I (1875), 179.

receiving the Bill from the House of Lords, the lower House had finished its work, and on June 29th, Royal Assent was granted.

While the Artizans' Dwelling Act was a personal success for Cross, and the measure in which he was most closely involved during 1875, his role in Conservative social reform did not end there. Virtually every proposal for sanitary and social reform at this time was referred to Cross for comment, if not entrusted to his care. A brief consideration of these other measures permits still further clarification of Cross's views on state intervention in this important period. It seems advisable, in light of the ample material available, to turn to these other reform measures in search of further enlightenment regarding Cross's social thinking, before returning to complete the story of the Artizans' Dwelling Act.

It was truly a year of achievement for the Conservative ministry. The Trades Union Act of 1875 has already been mentioned but Disraeli's government did not limit themselves to housing and labour law. The list of reforms and legislation is a lengthy one, and Cross was concerned with almost the whole of the parliamentary program.

On the most contentious issue of the 1870's, education, Cross found himself deeply interested although not playing a major role in the measure which finally emerged.<sup>147</sup>

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<sup>147</sup>Smith, Disraelian Conservatism and Social Reform, pp. 242-257.

His attitude toward the goals of education was illustrated in a speech given in Orrell in 1875; and it reveals the strong Conservative cast of his social thought. He asserted:

The object of education is not to unfit people for the calling in life which they certainly will have to fulfill, but, as far as the great mass of the people go, to make them more fit to do their duty in that station of life to which they are called.<sup>148</sup>

But Cross recognized the practical needs which made a degree of state intervention necessary in order to ensure the proper education of the people. Cross bluntly stated his support of compulsory attendance and thus joined several other Conservatives, including Viscount Sandon, Vice-President of the Committee of Council on Education and in effect the minister in charge of educational policy, in advocating state supervision of attendance.<sup>149</sup> Cross viewed compulsory attendance as a necessary ingredient of any educational scheme, assuming always that education in the final analysis would ensure social peace. "The State has a right," Cross told a meeting in 1875, "to take care that the country is not flooded with persons who are living a life of crime and misery to all around them."<sup>150</sup> Religion, too, according to Cross, should be an integral part of a

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<sup>148</sup>Preston Chronicle, 25 September 1875.

<sup>149</sup>A Letter to the Right Hon. R.A. Cross by a School Manager (London, 1875). A public appeal to Cross asking him to withdraw his support for compulsory attendance.

<sup>150</sup>London Times, 22 September 1875.

school system, and he insisted upon religious training in any state-supported school. Although Cross did not mention these educational disputes in his Political History, his interest in the matter may be judged by his later career. In 1886 he was appointed Chairman of a Royal Commission on Education, and afterwards was a member of the Council on Education.<sup>151</sup>

The friendly societies presented yet another unsolved problem for the Disraeli government and one with which Cross again was concerned. Cross's attitude toward friendly societies clarifies still further his thinking about state intervention. A Royal Commission had been appointed in 1870, with Northcote as chairman, to investigate the workings of the mutual benefit and insurance clubs known as friendly societies. The Commission worked for four years and in its final report, advised that the government take a more active interest in the operations of the societies.<sup>152</sup> Influenced by Northcote, the Commission expressed especially grave concern over the financial laxity with which many of the societies were governed. The Report advocated the establishment of a central registry, to oversee and approve operations of the friendly societies and to publish sound financial rules for use by the groups.

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<sup>151</sup>See Cross's obituary, London Times, 9 January 1914.

<sup>152</sup>Fourth Report of the Royal Commission on Friendly and Benefit Societies, Parliamentary Papers, XXIII (1874), 1.

To prevent fraud by officials of the societies, Northcote urged that the government begin a system of regular audit of financial records, the system to be further strengthened by establishing a central registry of approved societies. It was in sum a potentially far-reaching proposal for state intervention into the operations of private societies, a proposal whose implications did not elude Northcote. He wrote to Cross in 1875, as the legislation dealing with the friendly societies was being drafted, and expressed his fears on the subject:

I cannot help thinking, in looking into the bill, that it gives too much power to the Chief Registrar and that it would be a better arrangement if he could be placed under the Home Office . . . If you are disposed to undertake the duty I should like to go carefully through the bill with you--it is important that we should not make a muddle of it.<sup>153</sup>

Cross was in basic agreement with his colleague and needed little persuasion to oppose any form of compulsory registration of friendly societies. He hesitated to inject the state into matters essentially private and would have preferred, as Northcote, a fully voluntary system.<sup>154</sup> Both Cross and Northcote, however, were realists; they comprehended the need for some measure of governmental supervision

<sup>153</sup>Northcote to Cross, 21 December 1874, Cross Papers, Add. MSS 51265 f. 16.

<sup>154</sup>Northcote to Cross, 19 January 1875, Cross Papers, Add. MSS 51265 f. 20. Cross seemed even more reluctant than Northcote to bring the government into the operations of the friendly societies.

in the operation of the friendly societies, for the protection both of members and of society at large. "The Societies are in great need of guidance," wrote Northcote, "if we have it in our power to guide them ought we to shrink from doing so on the ground that if anything goes wrong we shall be held responsible?"<sup>155</sup> The two men came reluctantly to the conclusion that, given the circumstances, state intervention into the affairs of the friendly societies was required, although it should be kept to a minimum. The Friendly Societies Act of 1875 reflected their tenuous and moderate approach to the important question of intervention, providing somewhat lessened power to the registrar but retaining the auditing procedure favored by Northcote.

In this instance, Cross and the former Peelite Northcote reached a fundamental identity of views. Neither wished to see the state intervene beyond the bare minimum required nor did either wish to substitute state control for private management. Both desired that certain disabilities be removed, so that the private societies would better operate their own affairs. It appeared that Cross, in this case, was even more reluctant than Northcote to inject the government into private affairs. The heavy correspondence carried on between the Home Office and the Treasury during the drafting stages of the Friendly Societies Bill indicate

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<sup>155</sup>Ibid.

that Cross was the more dissatisfied of the two.<sup>156</sup> Some of Cross's hesitancy may be explained by the opposition of Lancashire working class groups to the compulsory measures of the bill. In particular, the Lancashire Friendly Societies opposed those sections which placed a limit on infant insurance plans, and many Conservatives felt the pressure from their constituencies.<sup>157</sup> In its final form, however, the Friendly Societies Act of 1875 embodied a moderate amount of state intervention and compulsory registration, steps which Cross acceded to, even if reluctantly.

One final piece of legislation that demanded attention from the Disraeli government concerned the conditions of the merchant seamen. Once more Cross played a significant role. The untiring work of Samuel Plimsoll had, by 1874, aroused the always present emotions of humanitarianism and social conscience on behalf of the mistreated sailors of the nation's merchant fleet. Plimsoll, along with others concerned with the problem, devoted years of his life to exposing the brutal and unsanitary conditions

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<sup>156</sup>In his Political History, Cross wrote only one sentence concerning the Friendly Societies Act, stating simply: "there was no trouble about Sir Stafford Northcote's Bill." p. 35.

<sup>157</sup>Some working class parents had been accused of insuring their children and causing their deaths, hoping to collect the insurance money. It was taken as a slur upon working class honor and bitterly resented. Smith, Disraelian Conservatism and Social Reform, p. 229.

under which the merchant seamen labored.<sup>158</sup> In 1873, the Liberal government had appointed a Royal Commission to investigate the matter and, even before the Commission's report, had empowered the Board of Trade to inspect merchant ships and set rules for their safe management. The Commission's final report appeared in 1874 and, in essence, rejected Plimsoll's view that the government should assume responsibility for the safe operation of the merchant fleet and protection of its crews.<sup>159</sup> The Conservative ministry was inclined to accept the Commission's proposals and, urged on by C.B. Adderly, President of the Board of Trade, offered little encouragement to Plimsoll or his supporters.<sup>160</sup>

The heart of Plimsoll's argument was that the merchant ships were inherently unsafe, and made even more dangerous by the practice of deck loading. The result, maintained Plimsoll, was the unnecessary death of hundreds of sailors annually and the shocking practice of insuring vessels in the hope of collecting payment upon the ship's sinking. There were other proposals set forth by Plimsoll, dealing with working conditions, wages and health aboard

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<sup>158</sup>David Masters, The Plimsoll Mark (London, 1955), pp. 133-147.

<sup>159</sup>Final Report of the Royal Commission on Unseaworthy Ships, Parliamentary Papers, XXXIV (1874), 1; W.L. Burn, The Age of Equipoise (New York, 1965), pp. 136-138.

<sup>160</sup>Adderly was not a successful President of the Board of Trade. He was given a peerage in 1878 and replaced by Viscount Sandon. Blake, Disraeli, p. 557.

ships, but to all such notions of government intervention on a large scale, the Conservative ministry took a dim view. Some, including Cross, took the position that a degree of state regulation of the shipping trade was required. The dispute within the cabinet concerned the extent of state responsibility, with Cross and Northcote assuming a moderate stance, willing to accept a limited amount of intervention, while most other cabinet members strongly opposed the notion and preferred to allow the shipping industry regulate its own affairs.<sup>161</sup>

A sizable group of Conservative back benchers insisted strongly upon a meaningful Merchant Shipping Bill, however, and some, notably David MacIver and J.E. Gorst, spoke often in favor of Plimsoll and his position. The much publicized abuses in merchant ships had aroused public feeling on the subject, and Northcote advised the Prime Minister in April 1875:

The bill [for merchant shipping] is one of a most critical character, politically speaking, and there are dangers on every side. Our shipowners hate it; and they distrust Adderly. Plimsoll and his followers mean to trip us up if possible . . . What is to come of it all I cannot foresee.<sup>162</sup>

Following Plimsoll's celebrated outburst in the House of Commons on July 22, 1875, when he labelled certain members

<sup>161</sup>Cross, Political History, pp. 34-35.

<sup>162</sup>Northcote to Disraeli, 2 April 1875, Iddesleigh Papers, Add. MSS 50017, f. 21-22. Disraeli admitted his unfamiliarity with the subject of shipping and asked Northcote to give him some background.

"villains" and accused them of sending men to their deaths, the Conservative government took steps to draw up a stronger bill.<sup>163</sup> Only two days after Plimsoll's spectacular demonstration in the House, Northcote advised Disraeli that a new approach was required to the problem of merchant shipping, and suggested Cross as the best man to handle the bill in the next session. "You want a quiet, unexcitable, sort of man to get such a bill as this through committee," wrote Northcote.<sup>164</sup> The bill which eventually passed in 1876 was guided through the House of Commons by Northcote himself, although Cross was one of the cabinet members closely consulted on both content and procedure.<sup>165</sup> Even in its final shape, the Merchant Shipping Bill advanced with great reluctance upon the problem of state intervention and did little to satisfy Plimsoll and his backers. The great emphasis in the measure was upon voluntary compliance, depending thereby upon the good will and intentions of the ship owners but, of more importance to the government, safeguarding the spirit of free enterprise and voluntary improvement. It was precisely the course of action which appealed to Cross and which he followed in

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<sup>163</sup>Plimsoll afterwards apologized before the House of Commons, Disraeli himself speaking on behalf of Plimsoll, and was forgiven by his colleagues.

