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[1837]



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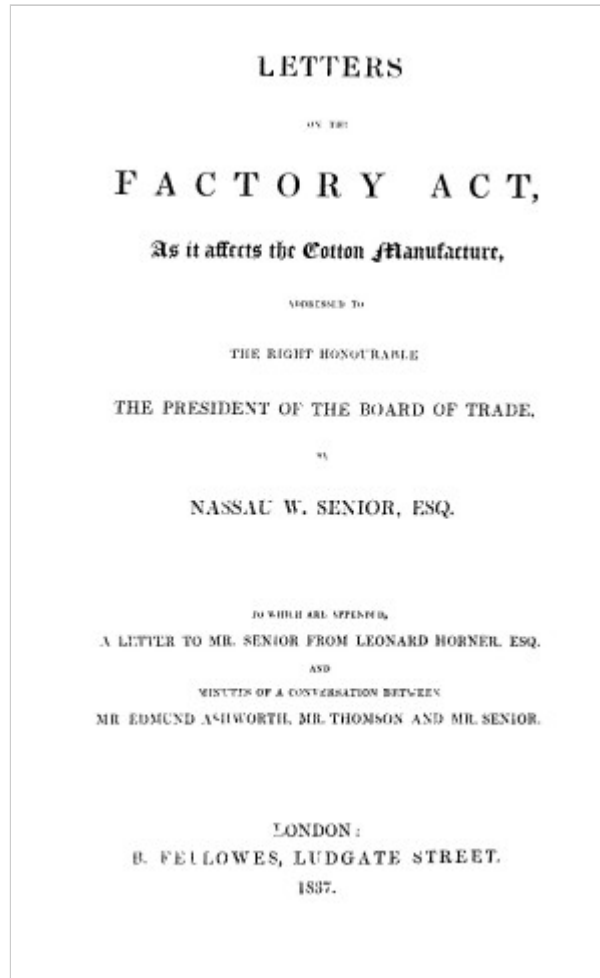
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Author: [Nassau William Senior](#)

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A collection of letters written by Senior on the Factory Act along with replies by Horner, Ashworth, and Thomson.

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THE following letters to the President of the Board of Trade, were written, as will appear from internal evidence, without any view to the press. A wish for their publication has, however, been expressed, with which I have reluctantly complied. My principal inducement has been Mr. Horner's permission to append to them his valuable commentary. As to those points in which we agree, I think that I can scarcely be wrong. As to those on which Mr. Horner's impressions differ from the representations that were made to me, I feel, of course, great diffidence. But it appears to me that the cause of truth will be best served by leaving the statements in my letters unaltered, so that the reader, with each side of the question before him, will be able to draw his own conclusions.

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Now, it will be observed, that the statements which are confirmed by Mr. Horner, are of great practical importance. Mr. Horner agrees with me in thinking that a reduction of the hours of work in cotton factories, to ten hours a day, would be attended by the most fatal consequences, and that the evil would fall first on the working classes. He agrees with me, that the labour of children and young persons in factories, is comparatively light. He agrees with me,—and this is, perhaps, the most material point in the whole discussion,—that “on the subject of education, little has as yet been effected—that in nine cases out of ten, the instruction given is very little, and the incompetence of the teachers eminently conspicuous.” He agrees with me as to the inconvenience of the present relation of the superintendent to the inspector. Indeed, he states, from his own experience, that until the inspector has a very different control over his assistants than he possesses at present, the public service must be expected to suffer. He agrees with me as to the hostility of the working classes to the present measure, and as to their hope, by making it intolerable, to pave the way to a ten-hours' bill; and on the necessity of destroying this hope, and the mischief which it produces, by a strong expression on the part of the legislature, of a determination not to interfere further with the labour of those who are past childhood. He agrees with me, that the machinery of the Factory Act creates both trouble and expense to the manufacturer. He compares it, indeed, to the code of excise regulations to which distillers, soap-boilers, and paper manufacturers are subjected—regulations which we know to be so mischievous as to render the manufacturers on whom they are inflicted, unable to encounter the competition of the foreign market. These are important admissions, and prove not only the absurdity of imposing any additional restrictions on the cotton trade, but the necessity, if we wish to render the Factory Act useful, or even tolerable, of amending some of its existing enactments.

The principal subjects on which my informants and Mr. Horner differ, appear to be these:—Mr. Horner believes the average annual rate of profit in the cotton trade, to exceed 10 per cent. He estimates it, indeed, on the facts stated to me, at 15 per cent., on the supposition that when my informants stated it at 10 per cent., they meant 10 per cent., with an additional 5 per cent. as interest. On the last point Mr. Horner is mistaken. Being aware that commercial men are in the habit of distinguishing between interest and profit, I always, in putting my questions, adverted to that

distinction, and stated, that under the term profit I included interest. Many of the manufacturers on whose evidence I founded my statement, and many of those who have subsequently read the letters, remarked to me, that they themselves estimated their annual profits at 5 per cent., or even lower, as they thought that 5 per cent. for interest ought to be deducted from them; but only one has rated them higher. That one, a remarkably successful spinner and weaver, told me, that on examining his books for the whole period since he began the trade, he found that his profits (interest included,) had amounted annually to 11 per cent. But with this exception, 10 per cent. was the highest estimate given to me. The subject is certainly one of great obscurity. Scarcely any manufacturer knows what are his neighbour's profits, or can tell accurately what are his own. His own past profit he may indeed calculate, though even that calculation must admit many doubtful elements; such as the degree in which his buildings and machinery have been deteriorated by wear and tear, or by the invention of more advantageous processes. But the rate of his existing profits can never be more than a matter of rough guess. On the whole, therefore, in the absence of direct proof, I think myself justified in holding that 10 per cent., the rate fixed by the almost unanimous opinion of those whom I consulted, is at least as near an approximation to accuracy as can be expected.