<sup>164</sup>Northcote to Disraeli, 24 July 1875, Iddesleigh Papers, Add. MSS 50017 f. 39.

<sup>165</sup>Cross strongly favored the idea of making the shipowners fully liable for damages and injuries caused by unsafe conditions.

enacting his housing measure in 1875.

Throughout this period, when Disraeli's ministry was enacting an impressive series of reform measures, Cross's attitude was one of practicality and pragmatism. His instinct and his upbringing impelled him towards a more vigorous reform policy, including a more active role for the state in improving the lives of the people. Any tendencies toward full-fledged state intervention, however, was held in check by his awareness of political reality and by his genuine devotion to accepted standards of economic behavior. He truly believed in the ability of the unchecked individual to bring about social reform, and he hesitated before imposing state directives in order to stimulate improvement. Yet Cross was amenable to argument, he would listen to alternate plans. And when the arguments coincided with his own basic instincts, as in the case of the Artizans' Dwelling Act, he could move a considerable distance along the road to state-guided social reform.

In the case of housing legislation, Cross was convinced to proceed with a strong measure of government sponsored by the efforts of the housing reformers both within and without Parliament. The case for government aided and directed housing reform had been made in preceding years by Octavia Hill, Sydney Waterlow, Shaftesbury, Kay-Shuttleworth and the various building societies. Cross had accepted the essence of their case, that the state must take an active role in the rebuilding of the slums, and his

legislation reflected that argument. Furthermore, the housing reformers outside of Parliament did not relax their efforts once the Bill had been presented, and they followed events in the House with great attention. Indeed, their interest and influence was so pervasive during the passage of the Bill as to make them seem almost members of Parliament.

The amendments advanced during the Artizans' Dwelling Bill's progress through Parliament were closely coordinated by the housing reformers, so that Octavia Hill who sat watching in the gallery knew long beforehand what amendment Kay-Shuttleworth would introduce. On the day after the Bill's introduction, Octavia Hill in writing to a friend described her satisfaction with the measure but also her concern about progress. "Mr. Cross has accepted nearly all we submitted to him," wrote Octavia Hill, "So far all is very satisfactory, but on the other hand there is likely to be considerable delay--we are much afraid of clogging amendments being carried; and no one knows what the Lords will do."<sup>166</sup> The housing reformers associated with Miss Hill gathered their strength prior to the second reading on February 15th. Miss Hill reported on the plans for the coming debate:

I dined at Mr. Kay-Shuttleworth's on Wednesday to discuss its clauses with him and a few experienced people, that he might know what to

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<sup>166</sup>Octavia Hill to Mary Harris, 14 February 1875, quoted in Maurice, Octavia Hill, p. 321.

press on the House; and on Friday Mr. K-S called together another small company at the Ch. Org. Soc. to rediscuss matters. They think the bill may be made to work. They say the omissions are from ignorance and will be willingly corrected when pointed out, as everyone wants to work it.<sup>167</sup>

The housing reformers had good reason to be satisfied with the Bill, for Cross had incorporated most of their suggestions and had produced a bill that might have been written at the Charity Organisation Society. They accepted Cross's good faith in correcting those sections in doubt and in general, could look upon the Artizans' Dwelling Bill as the successful culmination of a long struggle.

Opinion in the country, as voiced by the newspapers, was almost entirely favorable although some were cautious in their praise. The Times greeted the Bill favorably but was concerned about the costs of the measure and warned against providing free housing to the working class.<sup>168</sup>

The Liverpool Mail, a staunch Conservative organ from Cross's own county of Lancashire, had lavish praise for the Bill. The proposed housing legislation, and the other sanitary measures proposed by the Disraeli government were, said the Mail, "strongly welcomed by all ranks and classes in this and every other great community."<sup>169</sup> The Preston

<sup>167</sup>Ibid., pp. 319-320.

<sup>168</sup>London Times, 16 February 1875.

<sup>169</sup>Liverpool Mail, 13 February 1875. The Mail was consistent in its support for sanitary reforms of all varieties.

Chronicle believed that Cross was fulfilling the desires of the Lancashire voters who had returned him to Parliament. "We may assume," said the Chronicle, "that Mr. Cross in bringing forward a measure for the improvement of workmen's dwellings, is acting in accordance with the wishes of the constituencies by whose voice he and his friends were raised to power . . ." <sup>170</sup> Among the extra-parliamentary voices in favor of the Bill was that of the enterprising mayor of Birmingham, Joseph Chamberlain. Chamberlain advised giving even more powers to the local governments and saw in Cross's Artizans' Dwelling Bill a priceless opportunity to carry out his own plans for the reconstruction of Birmingham. <sup>171</sup>

There were of course opponents of the Bill, although almost all were concerned with the security of property and the practice of economy. A group of London ratepayers visited Cross in February, asking that he reconsider the bill on the grounds that it would be grossly expensive and would interfere with the rights of property owners. <sup>172</sup> Cross briskly disposed of the matter of property rights, saying "he thought the owners were well

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<sup>170</sup>Preston Chronicle, 20 February 1875. The Chronicle was pro-Gladstone and vigorously free trade in its political views.

<sup>171</sup>J.L. Garvin, The Life of Joseph Chamberlain (4 volumes; London, 1935), I, 195.

<sup>172</sup>London Times, 27 February 1875. The deputation was also concerned about the power to be granted to the local medical officers.

cared for under the Bill."<sup>173</sup> He had a more difficult time in answering charges of financial extravagance and the provisions in the Artizans' Bill providing for loans to the local governments were the center of controversy. Even Cross's staunchest allies, the building societies, hesitated before the threat of financial ruin that might be caused through unwise and hasty building programs. Edwin Chadwick, the renowned and apparently ageless health reformer, wrote to Cross warning him of obstacles that lay ahead. Chadwick was favorable towards the Artizans' Dwelling Bill and took an active interest in its passage, although he worked privately and avoided public attention. He wrote to Cross that some of the building societies

oppose the provision for advances of money to build requisite workmens' dwellings, & they do so on the ground that it is an interference with private enterprise and in contravention of the principles of political economy.<sup>174</sup>

Chadwick went on to deny any rules of political economy which "prevents the application of public money for the reduction of public burdens," and expressed to Cross his wholehearted approval of the Bill.<sup>175</sup>

Cross might have been long aware of the reluctance on the part of some housing reformers to transcend the accepted rules of political economy. As early as 1874,

<sup>173</sup>Ibid.

<sup>174</sup>Chadwick to Cross, n.d., Chadwick Papers, University College, London.

<sup>175</sup>Ibid.

Charles B.P. Bosanquet, then secretary of the Peabody Trust, expressed the attitude of his organization. Bosanquet wrote:

Whatever is done must be done cautiously and gradually, and, . . . Parliament should not interfere unless it is shown that something needs to be done which cannot be accomplished by private enterprise and existing enactments.<sup>176</sup>

The building societies desired a moderate Bill and during the passage of the measure through Parliament, might be found in opposition to certain amendments whose aim was to broaden the coverage and scope of the Bill.<sup>177</sup>

The Artizans' Dwelling Bill successfully passed a second reading on February 15th, to the joy of Octavia Hill and others of her group. "I was in the House on Monday when it was read a second time," wrote Miss Hill, "Mr. Kay-Shuttleworth and Mr. Lefevre came up and had a long talk with me . . . they and Mr. Stansfeld and Mr. Plunkett and Mr. Rathbone are talking over amendments with me. . . ." <sup>178</sup> It was a coordinated effort, with Octavia Hill serving as chief advisor and strategist for the housing reformers in the House of Commons. Following

<sup>176</sup>London Times, 8 April 1874.

<sup>177</sup>E.g., Mr. Lyon Playfair, a Liberal social reformer and a long-time advocate of improved housing legislation, who was Under-Secretary for the Home Office under Gladstone, felt that a moderate Bill was in order. 3 Hansard, ccxxi, 381 (12 April 1875).

<sup>178</sup>Octavia Hill to Mary Harris, 14 February 1875, Maurice, Octavia Hill, p. 321. The date as printed is incorrect, as the Bill was read a second time on February 15th.

the second reading, the secretary of the Improved Industrial Dwellings Company wrote the Times in support of Cross's Bill and to refute those who anticipated financial difficulty. His group, wrote the secretary, expected no financial problem as a result of the Artizans' Dwelling Bill and looked forward to continuing its profitable activity in the slums.<sup>179</sup> Punch accorded the Home Secretary a cynical word of praise in the form of a cartoon showing two slum owners discussing their plight. "A regular Cross I call it," says one landlord, "Might as well have the t'other lot back again."<sup>180</sup> The Conservative publication Blackwood's Magazine was ecstatic in its praise of Cross and his Artizans' Bill, declaring:

It will be one of the greatest measures that this generation has produced, and will do more to mitigate moral and physical degradation, and lessen sickness and death amongst a very large class of the community than any Act which Parliament has passed for years.<sup>181</sup>

The Conservative organs throughout the country might have been expected to accept the Artizans' Dwelling Bill, if only to demonstrate their loyalty. Even the Liberal newspapers and periodicals gave support,<sup>182</sup> sometimes

<sup>179</sup>London Times, 17 February 1875.

<sup>180</sup>Punch, 6 March 1875, 102.

<sup>181</sup>Blackwood's Magazine, XVII (March 1875), 400-401. Blackwood's assured its audience that the Artizans' Dwelling Bill did not permit massive state intervention and that private enterprise would do the rebuilding.

<sup>182</sup>See Contemporary Review, XXVI (October 1875), 703-715.

cautiously, but only the most dedicated anti-Conservative could fail to understand that Cross had fulfilled a popular mandate in drafting his Artizans' Dwelling Bill.

Cross himself was subject to popular opinion and to pressure groups during the passage of his Bill and managed to win general approval for the manner in which he conducted Home Office business during the session. Punch described Cross as "holding his own with rare tenacity," calling particular attention to his successful confrontation with Fawcett.<sup>183</sup> At one point, in March 1875, the delegations and deputations seeking interviews with Cross on the subject of the Artizans' Dwelling Bill reached the point where the Home Secretary was compelled to restrict his appearances.<sup>184</sup> The Illustrated London News in May 1875, coupled approval of Cross's legislative tactics with the expressed wish that Parliament pass the Artizans' Dwelling Bill with all possible speed. To demonstrate the acute need for a housing measure, the News made public a series of pictures depicting the awful conditions of the London slums.<sup>185</sup> Few remained to be convinced of the need for housing reform, and judging by the steady progress made by the Artizans' Bill through Parliament, the Members of both Houses recognized and acted upon that need. The Bill

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<sup>183</sup>Punch, 3 April 1875, p. 142.

<sup>184</sup>Cross to E. Jones, 8 March 1875, Home Office Papers, Public Record Office, HO 43/122.

<sup>185</sup>Illustrated London News, 8 May 1875, p. 242.

was never in danger; Cross remained firmly in control of his measure throughout and while he accepted certain changes, they were moderate and easily adopted.

With the enactment of the measure in June 1875, great hope was generated in the nation that the difficult problem of urban slums would soon be erased. Cross himself, writing years afterward, claimed that "though much remains still to be done, all the really large old rookeries in London were swept away under this Act."<sup>186</sup> Joseph Chamberlain, speaking in February 1876, believed it was to Cross's credit that:

at the present time we have a Bill which, I do not hesitate to say, is the most Radical measure which has been passed during the last twenty years. For the first time almost in the history of this country the claims of great communities have been recognized as superior to individual rights and the sacred rights of property.<sup>187</sup>

Disraeli described the Artizans' Dwelling Act as "our chief measure," and counted it a signal achievement in a busy and productive year.<sup>188</sup> The Preston Chronicle congratulated its native son, writing, "In after years the Artizans' Dwelling Act will, probably, be the measure to which we shall look with the greatest satisfaction in connection with the Session of 1875."<sup>189</sup> The Liverpool Mail,

<sup>186</sup>Cross, Political History, p. 34.

<sup>187</sup>Quoted in Blackwood's Magazine, XVIII (February 1876), 255.

<sup>188</sup>Monypenny and Buokle, Disraeli, V, 377.

<sup>189</sup>Preston Chronicle, 28 August 1875.

delighted by almost all of Cross's work during this active year, especially lauded the Artizans' Dwelling Act and had the highest praise for the Home Secretary. Wrote the Mail:

We proudly congratulate our pre-eminently successful Member for South-West Lancashire on this early and unique legislative triumph. It will, we are persuaded, perpetuate and hand down both his name and his public services to our great and multitudinous working classes to [sic] many generations, to come.<sup>190</sup>

The London Times, an early supporter of the Artizans' Dwelling Act, summarized the session of 1875 in glowing terms and had particularly kind words to speak of Cross and his legislation.<sup>191</sup> Finally, Gathorne Hardy, Secretary for War in the Conservative government, recorded in his diary that both Cross and Northcote were acclaimed for their work in 1875 "and they both deserve honourable mention. Both succeeded and made their mark."<sup>192</sup>

Yet in the midst of the acclaim and promising future, several important persons voiced their doubts about the workability of the Artizans' Dwelling Act. Lord Shaftesbury had warned against placing excessive reliance upon the measure, telling his colleagues in the House of Lords that the Act might not fulfill its sponsors' dreams.<sup>193</sup>

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<sup>190</sup>Liverpool Mail, 19 June 1875.

<sup>191</sup>London Times, 27 August 1875.

<sup>192</sup>Alfred Gathorne-Hardy, ed., Gathorne-Hardy, First Earl of Cranbrook, I, 352.

<sup>193</sup>Hansard, cxxxiv, 454-458 (11 May 1875). Shaftesbury believed that instead of large-scale demolition of slum housing, the existing structures should be repaired.

McCullagh Torrens shared this cautious attitude and while voting for it, considered the Artizans' Dwelling Bill to be poorly drawn and naive in its conception. Later, Torrens would repeat his disapproval of the Bill, writing that

Cross

would drive much needed thoroughfares through the jungles of disease and death, promising, with the best intention, doubtless, but with too sanguine reliance on remedial possibilities to provide habitable dwellings to the multitudes to be displaced.<sup>194</sup>

Torrens felt that unless the Home Secretary provided unbreakable regulations, the practical effect of the Artizans' Dwelling Act would be displacement of the poor rather than rehousing of the slum dweller.<sup>195</sup> At the time of final passage of the Act, only one Member of the House of Commons, William Holmes of Paisely, objected, calling it a "showy but feeble measure."<sup>196</sup>

The years following the passage of the Act were to demonstrate that the optimism of its supporters was misplaced and that the cautionary counsel of Shaftesbury and Torrens was more accurate in predicting the effect of the measure. In brief, the Artizans' Dwelling Act failed to measure up to its sponsors' fond hopes and was, as demonstrated by 1880, a largely neglected piece of legislation.

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<sup>194</sup>McCullagh Torrens, Twenty Years of Parliament (London, 1893), p. 317.

<sup>195</sup>Ibid. Torrens was a friendly critic of the Bill and voted for it.

<sup>196</sup>3 Hansard, cccxiii, 1942 (30 April 1875).

The slums were not removed, the poor were not given adequate housing, the cities of Britain were not rebuilt, and the concentrations of disease and crime remained essentially untouched despite the passage of the Act. What emerges from the evidence concerning the results of Cross's work is that only a few urban centers ever attempted to put the measure to real use and that the improvements made in the living conditions of the slum dwellers were minimal. The obstacles to success were numerous, ranging from the cumbersome legal machinery connected with land clearance to the reluctance of local authorities to undertake the heavy expenditures required. The explanations are various but the conclusion is simple--the Artizans' Dwelling Act of 1875 had fallen far short of its goal.

## CHAPTER V

## THE ARTIZANS' DWELLING ACT AFTER 1875

The discouraging results obtained from the Artizans' Dwelling Act led to further housing legislation in the following decades, and Cross continued to be intimately concerned with the problem of housing reform long after he vacated the post of Home Secretary. He served on several Select Committees and Royal Commissions appointed to investigate housing in the 1880's and took a considerable interest in the legislation that was proposed to deal with working class dwellings. His attitude toward housing reform in particular, and the role of the state in general, was clarified during the years after 1875 and his statements during those post-cabinet years serve well to illustrate and amplify this philosophy of social reform. Cross revealed himself to be a moderate with regard to state participation in social reform. Increasingly during the 1880's, he argued against expanding the role of the government and increasingly he found himself overtaken by more advanced reformers.

The first official return detailing the results of his Artizans' Dwelling Act (known increasingly as the Cross Act) was submitted to the House of Commons in 1876, almost

precisely one year after the Act went into effect.<sup>1</sup> The return, written by Sir Sydney Waterlow, demonstrated that progress had been slow: only a very limited number of municipal governments had taken even preliminary steps towards slum-rebuilding schemes and the great majority of local governments displayed scant interest in utilizing the Act. For instance, the report submitted by the Commissioner of Sewers in the City of London revealed that only one slum district, Holiday Yard, out of twenty-one possible sites, was being investigated by the Home Office. No work had begun on the site.<sup>2</sup> In the London Metropolitan Area the Home Office had investigated two districts out of a possible fifteen and no further progress followed. The plans proposed for Holborn and Whitechapel had been sent to the Home Office in November 1876, and four months later had not been acted upon. The Metropolitan Area had reacted quickly to the Cross Act, for the Whitechapel and Holborn schemes had been originated in July 1875, only one month after the measure was enacted.<sup>3</sup> Nor were conditions any more promising outside of London. The report submitted by the Local Government Board, the responsible agency for cities outside London, revealed a widespread lack of action. Only six municipalities had even begun proceedings, and none as yet had received final authority from Parliament to begin land

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<sup>1</sup>Returns As To the Artizans' Dwelling Act of 1875, Parliamentary Papers, LXII (1876), 1.

<sup>2</sup>Ibid., p. 2.

<sup>3</sup>Ibid., pp. 3-4.

clearance. Birmingham, not unexpectedly, had submitted the most ambitious program, dealing with an area of 93 acres in the center of the city. Other local governments, notably Liverpool and Swansea, were awaiting confirmation of their plans, although the areas involved in the latter two cities were far smaller than in Birmingham.<sup>4</sup>

The first year's results, in short, were not encouraging. The tedious legal work made necessary when private property was to be utilized had substantially slowed the efforts, and the cumbersome method of obtaining approval for local rebuilding plans proved restrictive. Only in London (in both the City and the Metropolitan Area) and in Birmingham, where Joseph Chamberlain hoped to reconstruct virtually the entire center of the city, had genuinely sweeping proposals been broached. The Cross Act was designed to permit municipalities to deal effectively with wide areas, to forsake the unrewarding attention given to individual houses, and to concentrate their energy upon rebuilding whole districts. Yet only a few local governments had seen fit to propose housing schemes; and of those suggested, many by dealing with small clusters of houses hardly fulfilled the intentions of the Act's framers.

In an effort to bring earlier legislation into

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<sup>4</sup>Ibid., p. 6. Birmingham's rapid progress is partly explained by Joseph Chamberlain's eager acceptance of the Act. In 1876, Cross visited Birmingham where he was, according to the London Times, warmly received by the Liberal mayor of the city. See Garvin, Life of Joseph Chamberlain, I, 213.

closer accord with the Artizans' Dwelling Act, the Conservative government in 1879 amended the Torrens Act. The altered Torrens Act permitted local authorities to employ the same measures of compulsion in rebuilding single dwellings and small areas as had been allowed by Cross's Act in dealing with whole districts. Cross had come to realize that the previous housing legislation lacked the required compulsory features, and despite his reluctance to impose compulsion upon private enterprise, moved in 1879 to give local authorities the power to act in those cases where private builders refused to undertake rebuilding. Thereafter, both pieces of housing legislation allowed the municipal governments to confiscate private property, after paying fair compensation, and to perform the rebuilding itself as a last resort.<sup>5</sup>

Progress remained disappointingly slow, however. Even with the additional powers granted to local authorities, the number of new dwellings erected and slum inhabitants rehoused barely kept pace with the growing population in the cities.<sup>6</sup> One explanation of the slow progress may be found in the preoccupation of the Disraeli government with foreign affairs after 1875, especially the Eastern Crisis which threatened war in 1878. Intimately

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<sup>5</sup>In the same year the Artizans' Dwelling Act of 1875 was amended, although the changes were procedural and did not affect its substance.

<sup>6</sup>Report From the Select Committee on Artizans' and Labourers' Dwellings, Parliamentary Papers, VII (1882), 252.

involved in the conduct of foreign affairs, despite his post as Home Secretary, Cross was unable to oversee in sufficient detail the operation of the housing legislation.<sup>7</sup> In addition, rebuilding programs were hindered by the trade depression which afflicted the nation after 1875. With money in short supply, industry slowed and thousands unemployed, local authorities were scarcely motivated to begin expensive programs of slum clearance.<sup>8</sup> Political considerations, particularly the deep-seated opposition of local governments to central control, often made the Artizans' Dwelling Act difficult to enforce. In 1876, Lord Salisbury suggested to Cross that municipal authorities resented the Local Government Board and their resentment was transferred to the housing legislation. "The dislike of the L.G.B.," wrote Salisbury, "of which you were responsible in carrying [into] the Artizans' Dwelling Bill, is very prevalent. The taint of the workhouse sticks to it."<sup>9</sup> The Local Government Board, descended from the Poor Law Guardians, had apparently inherited the traditional dislike and fear of the Poor Law system, and many municipalities were reluctant to embark on what may have seemed to

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<sup>7</sup>Cross assumed virtual control of the government when both Disraeli and Salisbury were in Berlin in 1878. See F.J. Dwyer, "R.A. Cross and the Eastern Crisis of 1875-78," Slavonic Review, XXXIX (June 1961), 440-458.