Mr. Horner objects to my statement, "that the relay system appears on the whole, as far as the Manchester district is concerned, to have failed," and suggests that I should have spoken more correctly if I had said, that "the relay system, as far as that district is concerned, has not been much acted on." I fear that there is not much difference between these two statements; and I say so with great regret, as I fully concur with Mr. Horner in believing the relay system to be the best mode of reconciling the education of the children with the productive use of the fixed capital employed. This is one of my reasons for being anxious that the complaints of the manufacturers against the machinery of the Act, as distinguished from its substance, should be carefully considered, and, so far as they are well founded and remediable, be removed. They all stated the machinery of the Act to be the great obstacle to the relay system; they maintained, that with two sets of children, coming and going at different periods, it was absolutely impossible to comply with the clauses of the Act, which respect the entries on the time books, the certificates of school attendance, and the exclusion from the mill of unemployed children. And they also stated to me that prosecution for mere formal offences of this kind, was always hanging over their heads, and from time to time actually occurring. Mr. Horner denies that any such prosecutions have taken place. On this matter of fact, my informants and Mr. Horner are therefore directly at issue. And I have not a shadow of doubt, that each party believes his own statement to be the correct one.

Perhaps the discrepancy may be accounted for, partly by the circumstance that Mr. Horner can speak only as to the year that has elapsed since he was transferred to the Manchester district, while my informants refer to the whole of the three years that have passed since the Act came into force; partly by the probability that informations have been threatened which have not been actually brought; and partly by the probability that Mr. Horner does not know, or does not carry in his recollection, all that his sub-inspectors have done. The evidence of Mr. Edmund Ashworth, and of Mr.

Thomson, (pp. 40 and 41,) is important, as showing the general opinion on this subject.*

The last point of difference, or rather of apparent difference, between Mr. Horner and my informants, to which I need advert, respects the practicability of relieving the mill-owner from the prohibition of employing any child that does not produce proof of having attended school during the preceding week. I say apparent difference, because the plan which Mr. Horner appears to consider the alternative, namely, that the children should be excluded from factories until 11 years old, and then, if able to read and write, be admissible to work for 12 hours a day, is not the only alternative; and, in fact, is not the alternative proposed by the manufacturers. My disapprobation of such a plan as this is as strong as Mr. Horner's. No facts have been proved to me, and I do not believe that any exist, which show that it is proper to keep a child of 11 years old, for 12 hours a day, in attendance on the employment, however light, of a factory. The manufacturers all admitted to me that such a practice is inconsistent with real education. They do not wish to extend the present allowance of eight hours' employment. What they propose is, that education, during the time spent out of the factory, should be enforced, not by requiring a certificate of mere attendance at a place called, however undeserving the name, a school, but by proof of real proficiency. They believe that such a change will remove one of the principal obstacles to the relay system, will improve the schools, will stimulate the exertions of the children, and, what is perhaps the most important, will remove the indifference of the parents.

Kensington, June 8, 1837.

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LETTERS

FROM MR. SENIOR TO MR. THOMSON

York Hotel, Manchester, Tuesday, March 28, 1837.

My Dear Sir,

We have now been for some time in the centre of the cotton district. Our principal objects of inquiry have been the effects of the Factory Regulation Act, as respects the cotton manufacture, and the consequences which may be expected from further legislative interference. And as Lord Ashley's motion is at hand, and will probably be disposed of before our return, I think you may not be unwilling to hear the results to which we have as yet come; although, in stating them, I have no doubt that I shall say much with which you are familiar.

I have always been struck by the difference between the hours of work usual over the whole world in cotton factories and in other employments; and did not, until now, perceive the reasons. It seems to arise from two causes: first, the great proportion of fixed to circulating capital, which makes long hours of work desirable; and, secondly, the extraordinary lightness of the labour, if labour it can be called, which renders them practicable. I will take them separately:—

I. I find the usual computation to be that the fixed capital is in the proportion of four to one to the circulating; so that if a manufacturer has 50,000*l.* to employ, he will expend 40,000*l.* in erecting his mill, and filling it with machinery, and devote only 10,000*l.* to the purchase of raw material (cotton, flour, and coals) and the payment of wages. I find also that the whole capital is supposed in general to be turned over (or, in other words, that goods are produced and sold representing the value of the whole capital, together with the manufacturer's profit) in about a year; in favourable times in rather less,—in others, such as the present, in rather more. I find also that the net profit annually derived may be estimated at ten per cent., some computations placing it as low as seven and a half, others as high as eleven; ten I believe to be about the average. But in order to realize this net profit, a gross profit of rather more than fifteen per cent. is necessary; for although the circulating capital, being continually restored to its original form of money, may be considered as indestructible, the fixed capital is subject to incessant deterioration, not only from wear and tear, but also from constant mechanical improvements, which in eight or nine years render obsolete, machinery which when first used was the best of its kind.

Under the present law, no mill in which persons under eighteen years of age are employed (and, therefore, scarcely any mill at all) can be worked more than eleven and a half hours a-day, that is, twelve hours for five days in the week and nine on Saturday.