<sup>8</sup>Walt W. Rostow, British Economy of the Nineteenth Century (Oxford, 1948), pp. 200-203.

<sup>9</sup>Salisbury to Cross, 3 March 1876, Cross Papers, British Museum Add. MSS 51263 f. 12.

them a grandiose version of outdoor relief. Nor were the poor themselves eager to enmesh themselves in a government scheme which in some way was related to the hated workhouse and the Poor Law.

With the change of government in 1880, the need to review existing housing legislation was evident. Among the first acts of the Gladstone ministry therefore was the appointment of a Select Committee to investigate the operation of the Artizans' Dwelling Acts of 1875 and 1879. In June 1881 the House of Commons formally created a Select Committee that included most of the recognized housing reformers in Parliament. Its purpose was one of considering

how the expense and delay in carrying out the Acts may be reduced, and also of inquiring into any causes which may have prevented the reconstruction of Dwellings for the Artizan Class to the full extent contemplated. . . .<sup>10</sup>

Frankly admitting that previous efforts at slum clearance had been less than successful, the House recognized nevertheless that unwholesome dwellings continued to be a serious social problem demanding attention. The Select Committee was not in this case employed as a delaying technique, for its membership was a distinguished and able one. Cross himself was named chairman, in recognition of his expertise in housing affairs and his obvious knowledge of the legislation under consideration. Other members

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<sup>10</sup>Interim Report From the Select Committee on Artizans' and Labourers' Dwellings Improvement, Parliamentary Papers, VII (1881), 397.

included Sydney Waterlow, McCullagh Torrens, Lord Bryce, and the young Arthur Balfour, nephew to Lord Salisbury. The Select Committee began its work at once and after brief hearings, issued an interim report in August 1881.<sup>11</sup>

This early report set itself the task of improving the operations of the local governments and easing the restrictions incorporated into the Artizans' Dwelling Act. The Select Committee urged that legal expenses be reduced, that local authorities be permitted to start demolition of slum housing at an earlier stage and that the authorities be allowed to lease quarters in the new housing for commercial purposes. Regarding that most difficult question, of building sufficient homes to rehouse the original tenants of the site, it advised a "liberal interpretation" of that provision and a full exploration of possibilities for improving transportation for working men.<sup>12</sup>

In February 1882 the Select Committee reformed to continue its work. A more extensive investigation of the housing problem followed with interviews of dozens of medical officers, local officials and trade union representatives and even visits to several cities for personal

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<sup>11</sup>Ibid., p. 393.

<sup>12</sup>Ibid., p. 398. Improved transportation was essential if workingmen were to be rehoused in suburban areas.

observations.<sup>13</sup> In its report submitted to the House of Commons on June 19, 1882, the Select Committee proposed important changes in the existing housing legislation with the object of making that legislation more easily and efficiently used. The most significant alteration dealt with rehousing. Following the principle contained in the interim report, the Committee advised "that some provision should be made for rebuilding dwellings for a certain portion of the working classes who may be displaced."<sup>14</sup> Cross had become convinced that a stringent requirement to rehouse all the original tenants on the same site was harmful to the efficient operation of the Act. From a firm resolve to ensure rehousing for all original tenants, Cross had come to accept the notion that only "a certain portion" of those tenants be provided with new dwellings. The transition in thought reflected an awareness that rebuilding housing for large numbers of people was a massive undertaking and that restricting local authorities in their selection of site and number of dwellings burdened the legislation to the point of impotence. Thus, by 1882, experience had convinced Cross and other members of the Select Committee that rehousing tenants on the original site, despite the apparent justice of such a goal, would be

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<sup>13</sup>Report From the Select Committee on Artizans' and Labourers' Dwellings, Parliamentary Papers, VII (1882), 249. Dublin, Glasgow and Manchester were among the cities visited by the Committee.

<sup>14</sup>Ibid., p. 251.

both impolitic and unrealizable, given the size and scope of the slum problem in the cities.

The Select Committee made other suggestions. It advised amending Torrens's Act to permit interested citizens to submit complaints directly to the Metropolitan Board of Works in London, thus avoiding the often lethargic progress through local vestries and councils. Observing the limited achievements of the London area, the Committee urged both the City and the Metropolitan governments to take their responsibilities more seriously and proceed with greater determination in their slum clearance programs.<sup>15</sup> Examining the progress of the Metropolitan Board of Works, the Committee found that the Board had dealt, since 1875, with 14 sites for a total of almost 42 acres. Formerly inhabited by some 20,000 persons, the area involved was acquired at a total cost of £1,661,372.<sup>16</sup> Of the gross amount paid for the land, the Metropolitan Board of Works had sustained a loss of £1,115,836 in the final transactions, a loss which the Committee credited to the strict requirements for rehousing the original tenants. The Report noted that:

A large proportion of the difference between the cost and the recoupment, which may be fairly estimated at not less than 560,000 £, is due to the obligation to rebuild labourers'

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<sup>15</sup>Ibid., pp. 258-259, 279. The City of London was especially criticized for its lack of energy in completing slum programs.

<sup>16</sup>Ibid., p. 253.

dwellings, instead of selling the site for ordinary purposes.<sup>17</sup>

The land involved in London had been sold largely to the Peabody Trust, as envisioned in the original measure, while other parts of the sites were used for the construction of new streets. Similar heavy losses to local governments could be avoided, or at least reduced, it was thought, by permitting the land confiscated to be leased for other purposes, such as commercial and business usage. Despite Cross's optimistic predictions it would appear that private building concerns and charitable groups had not come forward as eagerly as expected, with the result that the local government was unable to sell the cleared land. Either the losses would have to be absorbed by the government, or else the land be disposed of for commercial purposes.

The dominating question of expense and financial arrangements occupied the Committee at great length. Recognizing the reluctance of the local authorities to burden themselves with debt or to raise rates, the Committee sought ways to reduce the costs of clearing slum sites. The original solution, to sell the land to private and charitable groups, proved unsuitable. In London, for instance, the Peabody Trust had found itself unable to pay the price asked for cleared land; and the Metropolitan Board of Works was left either to absorb the loss or else

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<sup>17</sup>Ibid., p. 253. Cf. pp. 254-255 as to similar figures for the City of London.

undertake rebuilding, the latter being an even greater expense. In addition, the Committee was critical of the work actually undertaken by the Peabody Trust, noting that the buildings thus constructed "appear to be somewhat beyond the means, and unsuited to the wants and special callings, of the poorer class of persons. . . ."18 The Committee pointed out that for practical purposes the Peabody Trust was a "quasi-public body," which should therefore be making a greater effort to meet the needs of those people in need of better housing.<sup>19</sup> Finally, the Committee proposed a loosening of the restrictive provisions of the Artizans' Dwelling Act in order to facilitate the transfer of land from government to private builder. All property confiscated, suggested the Committee, should be fairly valued so that property owners would not make excessive demands for compensation, and tenants forced to vacate a dwelling should be compensated by a direct cash payment so that lengthy legal procedures would be avoided. The Committee considered separately the question of provincial cities outside the London metropolitan area. In those urban areas less congested than London, where greater space was available, the Committee recommended complete abandonment of the requirement to rehouse tenants on the original site. "There does not seem to be the necessity for insisting on the rebuilding of houses for the classes displaced,"

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<sup>18</sup>Ibid., p. 253.

<sup>19</sup>Ibid., p. 258.

observed the Report. While advising a less strict application, the Committee was not prepared to remove completely the rehousing provisions of the Cross Act for London. Great hardship might result there from a wholesale dispersal of slum dwellers, whose livelihood was often tied intimately to the neighborhood and place of habitation. The Committee therefore advised that a portion, ranging from one-half to one-third of the original tenants, be rehoused on the site, hoping thereby for lower costs to the government while improving the quality of the rebuilding plans.<sup>20</sup> In the City of London, however, the rehousing provision would be abolished outright in view of the impossibly dense nature of the district and the very great value of the land.

The Committee held eighteen meetings between February 27th and June 19th, with Cross acting as chairman in every session. He took an active, even commanding role in the proceedings, displaying throughout a profound knowledge of the subject. More notable, Cross appeared perfectly willing to participate in adverse criticism of his own handiwork. He accepted without comment several strong attacks upon the principles of the Artizans' Dwelling Act and on occasion he joined in the critical comments. His defense would appear later in the form of

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<sup>20</sup>Ibid., pp. 256-257. The Committee was dissatisfied with the design and quality of those dwellings that were constructed.

magazine articles, but as chairman of the Select Committee, Cross proved impartial and hard-working.

The work of the Committee resulted in one piece of legislation, introduced on July 25, 1882 by Shaw Lefevre and William Harcourt. Their Bill substantially incorporated the proposals of the Select Committee and in addition made changes in the Torrens Act.<sup>21</sup> Passed easily through a Liberal House of Commons, the Artizans' Dwelling Act of 1882 was in the nature of amending and consolidating legislation. It revealed however a willingness to consider alternate approaches to the problem of slum dwellings and by its passage demonstrated to the nation that the earlier legislation had far from solved the problem.

Stimulated by the Committee hearings and by the passage of the Act of 1882, debate over the housing question continued throughout the early 1880's. In Parliament, in the press and in periodicals, the argument went on as speakers and writers deplored the continued existence of slum housing and sought new measures. Literature exposing the dreadful conditions continued to appear, perhaps the most widely read being The Bitter Cry of Outcast London,

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<sup>21</sup>John J. Clarke, The Housing Problem, Its History, Growth, Legislation and Procedure (London, 1920), pp. 11-13.

published in 1883.<sup>22</sup> This anonymous pamphlet explored in graphic detail the life of the London slums, demonstrating that despite earlier attempts at reform, life for the urban poor remained a daily routine of degradation and disease. The Bitter Cry of Outcast London forced the nation to look again upon the evils of the slum. As one passage read:

You have to grope your way along dark and filthy passages swarming with vermin. Then, if you are not driven back by the intolerable stench, you may gain admittance to the dens in which these thousands of beings, who belong, as much as you, to the race for whom Christ died, herd together.<sup>23</sup>

A mixture of journalism and evangelical despair, the Bitter Cry of Outcast London was followed by dozens of other efforts in the same vein.<sup>24</sup> Leaders in political life joined in the dispute by publishing articles in the journals and by advocating programs for reform. Among those men who grappled with the problem in the 1880's were Lord Salisbury, Joseph Chamberlain, Lord Shaftesbury, George Howell and, not surprisingly, Richard Cross. All contributed writings between 1882 and 1884 attempting to find solutions to the

<sup>22</sup> The Bitter Cry of Outcast London (London, 1883). The authorship is disputed but commonly attributed to W.C. Mearns, the Secretary of the London Congregational Union, a missionary group working in the slums. Dyos, "Slums of Victorian London," n. 60. The pamphlet went through several editions and was the center of a bitter debate over conditions in the slums.

<sup>23</sup> The Bitter Cry of Outcast London, p. 12.

<sup>24</sup> Punch, among other journals and newspapers, published a series of pictures depicting life in the slums and castigating landlords and rent collectors. Punch, 1 December 1883.

continuing dilemma posed by slum dwellings.<sup>25</sup>

Following publication of the Select Committee's final report, Cross wrote an article in 1882 for the magazine Nineteenth Century, in which he discussed the grim conditions revealed in that report.<sup>26</sup> He expressed outrage over the evils still present in the slums but remained nonetheless hopeful that a mobilized public opinion would correct those evils. He quoted extensively from medical reports that had been submitted to the Select Committee and asked that his readers share his distress concerning the evidence contained in them. "The tale they tell is sad," Cross wrote, "and, what is worse than all, they give full proof that most of all these evils, grievous as they are, are preventable and are not prevented."<sup>27</sup>

His remedy was a firm reliance on the power of public opinion to alter intolerable conditions. Combined with proper instruction from experts, an aroused public opinion could, he believed, effectively remove the blight of slums from the cities. The poor only needed to be made fully aware of their condition in order to raise themselves

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<sup>25</sup>E.G., Joseph Chamberlain, "Labourers' and Artizans' Dwellings," Fortnightly Review, XXXIV (1883), 761-776; Lord Salisbury, "Labourers' and Artizans' Dwellings," National Review, II (1883), 301-316; Octavia Hill, Lord Shaftesbury and others, "Common Sense and the Dwellings of The Poor," Nineteenth Century, XIV (1883), 925-963.

<sup>26</sup>Richard Assheton Cross, "The Homes of the Poor in London," pp. 231-241.

<sup>27</sup>Ibid., p. 231.

and with help from the wealthy and educated, they would find the proper modes of thought and action. "There can be no doubt," he asserted, "that a great deal of the degradation of these courts is because no public opinion reaches them."<sup>28</sup> His model for guidance from above was Octavia Hill and her program of property management. Essential to the success of these plans, however, was a feeling of Christian charity and brotherhood on the part of those who undertook the reform of the working men. Cross pointed out:

It is quite clear that such works as this will never be well done unless an immense amount of the element of volunteer agency and Christian feeling is introduced in endeavoring to reform the people as well as their houses.<sup>29</sup>

He rarely overlooked an opportunity to insist upon the Christian virtues as the indispensable ingredient for any program of reform.

Cross had often expressed in 1875 the belief that state action in the area of housing was required to perform the needed work and that simple good will had proven unable to erase the blight of urban slums. Seven years later while still emphasizing the Christian virtues he had come to understand even more strongly the need for

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<sup>28</sup>Ibid., p. 234.

<sup>29</sup>Ibid.

government action. "We can hardly expect that the great amount of work to be done can be accomplished in this way alone without State intervention in some form or other," he wrote.<sup>30</sup> Cross viewed state intervention as a stimulus to private enterprise, not as a program for the construction of free public housing for the poor. He envisioned a joint activity of state and private enterprise on the lines he had sought in 1875. As in earlier statements, Cross urged not state control but state assistance to the private builder, so that Parliament would not be directly involved in the improvement of working class dwellings. The need was for legislation that would open the path for private and charitable groups to operate properly in unison.<sup>31</sup>

In taking this position, Cross returned to a favorite argument, put forward several times in 1875. Housing reform was a matter of sanitation, and sanitation was the legitimate function of the state. He wrote:

Looking at this question as a matter of sanitary reform, there is much to be done by the Legislature . . . The evil we have to grapple with is not one of modern growth, but arises from the neglect of past and former years.<sup>32</sup>

But sanitation, as conceived by Cross and even Disraeli,

<sup>30</sup>Ibid.

<sup>31</sup> Cross repeated, in almost the same words, his speech in the House of Commons upon the introduction of his Artizans' Dwelling Bill of 1875. He would use the same words twenty years later in writing his political memoirs; Cross, Political History, pp. 33-34.

<sup>32</sup> Cross, "Homes of the Poor," p. 235.

was by no means restricted to drains and sewers, it was a broad field which might include all the concerns of community life, from police to housing.

Cross argued against limiting sanitary reform for reasons of economy and finance. The cost to the nation, he said, of permitting slums to exist and people to dwell in poverty was far greater than the cost of repairing these conditions. To those who opposed sanitary reform he addressed a simple message: poverty cost money. He wrote in 1882:

I would ask the political economists, who may be disposed to scan this kind of legislation too closely, to remember that there is a maxim which is as true of nations as of individuals-- that health is actually wealth. He must take into account the enormous waste of life in infancy, the great waste of life even among those who reach manhood, the great waste of physical condition after infancy is passed, and the waste of stamina in the present generation and the future generations that will spring from it.<sup>33</sup>

In its day, Cross's idea was a commonplace mixture of moral uneasiness over the conditions of the poor, coupled with the business-minded distress over the waste and expense represented by large numbers of slum dwellers.

The ostensible purpose of Cross's article in 1882 was to comment upon the recently released Committee Report. In essence, his article was an explanation of the Report and an effort to stimulate activity in the form of moderate legislation. As chairman of the Committee, Cross had

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<sup>33</sup>Ibid.

concluded in most of the recommendations contained in the Report, and his article supported those recommendations. He emphasized again the pressing need to begin work on the slums, and he carefully noted the complexities which made the earlier legislation less than successful. As to rehousing, an item which he had vigorously supported in 1875, Cross had softened his position. "There should," he wrote in 1882, "as far as possible, be gradual displacement and gradual rebuilding."<sup>34</sup> As he was to demonstrate in the years ahead, however, Cross had not been converted to a new approach regarding housing reform. His goal was to see the existing legislation improved and properly utilized, not to begin anew.

Other men were suggesting a markedly different approach to slum clearance, among them George Howell. Howell, a trade union leader and a man deeply involved in political affairs, published an article in 1883, also in the magazine Nineteenth Century.<sup>35</sup> His political and philosophical leanings usually placed Howell at the extreme left of the reform movement, but in the matter of housing his opinion reflected what was rapidly becoming an accepted viewpoint. He emphatically condemned past legislation, all of which he found wanting. "Considering the objects of the statutes," Howell asserted, "they have done comparatively

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<sup>34</sup>Ibid., p. 239.

<sup>35</sup>George Howell, "The Dwellings of the Poor," Nineteenth Century, XII (1883), 992-1007.

little, as yet, towards providing cheap, convenient, cleanly [sic] and healthy dwellings for the masses of the poor."<sup>36</sup> He discussed the shortcomings of the Torrens Act and the Artizans' Dwelling Act, finding in both a lamentable absence of enforcement clauses so that slum owners were able to evade their responsibilities and local authorities permitted to delay endlessly. "The greatest obstacle to the working of the Acts was the defects in the Acts themselves, in not having sufficiently stringent enforcing clauses compelling the proper attitudes to carry out the law."<sup>37</sup> Howell's proposed solutions to the problem revolved around a massive increase in state participation and a new departure by Parliament to enact meaningful legislation for the construction of public housing for the working classes.<sup>38</sup> In short, the state must intervene for the protection of the poor, based on the unmistakable evidence that previous reliance upon private enterprise had been unsuccessful and unfruitful.

It was against the background of a growing demand for government action that, in 1884, still another investigation was launched into the question of working-class housing. A Royal Commission was named by the Liberal government, consisting of a distinguished group of men including the Prince of Wales. Cross found a place on the

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<sup>36</sup>Ibid., p. 992.

<sup>37</sup>Ibid., p. 994.

<sup>38</sup>Ibid., pp. 1005-1007.

Commission, as did Charles Dilke, Cardinal Manning, George Goschen, Samuel Morley, the Marquis of Salisbury, McCullagh Torrens and Henry Broadhurst. Dilke, the progressive Liberal Member from Chelsea, was appointed chairman of the Commission.<sup>39</sup>

Hearings began promptly and the Royal Commission was able to submit its final report early in the session of 1885. The conclusions arrived at by this second inquiry into housing conditions agreed substantially with the report of 1882, but went even further in proposals for prompt state action. Despite the work of preceding years, the Commission stated, the evils of slum life were still present and only slightly improved. The report noted:

At the very outset of their inquiry, Your Majesty's Commissioners had testimony to prove two important facts: first, that though there was great improvement . . . in the condition of the houses of the poor compared to that of 30 years ago, yet the evils of overcrowding, especially in London, were still a public scandal, and were becoming in certain localities more serious than they ever were; second, that there was much legislation designed to meet these evils, yet that the existing laws were not put into force, some of them having remained a dead letter from the date when they first found a place in the statute.  
book.<sup>40</sup>

The Commission, in the light of this evidence, went on to propose substantial changes in the existing legislation.

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<sup>39</sup>First Report of Her Majesty's Commissioners for Inquiring Into the Housing of the Working Classes, Parliamentary Papers, XXX-XXXI (1884-85), 1.

<sup>40</sup>Ibid., p. 4.

First, the Commission advised that the present system of having the municipal medical officers submit reports to the local governments be revised, so that the medical reports might come directly to the Home Office or the Local Government Board. In the same mode, they suggested that the existing sanitary laws in London be consolidated and that public health measures passed in earlier years be properly enforced. Conscious of the special needs of London, the Commission took an important step in urging a reform of London municipal government. The ancient structure of vestries, local boards of health, borough councils, and the anomaly of the City of London, was a primary cause of the lack of progress that had been made in slum clearance since 1875.<sup>41</sup>

Regarding the Cross Act, the Commission advised granting additional powers to the central government in order to ensure action on the part of local authorities, many of whom had been flagrantly overlooking the laws since 1875. The Commission found that the legislation passed by Cross in 1875 was essentially sound but lacking that crucial power of enforcement. They emphasized that the Artizans' Dwelling Act differed in principle from the Torrens Act and "may be described as the doing on a large scale of that which Mr. Torrens' Acts are intended to do for smaller

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<sup>41</sup>Ibid., p. 35. The Commission was shocked at the evidence of poor planning and overlapping responsibilities exhibited by the various London boards and vestries.

areas."<sup>42</sup> The Commission was adversely critical of both housing measures, however, for the unthinking and unplanned demolition of slum dwellings without proper consideration for rehousing and rebuilding. "The evidence of the inability of the poor to protect themselves," stated the report, "in this and in other particulars, is conclusive."<sup>43</sup> Many witnesses, including the Earl of Shaftesbury, testified to the shattering effects of the existing housing measures and reemphasized the point that in too many cases, the condition of the needy working man was made worse by the slum clearance program.<sup>44</sup>

The Royal Commission of 1884 took the unusual step of delving into the hitherto barely considered problem of rural slums. In general, the report was favorable towards efforts that had been made to raise the living standards of agricultural workers and observed that improvements had been made in several rural districts. In particular, the Commission had high praise for the achievements of certain land owners who had undertaken to construct adequate housing for their laborers. The admittedly large question of rural slum housing was, however, not further pursued, with the explanation that the matter lay outside the Commission's

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<sup>42</sup>Ibid., p. 6.