Now, the following analysis will show that in a mill so worked, the whole net profit is derived *from the last hour*. I will suppose a manufacturer to invest 100,000*l.*:—80,000*l.* in his mill and machinery, and 20,000*l.* in raw material and wages. The annual return of that mill, supposing the capital to be turned once a-year, and gross profits to be fifteen per cent., ought to be goods worth 115,000*l.*, produced by the constant conversion and reconversion of the 20,000*l.* circulating capital, from money into goods and from goods into money, in periods of rather more than two months. Of this 115,000*l.* each of the twenty-three half hours of work produces 5-115ths, or one twenty-third. Of these 23-23ds, (constituting the whole 115,000*l.*) twenty, that is to say, 100,000*l.* out of the 115,000*l.*, simply replace the capital—one twenty-third (or 5,000*l.* out of the 115,000*l.*), makes up for the deterioration of the mill and machinery. The remaining 2-23ds., that is the last two of the twenty-three half hours of every day, produce the net profit of ten per cent. If, therefore, (prices remaining the same,) the factory could be kept at work thirteen hours instead of eleven and a half, by an addition of about 2,600*l.* to the circulating capital, the net profit would be more than doubled. On the other hand, if the hours of working were reduced by one hour per day (prices remaining the same), *net* profit would be destroyed—if they were reduced by an hour and a half, even *gross* profit would be destroyed. The circulating capital would be replaced, but there would be no fund to compensate the progressive deterioration of the fixed capital.

And it is to be remarked, that there are many causes now at work tending to increase the proportion of fixed to circulating capital. The principal, perhaps, is the tendency of mechanical improvement to throw on machinery more and more of the work of production. The self-acting mule is a very expensive machine; but it dispenses with the services of the most highly paid operatives—the spinners. It has acquired, indeed, the *sobriquet* of “the Cast Iron Spinner.” Though of recent introduction, we found it employed in a large proportion of the principal factories. At Orrell’s splendid factory, we found a new blower enabling three persons to do the work of four. At Birley’s, we found preparation making for a newly invented process, by which the wool was to be conveyed direct from the willow to the blowing machine, without requiring, as it now does, a whole set of work-people for that purpose. At Bollington, we found a new machine, which transfers the sliver direct from the cards to the drawing-frame, and thus dispenses with another class of attendants. At another place, we found a weaving process, on a vast scale, differing from all others that we observed during our tour. And at Stayley Bridge we found a factory nearly finished, covering two acres and a half of ground, with buildings only one story high, (that is, ground floor and first floor,)—so that on each floor the whole operations will be carried on in one vast apartment or gallery, forming the four sides of a quadrangle, each side 450 feet long; thus saving all the labour employed in mounting or descending. Each of these five last improvements is recent,—so recent, indeed, as not to have been as yet copied by other establishments. One of them, the new weaving process, is still kept so secret, that we were allowed to visit it only as a special favour, and on the promise of not revealing its nature. And the effect of every one of them is to increase fixed, and diminish circulating capital.

Another circumstance, producing the same effect, is the improvement of the means of transport, and the consequent diminution of the stock of raw material in the

manufacturer's hands waiting for use. Formerly, when coals and cotton came by water, the uncertainty and irregularity of supply forced him to keep on hand two or three months' consumption. Now, a railway brings it to him week by week, or rather day by day, from the port or the mine.

Under such circumstances, I fully anticipate that, in a very few years, the fixed capital, instead of its present proportion, will be as 6 or 7 or even 10 to 1 to the circulating; and, consequently, that the motives to long hours of work will become greater, as the only means by which a large proportion of fixed capital can be made profitable. "When a labourer," said Mr. Ashworth to me, "lays down his spade, he renders useless, for that period, a capital worth eighteen pence. When one of our people leaves the mill, he renders useless a capital that has cost 100*l.*"

2d. The exceeding easiness of cotton-factory labour renders long hours of work *practicable*. With the exception of the mule spinners, a very small portion of the operatives, probably not exceeding 12 or 15,000 in the whole kingdom, and constantly diminishing in number, the work is merely that of watching the machinery, and piecing the threads that break. I have seen the girls who thus attend standing with their arms folded during the whole time that I stayed in the room—others sewing a handkerchief or sitting down. The work, in fact, is scarcely equal to that of a shopman behind a counter in a frequented shop—mere confinement, attention, and attendance.

Under these circumstances, cotton factories have always been worked for very long hours. From thirteen to fifteen, or even sixteen hours, appear to be the usual hours per day abroad. Our own, at their commencement, were kept going the whole twenty-four hours. The difficulty of cleaning and repairing the machinery, and the divided responsibility—arising from the necessity of employing a double staff of overlookers, book-keepers, &c. have nearly put an end to this practice; but until Hobhouse's Act reduced them to sixty-nine, our factories generally worked from seventy to eighty hours per week. Any plan, therefore, which should reduce the present comparatively short hours, must either destroy profit, or reduce wages to the Irish standard, or raise the price of the commodity, by an amount which it is not easy for me to estimate.

The estimate in the paper, signed by the principal fine spinners, is, that it would raise prices by 16 per cent. That the increase of price would be such as to occasion, even in the home market, a great diminution of consumption, I have no doubt; and from all that I read and hear, on the subject of foreign competition, I believe that it would, in a great measure, exclude us from the foreign market, which now takes off three-fourths of our annual production.