<sup>43</sup>Ibid., p. 21. Slum dwellers were often forced out of their homes by unscrupulous builders and harsh government officials, and were rarely paid adequate rehousing allowances.

<sup>44</sup>Ibid., p. 54.

present sphere of interest.<sup>45</sup>

The final report of the Royal Commission was signed by all members, including Cross, but several saw fit to submit additional statements that criticized segments of the final report. Cross took exception to the recommendation put forward by the Commission in its report, that public housing be erected in order to relieve the shortage of adequate working class dwellings. He favored a more limited approach. National and local governments should have the powers to build housing only "under exceptional circumstances"; in his view the current situation, admittedly deplorable, was not exceptional. Cross was convinced that given proper laws and adequate enforcement of those laws, the private sector of the economy could provide sufficient housing for the working men. Under these circumstances, he believed, resort to state owned housing would be wasteful and even harmful. In one circumstance, however, Cross was willing to admit the state's role in the construction of housing; he favored public housing for the young, the blind or the totally disabled. Even in their cases, however, payment of a minimal rent was essential.<sup>46</sup>

Cross's opposition to public housing, and his differences with other members of the Royal Commission,

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<sup>45</sup>Ibid., pp. 25-27.

<sup>46</sup>Ibid., p. 66. Cross believed that payment of rent, however small, was beneficial to the character and moral development of the tenant.

were foreshadowed in January 1884 when he published an article entitled "Homes of the Poor."<sup>47</sup> Appearing in the journal Nineteenth Century nearly two months before the release of the final report of the Royal Commission, Cross's article undertook to refute critics of his own legislation and to argue against large-scale state interference in housing. Prior to the Commission's formation and throughout its hearings, important persons, including Joseph Chamberlain, had been calling for additional government activity on behalf of the working classes, and there had been numerous suggestions that publicly constructed and owned housing was the answer to the dilemma of the slums. Cross, as the author of a major piece of housing legislation and an acknowledged authority on the subject, felt justified in replying to these new proposals.

Cross admitted frankly that previous legislation had been unproductive. "Having personally visited most of these courts and alleys," he wrote, "the magnitude of the evil is very painfully and very deeply impressed upon my mind."<sup>48</sup> Awareness of continued need, however, did not suggest to Cross that radical new approaches were required to rid the nation of slums. In particular he rejected the idea that state intervention on a large scale was necessary. "The same cautious rules must apply in dealing with the

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<sup>47</sup>Richard Assheton Cross, "Homes of the Poor," Nineteenth Century, XV (1884), 150-166.

<sup>48</sup>Ibid., p. 151.

poorer classes as to providing any such necessities of life out of State or local aid. . . ."<sup>49</sup> While he acknowledged that the state had a legitimate role to fulfill in dealing with sanitary conditions, he denied the notion that the state should provide free housing for the working classes or to any group in the nation. The argument harked back to Cross's introductory statement in 1875 when he had differentiated between justified state interference in matters of sanitation, and unwarranted state interference to provide "the necessities of life,"<sup>50</sup> such as housing or clothing.

If the slums were to be eliminated, the existing legislation on the subject would have to be fully applied and rigidly enforced. "It is at present more a matter for administration than legislation," Cross advised.<sup>51</sup> Proper enforcement combined with moderate alterations would enable the existing legislation to operate as intended. He argued that both Torrens's Act and his own measure had given ample powers to the local governments and that current proposals, including one by Joseph Chamberlain, to impose heavier fines upon slum owners, were largely redundant. As to the suggestion that the owners of the dwellings be made responsible for tenant neglect, Cross pointed out that the poor needed to be educated before they could be expected to care properly for their dwellings. Citing Octavia Hill's

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<sup>49</sup>Ibid.

<sup>50</sup>Cf. pp. 121-122.

<sup>51</sup>Cross, "Homes of the Poor," p. 153.

achievements in guiding the slum dweller into proper modes of behavior, he recommended a similar approach to all local governments.<sup>52</sup>

Another Chamberlain proposal, to compel the sale of housing at a government-chosen price in order to speed slum clearance, came in for Cross's heaviest criticism. It was, Cross wrote,

contrary to all rights of property and against all principles of sound political economy to say that the State or local authority may compel an owner to sell his perfectly sanitary estate under the market value . . . simply because such estate is wanted for a particular purpose.<sup>53</sup>

Cross's objection was not to compulsion in itself, but to its application to the sale of housing at less than market value. His own Artizans' Dwelling Act made compulsory sale central to the operation of the measure, but the owner of the property was to be guaranteed a fair and adequate compensation based on the assessed value of the dwelling. It seemed grossly unfair and unbusinesslike for the state to seize private property without full and fair compensation, no matter how urgent the case. He understood that land owners had often manipulated prices in order to win higher compensation; yet he was willing to grant Chamberlain's contention that the government be allowed to set the

<sup>52</sup>Ibid., p. 154.

<sup>53</sup>Ibid., p. 160. The article is essentially a point by point refutation of Chamberlain's proposals for additional legislation. See Joseph Chamberlain, "Labourers' and Artizans' Dwellings," Fortnightly Review, XXXIV (1883), 761-776.

purchase price. Cross insisted, however, that in determining the compensation, governments take a realistic and businesslike approach to land values so as to assure the owner of fair market prices for his property.

Compulsory purchase and even state building could only be successful, Cross thought, if combined with a sense of heightened morality among the people charged with administration as well as among the recipients of such government assistance. Legislation had its role to play, he argued, but would prove ineffective, or worse, without the good will and humanitarian feeling of the persons who carried out the law. What finally would rebuild the slums, then, was good feeling and brotherhood, not laws. Cross wrote in a cautionary spirit:

There are many rocks ahead. You may demoralise and pauperise . . . What safeguard will you have unless by constant and continuous supervision by loving and persevering persons, and by so improving the character and habits of the people, that these new-built places will not soon be in as bad or even in a worse condition than those which have been pulled down?<sup>54</sup>

He was not unresponsive to the human needs of the situation, nor was he unreflective; his dilemma was one of reconciling an instinct toward government aid on a moderate scale, with an equally instinctual feeling that state aid tended to "demoralise and pauperise" the citizen. On an intellectual level, Cross could fall back upon the litany of middle-class

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<sup>54</sup>Cross, "Homes of the Poor," p. 163.

virtues as the solution to slums. He wrote:

It may seem hard to say it, but taking the normal condition of things in towns and cities . . . the matter must be left to the ordinary rule of supply and demand, to the regular administration of the poor laws, to the assistance of such loving hearts as that of Miss Octavia Hill, and to the opportunities offered by the Peabody Trustees.<sup>55</sup>

Phrases such as "regular administration of the poor law" echoed the sentiments of the 1830's; they reflected Cross's unwillingness to dispense entirely with the comfortable theories of political economy. Yet in practice and in spirit, Cross accepted the necessity for violating those rules of economy he seemed to defend in print. He was prepared to adopt a housing policy that incorporated the notion of compulsory purchase, central control and even, in extreme cases, of state rebuilding of the slums, in order to deal with an insistent social problem. His underlying humanitarian feelings, in the face of an undeniable evil, forced him to abandon the rules he had learned in his youth and to enter into an age of government-aided social reform. He tried to avoid an open violation of principle by labelling such reform as "sanitary" in nature, but the word was more a comfort for his own bruised convictions than a true description of his legislation. Sanitary reform opened the way for Cross to embark on a program of state intervention which, however limited and circumscribed, went beyond the laws of political economy he vainly tried

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<sup>55</sup>Ibid.

to defend.

While he progressed a considerable distance toward state intervention, Cross continued to avoid a wholehearted acceptance of the method and argued steadily against the more radical reformers of his day who demanded even more massive programs of social reform. Following publication of the Royal Commission's report in 1885, Cross restated many of his earlier objections in yet another article in Nineteenth Century.<sup>56</sup> The piece, "Housing the Poor," summarized Cross's position as stated in his article of 1884 and in his minority opinion attached to the Commission's report. He was against additional legislation, writing that "sanitary machinery certainly does not at present work well, but it wants putting in order more than reconstructing." . . .<sup>57</sup> He recognized the lack of results thus far achieved, but placed heavy blame for these failures upon lack of public interest. Those people, he advised, "who now take a deep interest in these matters [should] agitate and act at the next election of vestrymen. . . ."<sup>58</sup>

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<sup>56</sup>Richard Assheton Cross, "Housing The Poor," Nineteenth Century, XVII (1885), 926-947.

<sup>57</sup>Ibid., p. 926. Cross was normally opposed to hasty legislating; he preferred to administer existing laws rather than write new ones. In 1883, he argued against suggestions that the system of county government needed revisions and advised the public to participate more actively within the existing structure. See Richard Assheton Cross, "County Government," Contemporary Review, XXXXIII (March 1883), 305-310.

<sup>58</sup>Cross, "Housing The Poor," p. 933.

Cross also took up the complex problem of land holding in the cities, which often resulted in endless delay and confusion. The combination of freehold and leasehold, whereby the person who owned the land might lease it for long periods to a builder, made responsibility difficult to assign. Cross described cases in which the builder or operator of the slum dwelling might be three or four times removed from the free holder, who was legally responsible. The solution, in Cross's opinion, was to make the owner in fact the owner in law, so that the person who owned an unwholesome building, even if he were the lessee of the land, might be brought before the law.<sup>59</sup>

As in prior years, the Commission's report resulted in legislation. In 1885 the Housing of the Working Classes Act was passed. It was a consolidating measure which realized many of the suggestions of the Royal Commission and which brought several earlier Acts, notably Shaftesbury's Lodging Houses Acts of 1851 and 1853, into closer conformity with recent legislation. The Act of 1885 was passed by Lord Salisbury's Conservative government, in which Cross sat once again as Home Secretary. It was a government which existed for eight months only, and the Housing of the Working Classes Act reflects in part the political uncertainty of the moment. The hopes of the housing reformers remained tied to private enterprise; both

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<sup>59</sup>Ibid., pp. 930-932.