It must never be forgotten, that in manufactures, with every increase of the quantity produced, the relative expense of production is diminished—and, which is the same thing, that with every diminution of production, the relative expense of production is increased. If only ten watches were produced in a year, it is probable, that a watch would cost 100*l.* If there were an annual demand for 10,000,000 of watches, they would not, in all probability, cost a guinea a-piece. And this general law applies more and more forcibly, in proportion as the manufacture in question employs more expensive machinery and a greater division of labour: to the cotton manufacture,

therefore, beyond all others. Up to the present time, production and cheapness have increased together. The yarn that cost forty shillings a pound when we consumed only 10,000,000 of pounds of cotton, now, when we consume 280,000,000, costs two shillings. Increase of price, and diminution of consumption, will therefore act and react on one another. Every increase of price will further diminish consumption; and every further diminution of consumption will occasion an increased relative cost of production, and consequently a further increase of price. First will go the foreign market—already in a precarious state, and, once lost, irrecoverable; since, according to the law to which I have referred, the more our rivals produce,—the wider the markets which are opened to their competition, in consequence of the rise of English prices,—the cheaper they will be able to produce. This again, by diminishing the quantity produced at home, will increase its relative cost of production; and that again will increase prices, and diminish consumption;—until I think I see, as in a map, the succession of causes which may render the cotton manufactures of England mere matter of history.

I have no doubt, therefore, that a ten hours' bill would be utterly ruinous. And I do not believe that any restriction whatever, of the present hours of work, could be safely made.

To-morrow, or the next day, I will endeavour to give you the result of our inquiries as to the working of the present Act.

Every Yours,

N. W. SENIOR.

*The Right Hon. Charles Poulett Thomson,
&c. &c. &c.*

York Hotel, Manchester, April 2, 1837.

My Dear Sir,

I now proceed to give you the result of our inquiries as to the operation of the Factory Act.

In considering that Act, care must be taken to distinguish between its *substance* and its *machinery*.

1st. The *substance* is, that, in factories, children under nine years of age shall not be employed at all, and those under thirteen not for more than eight hours a-day; and that they shall pass two hours a-day in school. The hours of working, except on Saturday, being twelve, it was supposed that by means of relays, the services of children might be obtained for the whole twelve hours.

2d. The *machinery* consists of enactments, that no child under thirteen shall be *allowed to remain* in a factory without a certificate of age from a surgeon, nor for more than eight hours a-day, nor without a certificate of its having attended school for twelve hours in the preceding week; and also in the appointment of inspectors, empowered to issue regulations and visit factories, and superintendents or sub-inspectors acting under their direction, and empowered to enter all school-rooms and counting-houses, but not those parts of a factory in which manufacturing processes are carried on.

The relay system appears on the whole, as far as this district is concerned, to have failed. Of the factories that we visited, only four employ it. Three of these are situated in country villages, and the number of children in the whole four is small, being only 243 out of 4,800 operatives, or about 1-20th. The objections urged were, in some places, the difficulty of obtaining children, and in all, the constant trouble and difficulty of making correct entries in the time-books, the exposure to disgrace and loss from the penalties inflicted for unavoidable errors, and the disturbance arising from a change of hands in the middle of work.

On the other hand, the fear that *all* the children under thirteen would be *everywhere* dismissed has proved vain. Of the factories that we have inspected, four only have adopted that course, the same number as that of those who employ relays.

The usual plan is to employ one set of children for the first eight hours of the day, and to get on as well as may be during the remaining four without them.

The consequences are—

1st. Loss to the parents who have children under thirteen, by the non-employment of those under nine, and by the reduced wages of those between ten and thirteen.

2d. Loss to the operatives who are the *direct* employers of the children as their assistants, first, by their having to employ more assistants above thirteen and at higher wages, and secondly, by their being able to get through less work after they lose the assistance of the younger children.

3d. Loss to the mill-owner, whose produce during the last four hours of each day is diminished in quantity, and deteriorated in quality, and who has sometimes to repay to his operatives a part of their loss.

The gainers are the children above thirteen, whose wages have risen, and the children under thirteen, so far as they are better educated and have less fatigue than before.

As to the value of this gain, however, as far as education is concerned, I am sceptical. If good schools and a good system of instruction were established, no doubt much could be learned in the two hours a-day of compulsory schooling.

But those portions of the bill which provided for the establishment of schools having been thrown out by the Lords, the school appears to be generally rather a place for detaining and annoying the children than of real instruction. Instead of the vast and

airy apartments of a well-regulated factory, they are kept in a small, low, close room; and instead of the light work, or rather attendance, of a factory, which really is not more exercise than a child voluntarily takes, they have to sit on a form, supposed to be studying a spelling-book. We found a universal statement that the children could not be got into the school except by force; that they tried every means to remain in the factory, or, if excluded, to ramble over the fields or the streets.

It may easily be supposed that the *operatives* are outrageous against this state of things. Their original object was to raise the price of their *own* labour. For this purpose the spinners, who form, as I stated in my first letter, a very small (about 1-20th) but a powerful body among them, finding that they could not obtain a limitation of the hours of work to ten by combination, tried to effect it through the legislature. They knew that Parliament would not legislate for adults. They got up therefore a frightful, and (as far as we have heard and seen) an utterly unfounded picture of the ill treatment of the children, in the hope that the legislature would restrain all persons under 18 years old to ten hours, which they knew would, in fact, restrict the labour of adults to the same period. The Act having not only defeated this attempt, but absolutely turned it against them,—having, in fact, increased their labour and diminished their pay,—they are far more vehement for a ten hours' bill than before, and are endeavouring by every means to impede the working of the existing Act, and to render its enactments vexatious or nugatory. We hear everywhere of their conspiring to entrap the masters into penalties, by keeping the children too long in the mill, by keeping them from school, and by all the petty annoyances by which trouble can be created.