Salisbury and Cross were unconvinced of the need for full-scale state intervention. Salisbury, a member of the Royal Commission, had written in the report that:

overcrowding, as far as it exists, in provincial towns, or in the suburban parts of London, may probably be cured by the ordinary sequence of supply upon demand. . . .<sup>60</sup>

He admitted the need for a different approach in the dense urban areas of London and the larger cities, but was unwilling to concur in the suggestions that the government undertake the task by itself.

The Act of 1885, only slightly more interventionist than the earlier measures, nonetheless came under severe attack by those champions of free trade and classical political economy who saw in it the seeds of social ruin. The Economist reported that the Housing of the Working Classes Act of 1885:

is intended to provide a remedy for overcrowding by . . . offering temptations, to the erection of artisans' dwellings, and the letting of them at less than market rents . . . In other words, the tax-payers are to make a subvention towards the better housing of the London poor. . . .<sup>61</sup>

Despite additional powers granted to local governments by the Act of 1885, the overwhelming portion of new housing was erected by private concerns and charitable groups and the search for a solution to the slum problem continued

<sup>60</sup>Report of the Royal Commission on Housing (1884), 65.

<sup>61</sup>The Economist, XXXXIII (18 July 1885), 866.

well into the twentieth century.<sup>62</sup>

The changes in municipal and county government enacted in the 1880's, especially the creation of the London County Council, enabled cities to attack existing slums with additional powers of condemnation and compulsory purchase. More and more of the responsibility for housing improvement was granted to local governments, who often went far beyond Parliamentary suggestions in providing publicly built and owned housing for the poor. In 1890, another Salisbury ministry once again faced the problem of housing legislation and passed the Housing Act of 1890.<sup>63</sup> Essentially a consolidating measure, the Act of 1890 nevertheless demonstrated a continued interest on the part of Conservative ministries regarding urban housing. The Act granted additional powers to local authorities and simplified existing procedures that rebuilding programs could be undertaken more rapidly. As in earlier measures, however, the Act of 1890 retained the key role of the private builder and charity group, and it provided for the erection of state-owned housing only as a last resort to be sparingly employed. A frank acceptance of state intervention in housing had not yet occurred at the dawn of the

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<sup>62</sup>John F. Sykes, "The Results of State, Municipal and Organized Private Action on the Housing of the Working Classes," Journal of the Royal Statistical Society, LXIV (1901), 189-253.

<sup>63</sup>Clarke, The Housing Problem, pp. 20-22. The Bill was passed through Parliament apparently without debate.

twentieth century. The legislation since 1875, however, had revealed a gradual movement toward intervention, and when Parliament faced a critical housing problem after World War I, it could create a state-guided program of slum clearance and rebuilding that was well founded in the legislation of Cross's era.

The session of 1875 had proven memorable. Among other activities, it had set the stage for governmental activity with regard to housing for the remainder of the century. Yet the Artizans' Dwelling Act formed only one part of a crowded Parliamentary agenda which saw the Conservative ministry, often with Liberal help, deal with several crucial aspects of British life. "Much legislation was promised in the Queen's Speech, and much legislation was accomplished," wrote Cross about the Session of 1875.<sup>64</sup> Disraeli's government had compiled a long list of proposals for the coming session, a sharp contrast from the vague formulations of 1874 and in part a reflection of Cross's hard work during the recess. The government announced itself prepared to act upon Friendly Societies, merchant shipping, unwholesome dwellings, conspiracy laws, land transfer, and to further improve the Judicature Act of 1873. Public health was not forgotten, nor was an improvement in the factory laws. It was an impressive program set before the Houses of Parliament, one surprising in its scope and,

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<sup>64</sup> Cross, Political History, p. 32.

in its successful passage, historic. The leader of the opposition, Lord Hartington, said of the proposed measures:

On the whole, of a wise, a salutary and a beneficent character. They are proposals eminently adapted to be considered by the Legislature of a prosperous and contented country in a time of peace and quietness.<sup>65</sup>

Hartington's peaceful acceptance of the Conservative program set the tone that pervaded the subsequent debates. With certain exceptions, the business of the session of 1875 was conducted in an atmosphere unusually free of party animosities. While such unreconstructed exponents of laissez-faire policy as Henry Fawcett opposed the Conservative reforms, the Liberal side of the House displayed an unusual willingness to pass the government bills.

The display of cooperation in the House of Commons was evident even to contemporary observers, some writers taking the lack of dispute to signify a dull and unproductive session. The Annual Register for 1875 wrote of the session as quiet, even slothful, and could find few lasting achievements to discuss.<sup>66</sup> Punch called it "an unsatisfactory Session. Little to raise the credit of Parliament in the matter of legislation--a great deal to lower it in the manner."<sup>67</sup> Sir William Harcourt, a rising member of

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<sup>65</sup>Bernard Holland, Life of Spencer Compton, Eighth Duke of Devonshire (2 volumes; London, 1911), I, 153.

<sup>66</sup>Annual Register 1875 (London, 1876), pp. 138-139.

<sup>67</sup>Punch, LIXIX (August 21, 1875), 67.

the Liberal party in 1875, agreed that the session was peaceful, but counted the fact as a positive virtue. He told an audience:

If the old saying be true that "Happy is the nation whose annals are dull," I may congratulate you . . . on being the most fortunate kingdom in the world.<sup>68</sup>

One historian of the period looked back upon 1875 and wrote: "whatever verdict history may ultimately pronounce on Mr. Disraeli's Government, it will not concern itself at much length with his domestic legislation."<sup>69</sup>

To a nation accustomed to furious debate, the lack of anger displayed during the session of 1875 may indeed have signalled a lack of activity. Such was clearly not the case, as modern historians have since recognized. The legislative accomplishments of 1875 were both substantial and far-reaching and the 1875 session ranks, in the area of social reform, as 1832 or 1867 in the political realm. In the twentieth century, when the role of the state has expanded beyond the dreams of the Victorians, the measures initiated by Cross and the Conservative ministry in 1875 assume an historic importance that transcends their specific provisions. The significance of that legislation concerns tendency and direction; the important bills of 1875 were, by and large, interventionist, and moving in a direction that would increase governmental interference in

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<sup>68</sup>Quoted in Cross, Political History, p. 36.

<sup>69</sup>Walpole, History of Twenty-Five Years, III, 289.

private affairs. Men such as Northcote, Derby, Disraeli, and, most noticeably, Cross, came to accept the need for more, not less, state activity in British life.

A.J. Mundella, the Liberal reformer, observed the activities of the Conservative ministers in 1874 in the case of the Factory Act of that year, and wrote to a friend:

Very few, in the House or in the country, are able to discern that it is the beginning of a scheme to secure the health and education of the entire puerile population, and necessitated a measure of general compulsion. Forster, Lowe, Sandon, and Cross have admitted this in their remarks in the House, and in conversation with me have acknowledged that it is inevitable.<sup>70</sup>

In 1875, in his major legislative achievements, Cross was to demonstrate clearly that his feeling of "inevitability" had not been lost. The Artizans' Dwelling Act advanced the cause of intervention, with the full knowledge of Cross.

It is possible to view the reforms of the Disraeli ministry as being a continuation of an earlier trend towards social welfare, begun by the Gladstone government in 1868.<sup>71</sup> Or, even more broadly, as part of a general European movement towards increased state intervention that characterized much of the nineteenth century.<sup>72</sup> In either

<sup>70</sup>Mundella to Robert Leader, 26 June 1874, quoted in Armytage, Mundella, p. 145.

<sup>71</sup>Herman Ausubel, In Hard Times (New York, 1960), p. 143.

<sup>72</sup>Asa Briggs, "The Welfare State in Historical Perspective," Archives d'Europeen Sociologie, II (1961), 221-258. Briggs views Disraelian reform as part of a European-wide phenomenon, namely the reaction against classical liberalism.

case, the Conservative government of 1874-1880 merges into a stream of social reformism typical of the Victorian era, and the legislation of the 1870's may be accounted for as simply one example of a diverse movement. The reforms of the Disraeli ministry, however, appear to require some special attention, on two accounts. One, they were enacted by a Conservative government, and secondly, they seemed to mark the dividing line between tentative measures of social improvement and frank acceptance of state guided reforms. Obviously it would strain the evidence to label the year 1875 as the dawn of the Welfare State in Britain, or to contend that the Conservative government looked forward to a comprehensive scheme of social welfare such as exists in the twentieth century. The Conservatives of 1875 did, however, approach difficult social questions with receptive attitudes and they emerged with solutions that were crucial for the future development of the nation.

What finally may be said about the role of Richard Cross in the development of housing legislation? In 1875 he was the leading government proponent of a vigorous piece of legislation and was instrumental in securing passage of the Artizans' Dwelling Act. Yet the Act was not his handiwork alone; the earlier efforts of the Charity Organisation Society, of Octavia Hill and of medical officers such as Henry Letheby, undoubtedly influenced the form and spirit of the final Bill. The exact relationship between the Charity Organisation Society and Cross's housing measure

is a difficult one to chart accurately. As the historian of the Charity Organisation Society observed: "The C.O.S. Committee's report, on the basis of which the C.O.S. sent a memorial to the Home Secretary, played its part--but how great a part it is hard to say--in bringing about the Cross Act. . . ." <sup>73</sup> Cross himself, in his autobiography, failed to credit previous efforts by the Charity Organisation Society. <sup>74</sup>

Unquestionably, prior legislation on housing, in particular the Torrens Act of 1868, left its imprint upon the Artizans' Dwelling Act. Cross himself admitted that his work in 1875 was "intended to supplement Torrens's Act of 1868 by dealing with whole areas, where the piecemeal approach of the 1868 Act was of no use." <sup>75</sup> The fundamental structure and approach of the earlier measures, including Shaftesbury's Acts of the 1850's, was broadened in 1875 but not abandoned. A partnership between private and public enterprise was still the heart of the legislation and the motivating principle was still voluntary action. Despite the compulsory features of the Cross Act of 1875, the state carefully avoided any suggestion of reform by edict or improvement by Act of Parliament. The legislation depended for its success upon the desire of local

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<sup>73</sup>C.L. Mowat, The Charity Organisation Society, p. 57.

<sup>74</sup>Cross, Political History, p. 34.

<sup>75</sup>Cross, "Homes of the Poor," p. 156.

authorities for housing reform. Without prior action by the people directly involved, on the local level, the Act of 1875 was inoperative. The crucial role assigned to private and charitable groups illustrated further the reluctance of Cross, and of Parliament as a whole, to inject the state into the task of rebuilding homes for its people.

Yet the legislation of 1875 and succeeding years contained within it the seeds of an interventionist policy. They cannot be simply classified, for elements of both collectivism and laissez-faire theories are present. More accurately, the legislation of 1875 was a reflection in legislative terms of a transitory period in British life. The long held reliance upon private enterprise as a means to solve social problems was being rapidly eroded, not only in housing policy but in other areas of social concern as well. A mixed approach, such as was adopted by Cross in 1875, made sense in light of its time. It was an effort to retain as much as possible of classical economy, to keep the state uninvolved, but at the same moment it recognized the overbearing necessity of dealing with a serious social problem.