With respect to the *masters*, we have found them, with only two exceptions, favourable to the substance of the Act. They maintain, indeed, that the long hours of attendance did not injure the health of the children, provided the work-rooms were sufficiently ventilated: a thing which may be accomplished by the mere addition of a fan, worked by the engine with little trouble or expense, and, as we felt at Ashton's and Ashworth's, with perfect success. They maintain also that the factory children were not worse educated, indeed were better educated, than the children employed in other trades: and they complain that *they* alone are selected to be charged with the education of their dependants. But they admit that employment, however light, for twelve hours a-day, must prevent education. They are, as far as we have seen, without any exception, most earnest that their work-people should be educated; and they are ready, for that purpose, to submit to their being restricted, while under thirteen, to eight hours a-day of employment; but they do complain most bitterly of the *machinery* of the Act.

1st. They complain of the clauses by which a master may be called before the magistrates, exposed, and fined, "for overworking a child," because a child has remained a minute too long within the walls of the mill from heed-lessness, or from dislike of being turned out in the snow,—or perhaps as part of a conspiracy to make the act intolerable.

2d. They object to being liable to be accused, convicted, and fined, "for making false entries in the time-book," because one of 80 children has one day come at half-past

eight and gone at half-past four, instead of coming at eight and going at four, the hours fixed for it; and entered in the time-book, on the supposition that they had been adhered to. It is to avoid this danger that the relay system has generally been unattempted or disused.

3d. They object to being convicted and fined “for neglecting the education of the children,” because they have been unable to force a child to school, or have allowed one to work without a regular certificate of school attendance. They say that the children *will work*, and will *not go to school*; and that the mill-owner, whose time is filled with other things, cannot employ it in preventing eighty urchins from truancy.

Under such circumstances, we found, in some of the best regulated establishments, the forms of the Act in this last respect systematically disregarded; the master, relying on his general high character, and not fearing to be suspected of having intentionally violated its substance. Others, however, were in constant anxiety lest it should be infringed; and others we found in a state of absolute exasperation at the convictions which had been obtained against them while they were most diligently endeavouring to carry it into effect.

The same may be said as to the clauses which render the remaining of a child in a factory, without proof of its employment, conclusive evidence of its being over worked. In some mills, indeed in most, this is adhered to. The children are turned into the fields, or the streets, whatever be the weather, the instant the hour begins to strike. In others again it is systematically violated. Care is taken that they shall not work, but they are allowed to remain. But this again can be done with tolerable safety, only by a master who feels that he cannot be suspected of real misconduct, though he may be convicted and fined for noncompliance with forms.

4th. They complain of the power of the inspectors to issue regulations, which, after having been twice published in a county paper, become laws. They say, that regulations, minute and troublesome, are suddenly issued and suddenly altered or withdrawn; that they are not easily comprehended, and, by the time they have been understood, are revoked.

5th. They complain of the constant recurrence of Parliamentary interference. They are tired of having to come to town, canvass and expostulate every year, in order to keep off a ten hours’ bill, or some other equally wild proposal. They say, that if they can once be sure that they shall have nothing worse than the present Act, they shall endeavour to work it, and believe that it may be made to work well; but that any further restrictions will be ruinous, and that even the fear of them is most mischievous.

It will appear from this statement, that the Government is not likely to be much troubled by demands from the manufacturers for improvements in the Factory Act. The manufacturer is tired of regulations—what he asks is tranquillity—*implora pace*. But, if alterations are to be made, the following are those which have been suggested to us:—

1st. That Government shall provide schools, and, at least, tolerable teachers. At present there seem to be none that deserve the name, except a few whom some opulent and enlightened mill-owners, such as the Gregs, Ashton, and Ashworth, have established themselves.

2d. That the duty of forcing the children to be educated, shall be transferred from the mill-owner to the parent; or (which they, with one exception, prefer) that education shall be enforced only by making a certain amount of it a preliminary to employment—by enacting, for instance, that after a given time no child shall be admitted to a factory till it can read, or be allowed to work full time until it can read and write fluently.

3d. That the mill-owner shall be punishable only for substantial, not for mere formal, violations of the law. That he shall no longer be liable to be fined and disgraced as a violator of the law, for an incorrect entry in a time-book, inadvertently made by his book-keeper, or because a child has stayed in the mill five minutes too long, in order to tie a shoe, or warm itself by the stove.

4th. That some control shall be exercised over the promulgation of rules by the inspectors; some appeal from their regulations, and some better mode of publishing them.

These seem to be all their wishes; and I must say, that they appear to me to be reasonable. The first appears to be the most important; and I only repeat my own words on the Poor Law Report when I say, that the most pressing duty now incumbent on the Government is, to provide for the religious and moral education of the people. In fact, the Factory Act, by driving many children into other employments, makes the expediency of adopting a general system of education for all children even more urgent than it was before. “What are you doing here?” said Mr. Ashton to a little fellow, whom he found in one of his coal-mines. “Working in mine, till I am old enough to go into factory.”