Two quotations from recent historians of the period may serve to reinforce this conclusion. One from a biographer of Disraeli, the other from the author of a significant work on the social reform policies of the Disraeli government. Speaking of Disraeli's ministry of 1875,

Robert Blake pointed out that the collectivist nature of that government's legislation has often been exaggerated.

It is wrong, wrote Blake,

to present their legislation as if it marked a substantial shift from laissez faire to state intervention. On the contrary Cross and other spokesmen were at pains to disavow anything that savoured even remotely of collectivism . . . it is doubtful if the temper of the times would have allowed anything more dirigiste.<sup>76</sup>

Finally, Paul Smith, in Disraelian Conservatism and Social Reform, described the essence of the Artizans' Dwelling Act of 1875:

It was a tentative measure, relying entirely upon an uncertain local initiative and upon the equally uncertain workings of the commercial and philanthropic instincts, a measure which, while it extended the area of state interference and collective action, remained shot through with the bourgeois creed of freedom of which its author . . . was so typical an exponent. It was neither collectivist nor really paternal, yet it was irreconcilable with the principles of non-intervention.<sup>77</sup>

The Artizans' Dwelling Act was neither an atavistic attempt to recall the days of "the nightwatchman government," nor was it the ideal of the collectivist theorists. It stood midway, as did Cross and the nation in 1875.

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<sup>76</sup>Blake, Disraeli, pp. 553-554.

<sup>77</sup>Smith, Disraelian Conservatism and Social Reform, p. 223.

## CHAPTER VI

### CONCLUSIONS

In recent years historians have attempted to outline more clearly the process that resulted in government-sponsored acts of social legislation during the nineteenth century. Debate has been heated and prolonged. For some, the reforming activity of the Victorian era was a result of deliberate planning and organizing by a group of social philosophers who understood the need for change in their society and formulated a program to achieve that change. The names of Shaftesbury, Chadwick, Simon and Nightingale exemplify such reformers of the period, although even they are overshadowed by the imposing figure and influential ideas of Jeremy Bentham. Other historians, however, have rejected the notion of crediting any individual or group of social thinkers with bringing about social reform. For these historians, the improvements that characterized Victorian Britain resulted from unplanned alterations within the society. These changes arose slowly, without conscious guidance, as responses to uncorrected social ills. Intolerable conditions existed in housing, factories or sanitary facilities, and these conditions demanded solutions. Civil servants and local officials sought answers to the problems facing them, and by steady pressure upon the central administration, won powers enabling them to meet those problems.

Oliver MacDonagh's article on "The Nineteenth Century Revolution in Government: A Reappraisal," published in 1958, touched off the continuing debate.<sup>1</sup> According to MacDonagh, the reforms of the Victorian era were not the end product of any ideological campaign of social improvement, and emphatically were not the result of Jeremy Bentham's theorizing. They developed, he argued from the administrative needs of a rapidly changing society no longer able to meet its responsibilities save by social reform. "The great body of such changes," wrote MacDonagh, "were natural answers to concrete day-to-day problems, pressed eventually to the surface by the sheer need of the case."<sup>2</sup>

A sustained criticism of the MacDonagh thesis was launched when Jennifer Hart accused MacDonagh of posing a challenge to historical scholarship as well as advancing implicitly an unacceptable theory of social change. Her "Nineteenth Century Social Reform: A Tory Interpretation of History" (1965) defended Bentham's role in the reform process. "These charges against Benthamism," she wrote

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<sup>1</sup>Oliver MacDonagh, "The Nineteenth Century Revolution in Government: A Reappraisal," The Historical Journal, I (1958), 52-67; see also, O. MacDonagh, "Emigration and the State, 1833-1855: An Essay in Administrative History," Transactions of the Royal Historical Society, fifth series (1955), pp. 133-159; O. MacDonagh, "Delegated Legislation and Administrative Discretions in the 1850's: A Particular Study," Victorian Studies, II (September 1958), 29-44.

<sup>2</sup>MacDonagh, "Nineteenth Century Revolution," p. 65.

unequivocally, "are based on certain confusions, make very little sense and are not in accordance with the facts."<sup>3</sup> In opposition to the MacDonagh thesis, Hart maintained that Bentham had provided both practical as well as the theoretical guidance for the social reformers of the Victorian period. It was Bentham's creation of a system of moral judgment, the celebrated felicific calculus, that enabled the reformers to convince the nation of the need for social change. Hart's argument centers around the role of ideology, in this case, the ideology of Benthamism. In opposition to MacDonagh, who explained the rise of centralized interventionist governments in terms of unplanned administrative momentum, Mrs. Hart goes to the ideology of the period and attempts to label the social reforms of the nineteenth century as Benthamist. According to MacDonagh, reform came as an administrative response, but the emergence of the collectivist state was unplanned and unforeseen by the civil servants who helped bring it into being. For Hart, it was not the administrative machinery that created the Welfare State, but the conscious decisions and active participation of a group of reformers and thinkers, among whom the Benthamites were preeminent.

It is difficult, if not ultimately impossible, to

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<sup>3</sup>Jennifer Hart, "Nineteenth Century Social Reform: A Tory Interpretation of History," Past and Present, XXXI (July 1965), 46.

describe the Artizans' Dwelling Act in terms of either MacDonagh or Hart. The measure did not emerge out of the administrative needs of the period nor was it the result of pressure from civil servants who had to grapple with the problem of poor housing. While these factors contributed to the legislation, their effect upon it was minimal. It was clearly Cross and his allies among the housing reformers who created the bill and brought it to fruition. Equally, the influence of the Benthamites, or of Benthamism, upon the Artizans' Dwelling Act was minimal. The Act cannot, except by diluting Bentham's philosophy to absurdity, be described as the end product of a campaign launched by Bentham's followers. Neither Cross nor the reformers who worked with him were Benthamites, and the Act as written did not conform in any specific way to Bentham's ideals.

The Artizans' Dwelling Act cannot fit comfortably into either MacDonagh's or Hart's model of social reform. It is necessary to go outside administration and ideology to comprehend the passage of the measure, and to relate the Act to other social and political circumstances.

The evils of poor working class housing had been well publicized by writers like Mayhew and by the scores of observers, including Cross himself, who visited the slums in the nineteenth century. Few could escape the descriptions of slum life, nor could the problem be dismissed as small or exaggerated. The public knowing full well of the dangers of slum life responded, and in that

sense public opinion did create considerable pressure upon legislators. But some qualification is called for. The greater part of such public discomfort was unfocused--it did not propose a specific remedy but only demanded an alleviation of conditions in the cities. In the end, the public largely adopted the plans that had been formulated first by Hill, Shaftesbury and Cross himself. The legislation which did emerge, therefore, in 1875 was determined in substance by the reformers whose task it had been to organize such reform measures. It would be incorrect to say that Shaftesbury, Hill or Cross were simply the agents of an outraged public opinion, that these individuals were the translators of the public will. More accurate would be the assertion that public desires and individual planning interacted with each other, so that the reformers' programs were stimulated and energized by the state of public awareness of the housing problem. Cross brought to his cabinet post a method, that of decisive government action, and was encouraged in that direction by the increasing agitation in the press and on platforms.

Cross had available to him in 1875 the accumulated experience and judgments of scores of workers in the area of housing, ranging from the local administrators who dealt with Shaftesbury's Lodging Houses Act of 1851 to Home Office officials responsible for overseeing Torrens's Act of 1868. On every level, from borough, county and national officials, information and expertise grew yearly. By 1875,

the administrators and local officials had determined one thing at least: that the existing housing laws were inadequate to deal with the magnitude of the problem. More specifically, they had convinced Cross and the Home Office draftsmen that the Torrens Act lacked sufficient enforcement power to ensure housing reform. Without powers of compulsory purchase, any legislation would fail in its aim of improving working class living quarters. This much, at least, Cross had learned from the government administrators and he took care to correct the deficiency in his own legislation. It must also be remembered that Cross himself was one of these government administrators, himself responsible for enforcing housing laws. During the years from 1862 to 1868, Cross had served on various boards and commissions in Lancashire, and dealt personally with the question of working class housing. He was therefore personally knowledgeable concerning the obstacles and liabilities inherent in housing legislation up to that time.

In the context of 1875, with a greatly expanded electorate and with working class voters increasingly swaying elections, the purely political aspects of housing legislation were obvious to the Conservatives. In addition, the Conservative party was, for the first time in decades, secure enough in Parliament to take decisive measures even over the opposition of many Members. With a majority of fifty or more in the House of Commons, the Conservatives could afford to propose controversial

legislation, and even to lose some votes on their own side, without fear of collapse. The House of Lords would agree to almost all of Disraeli's measures, and with the firm support of the Queen, the atmosphere favored Conservative plans for legislation.

The significance of the Artizans' Dwelling Act lies not in the manner of its passage and clearly not in its practical effects. What remained of importance in the measure was the tendency toward increased government intervention in matters of sanitary and social reform. While the Act had a limited practical effect upon housing in the 1870's, it bore the seeds of much more interventionist legislation to follow, and it established a lasting precedent for housing reformers in the latter nineteenth century and the twentieth who finally brought about an unashamed policy of state built housing for the workingman.

Cross's role in the passage of the Act was central, although it has been shown that he was not the sole creator nor even the most outspoken advocate of the legislation. Without the advice and prior planning of the housing reformers, Hill, Waterlow, Kay-Shuttleworth and Torrens, the measure enacted in 1875 would have not been drafted. It does not lessen the influence of Cross, however, to demonstrate that he sought advice and heeded it. Without his enthusiastic backing in the House, and his public commitment to such legislation, the Artizans' Dwelling Act might well have been postponed, or might have passed in

such form as to vitiate the proposals of the housing reformers. The Act reflected Cross's own thinking about social and sanitary reform in several ways. The limited financial obligations placed upon government, the clear intention to apply compulsory measures if necessary, and the recognition of government's role in remedying a pressing social problem, all were congenial to Cross and were in part the result of his long and varied experience in local affairs. What he had learned in local affairs was deepened and reinforced as he grappled with sanitary and social affairs from his seat in the Home Office, and he became more, not less, prepared to utilize legislation and compulsion to remedy the problems he viewed in the country. The one qualification was financial, although in that regard he shared the views of the overwhelming majority of both parties, who viewed fiscal irresponsibility as the most dangerous fault in a statesman or administrator.

While the Artizans' Dwelling Act was in practice a failure, it does not detract from its importance as a precedent for future housing measures, nor does it deny Cross's own contribution to social reform in the nineteenth century. His role in the passage of the Act was both wise and diligent. It was not inappropriate when, later in the 1870's, the Artizans' Dwelling Act of 1875 became known throughout the nation as "The Cross Act," for Cross deserved much of the credit for its existence.

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