The general impression on us all as to the effects of factory labour has been unexpectedly favourable. The factory work-people in the country districts are the plumpest, best clothed, and healthiest looking persons of the labouring class that I have ever seen. The girls, especially, are far more good-looking (and good looks are fair evidence of health and spirits) than the daughters of agricultural labourers. The wages earned per family are more than double those of the south. We examined at Egerton three of the Bledlow pauper migrants. Being fresh to the trade, they cannot be very expert; yet one family earned *1l. 19s. 6d.*; another, *2l. 13s. 6d.*; and the other, *1l. 16s.* per week. At Hyde we saw another. They had six children, under 13; and yet the earnings of the father and two elder children were *30s.* a week. All these families live in houses, to which a Gloucestershire cottage would be a mere out-house. And not only are factory wages high, but, what is more important, the employment is constant. Nothing, in fact, except the strikes of the work-people themselves, seems to interrupt it. Even now, when the hand-loom weavers and lacemakers are discharged by thousands, the factory operatives are in full employ. This is one of the consequences of the great proportion of fixed capital, and the enormous loss which follows its

standing idle for a single day. Nothing can exceed the absurdity of the lamentation over the children as “crowded in factories.” Crowding in a factory is physically impossible. The machinery occupies the bulk of the space; the persons who have to attend to it are almost too distant to converse. Birley’s weaving room, covering an acre of ground, had not space among the looms for more than 170 persons. Bailey’s factory, covering two acres and a half, one story high, and therefore, taking together the ground-floor and first-floor, containing five acres of apartment, was to be worked by about 800 operatives, which gives more than 15 yards square to each. I only wish that my work-room in Southampton Buildings had as much space, in proportion to the people in it.

The difference in appearance when you come to the Manchester operatives is striking; they are sallow and thinner. But when I went through their habitations in Irish Town, and Ancoats, and Little Ireland, my only wonder was that tolerable health could be maintained by the inmates of such houses. These towns, for such they are in extent and population, have been erected by small speculators with an utter disregard to every thing except immediate profit. A carpenter and a bricklayer club to buy a patch of ground, and cover it with what they call houses. In one place we saw a whole street following the course of a ditch, in order to have deeper cellars (cellars for people, not for lumber) without the expense of excavation. Not a house in this street escaped cholera. And generally speaking throughout these suburbs the streets are unpaved, with a dunghill or a pond in the middle; the houses built back to back, without ventilation or drainage; and whole families occupy each a corner of a cellar or of a garret. A good Building Act, strictly enforced, might give health not only to the factories but to the whole population. We tried, indeed, an experiment as to the comparative appearance of different classes of the Manchester population. We went last Sunday to the great Sunday-school in Bennett-street, where we found about 300 girls in one large room. We desired first all the carders to stand up alone, then all the piecers, then all the reelers, and so on through the various departments. Then we desired all those not employed in factories to stand up; then all those employed in factories; and on each of these trials not one of us could perceive the least difference between the apparent health of the different classes of factory children, or between the children employed in factories and those not so employed.

We inquired very sedulously as to the mode in which Mr. Horner has carried out the Act; and the testimony was generally, I may almost say unanimously, favourable. The mill-owners are angry, indeed, at his last report, and most vehemently opposed to his demand for further powers, and for authority to his superintendents to enter the mills; but, notwithstanding this, they agree that he has performed his very difficult duties mildly and judiciously.

Ever Yours,

N. W. SENIOR.

P.S.—On looking back at this letter I see that I have omitted one point which was earnestly pressed on us,—namely, that the superintendents should be appointed by the inspector, and removable by him; and the inspector made responsible for their

conduct. Under the present system they may, and I believe often do, pull different ways.

*The Right Hon. Charles Poulett Thomson,
&c. &c. &c.*

York Hotel, Manchester, April 4, 1837.

My Dear Sir,

I must own that I am somewhat alarmed at the rumours that the Government propose to render the Factory Act more stringent, in compliance with Mr. Horner's requisitions.

Those requisitions are two:—

1st. That magistrates who are mill-owners, or have some property in mills, or who are by trade or near relationship connected with factories, should not sit on the bench on prosecutions connected with offences under the Act.

2d. That the sub-inspectors or superintendents should have free access, without asking permission, to every part of a factory.

1st. The first of these proposed enactments would exclude from the bench on factory questions, all manufacturers or commercial men; for who is there among them, in the manufacturing districts, who is not by trade or near relationship connected with factories? It would therefore leave the enforcement of the Act to the clergy and country gentlemen,—classes generally opposed to the mill-owners in habits and politics, and without practical knowledge of the system in the working of which they would have to interfere. This might not, perhaps, be of great importance if the offences on which they would have to adjudicate were substantial offences. If *wilful* overworking a child, *wilful* false entries, or *wilful* obstructions of education were the punishable acts, the adjudication might, perhaps, be safely left with the country gentlemen; but as the Act is worded, the offences may be mere formal ones. They may be the permitting a child to remain too long in a mill, or an inadvertent error in one among 1000 entries; or non-compliance with the education clauses, with which Mr. Horner himself declares that “in many cases strict compliance is nearly impracticable.” If for such offences as these the judge is to be a person without sympathy for the accused, or knowledge of the difficulty, I fear that provisions now severely vexatious may become almost intolerable.

2d. The free admission of the sub-inspectors would, however, be still more opposed. The “personel” of a large factory is a machine as complicated as its “materiel,” and is, I think, on the whole, the great triumph of Sir R. Arkwright's genius. In such an establishment from 700 to 1400 persons, of all ages and both sexes, almost all working by the piece, and earning wages of every amount between two shillings and forty shillings a-week, are engaged in producing one ultimate effect, which is dependent on their combined exertions. Any stoppage, even any irregularity in one

department, deranges the whole. A strict and almost superstitious discipline is necessary to keep this vast instrument going for a single day. Now how, ask the mill-owners, could this discipline be kept up, if the sub-inspectors were at liberty to walk over our establishments at all hours; listen to the complaints and jealousies of all our servants, and at their instigation summon us as criminals before the magistrates? Could the discipline, they ask, of a regiment or of a ship be carried on, if we had sub-inspectors of regiments, with power to ask all the privates for grievances, and summon their officers for penalties?

I firmly believe that if this enactment is carried, the following will be the consequences:—

1st. That a considerable number of the educated and intelligent mill-owners, that is, of those who have the sensibilities of gentlemen, will cease to follow their occupation within the British Islands.

We have already found one who is preparing, if such a clause is passed, to form an establishment in the Tyrol; and others have told us that they shall resist it by main force. This was probably an idle menace; but it shows the degree of irritation that the mere proposal has excited.

2d. That from a large proportion of the Mills, the children under thirteen will be excluded, and forced, therefore, into other employments, unprotected by any regulations whatever.

I mentioned in my former letter, that this has already been done to some extent. And it is remarkable, that of the four establishments seen by us, which have adopted this manner of escaping from the Act, three,—that is to say, Lambert Hoole and Jackson's, Cheetham's new mill, and Orrell's,—are of first-rate magnitude. A very slight additional pressure, occurring too at a time of diminished manufacturing activity, would render it prevalent.—Mr. Horner disbelieves the probability of such an event, because “it cuts off the future supply of useful hands; as children, to be profitable to their employer, must begin to learn their trade at a much earlier age than thirteen.” I agree as to this fact,—but not as to the inference. A manufacturer who excludes children under thirteen, may still carry on his business with work-people who acquired their skill under the old regulations, or with a supply from other mills. Some years hence, the evil may be great, and may be irremediable;—but, by that time, the manufacturer in question may have quitted business.

3d. I fear a very dangerous state of feeling among the work-people. I need not tell *you*, that we are approaching a season of great difficulty. Excessive shipments have injured the Asiatic market,—internal supply, the continental,—and financial embarrassment, the American. Already the manufacturers complain of diminished or suspended demands, are holding stocks, and talking of working short time. If the dense and ignorant population of the manufacturing districts, trained in combinations, and accustomed to high wages, is partly thrown out of work, and the remainder reduced in income, scenes of violence may follow, which may frighten away capital, already having a tendency to emigrate.

On the whole, the result of my tour has been a mixture of pain and pleasure. I have seen a vast, well paid, thriving, and apparently happy population. But I see, impending over that population, calamities which may be, and I hope will be averted—but which will inevitably fall on them, if the suggestions of those who call themselves their friends are even partially followed.

To enforce ventilation and drainage, and give means and motives to education, seems to me all that can be done by positive enactment.

Ever Yours,

N. W. SENIOR.

*The Right Hon. Charles Poulett Thomson,
&c. &c. &c.*

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LETTER

FROM MR. HORNER TO MR. SENIOR.

Leeds, May 23, 1837.

My Dear Sir,

I am very much obliged to you for allowing me to see your letters to Mr. Thomson, on the Factory Act; and as you bid me criticise them freely and fully, I will avail myself of the privilege, because I think you have come to some wrong conclusions; and if I succeed in convincing you that they are so, an important step will be gained in the right consideration of the Factory question.

I concur in all you say, as to the importance of interfering as little as possible with the productive powers of the fixed capital; you have placed that in a very clear point of view. Every minute of the twenty-four hours that it stands idle, beyond the time required to repair and keep the machinery in efficient working state, is obviously so much dead loss, and by so much increases the cost of production; nothing, therefore, can justify legislative interference, except an overruling necessity connected with the welfare of the living beings who work the machinery. That necessity, so far as regards *children*, was, to my mind, clearly established by the Factory Inquiry; for it was proved beyond dispute, that a large number of children, not free agents, but compelled to work as their parents, who had the disposal of their labour, chose to agree to, were employed for a greater number of hours in the day, than was consistent either with their having a fair chance of growing up in full health and strength,—the working man's capital,—or with an opportunity of receiving a suitable education. The latter disadvantage is so clear, that no one who has fairly considered the subject now hesitates to admit it. Independently of all higher considerations, and to put the necessity of properly educating the children of the working classes on its lowest footing, it is loudly called for, as a matter of police, to prevent a multitude of immoral and vicious beings, the offspring of ignorance, from growing up around us, to be a pest and nuisance to society; it is necessary, in order to render the great body of the working classes governable by reason; and it is prudent to educate them, for the purpose of developing and cultivating their natural faculties, and of thereby adding to the productive powers of the country.

But no education that will have much influence on the moral character can be got without a long continued attendance at school, and at that time of the day when the mind of the child is fresh, and not fatigued by previous confinement and labour; for otherwise good habits will not be fixed: therefore the hours of work of children in factories ought not to exceed eight daily; and I do not think that the moral training of the child can be rightly accomplished, unless it continues to attend a well-taught school until it has attained its thirteenth year. Length of attendance at school is the more necessary for the children of the lower orders, because they are cut off from

those opportunities of moral and intellectual cultivation, which the children of the more wealthy classes enjoy, from the conversation of educated persons around them. But this principle is applicable not to factories only, but to all trades in which infant labour is resorted to; and it ought to be applied in every case where the children's labour can be regulated by a law which, with reasonable pains, can be carried into effect.

I agree with you in thinking that a limitation of the hours of labour of persons above the age of childhood, to any thing less than twelve hours a day, is uncalled for, they being free agents; and that a reduction of the hours of work in Cotton Factories to ten hours a day, would be attended with the most fatal consequences; and which would first be felt by the working classes.

I admit that the labour of children and young persons in Cotton Factories is comparatively light, in so far as muscular exertions are concerned; but there cannot be a question that, on the average, children who work eight hours only, and get fresh air and exercise for two hours daily, *and in day-light*, must grow up more healthy and strong than those confined to the factory for twelve hours; and who, for a great part of the year, go to and leave the mill in the dark.

I am not clear as to the accuracy of your statement on the rate of profit in the cotton trade. It is very possible that, at the particular time of your inquiry, ten per cent. may have been the average net profit, on spinning, coarse and fine, and power-loom weaving; but the vast fortunes which have been made in the course of a few years, and in so great a number of instances, in all parts of the country where the cotton manufacture is carried on to any extent, by men who began without a shilling, and entirely on borrowed capital, for which they had to pay a heavy interest, prove to my mind that the average rate of net profit, *in any period of five years* since the cotton trade rose into consequence, must have greatly exceeded ten per cent. in well-managed factories. The statements of people engaged in trade, as to their profits, especially where a complicated process of manufacture makes it difficult for us to verify them, must be received with great caution: their object always is to show for how little they work. They take a large margin, in their estimates of the cost of production, for tear and wear, of machinery, &c. bad debts, and sundry possible contingencies; and they prudently take care to keep themselves *quite safe* in their calculations. Besides, in the cotton manufacture, five per cent. for interest on outlay is, I believe, invariably added as a part of the cost of production, before they speak of profit; and therefore that source of income is over and above the ten per cent. you state, unless I am greatly mistaken.

Factory Act.

I regret that your opportunities of inquiry as to the working of the Act were not more extensive; because, if they had been so, I am firmly persuaded that you would have come to conclusions in several respects different from those you have formed. I know some of the persons from whom you derived your information, and I trace their opinions in your letters, because they have been again and again expressed to myself. It was very natural that you should be disposed to listen with attention to their

statements, for they are able, good, and benevolent men; and they have done much to improve the moral condition and add to the comforts of their work-people. But you were not sufficiently well prepared to cross-examine them, and to test the soundness of their reasoning, by an acquaintance with the internal economy of mills, and by an appeal to facts at variance with their opinions, of which I could produce many. Some of them, at least, I know to be men of a warm temperament and of a proud spirit, who wish to have their own way of doing good, and who kick against any attempt to force them to do good in any other way. Some were sore from having been fined: they were proceeded against, not for acts of inadvertence, but for doing that which their neighbours did not do, and which they might easily have avoided, if they had taken a little pains, and had been actuated by a disposition somewhat more submissive to a law, which they knew the inspector had received strict orders to enforce; full warning having been given to them by public advertisement, and by direct communication from myself. I allude to some for whom you know me to entertain great respect, and of whose benevolent exertions for their people I have spoken to you and others with the highest praise. The statements of these gentlemen are to be received, therefore, with an allowance: the most honest men sometimes view things through a medium which distorts the truth.

Another circumstance does not appear to have been sufficiently considered by you. The law was not passed for such mills as those of Messrs. Greg and Co., at Bollington, Messrs. Ashworths, at Turton, and Mr. Thomas Ashton, at Hyde: had all factories been conducted as theirs are, and as many others I could name are, there would probably have been no legislative interference at any time. But there are very many mill-owners whose standard of morality is low, whose feelings are very obtuse, whose governing principle is to make money, and who care not a straw for the children, so as they turn them well to money account. These men cannot be controlled by any other force than the strong arm of the law; and the Gregs, and Ashworths, and Ashtons, and others like them, must consider that the Act, and the rules and regulations issued under its authority, have been framed to check the evil practices of those who have brought discredit upon the trade; and they must submit to some inconveniences in order that their less scrupulous neighbours may be controlled. If these gentlemen were distillers, or soap-boilers, or paper-makers, they would not, I am very sure, knowingly rob the revenue of a shilling; but would they, on account of their high character, be listened to for a moment, if they were to complain of the trouble of keeping books, and observing regulations ordered by the commissioners of excise, or were to demonstrate against being subjected to the indignity of a public officer entering their premises without their leave? And if such restraints are indispensable for the sake of the revenue, ought they not to be submitted to with cheerfulness when the sole object of the interference is to improve the condition of thousands of children, and therefore ultimately, that of the whole factory population of the United Kingdom? If the restrictions do cause a reduction in some degree of present profit, by raising the wages of children, is there not the most well-grounded reason to expect that that outlay will, in the end, return with interest, by their having a more moral and intelligent set of work-people, who will be more regular in their attendance, will take better care of the machinery, and be less apt to be misled into *strikes*; and that thus there will be less interruption to the productive powers of the fixed capital, the great point to be aimed at, as you so clearly demonstrate?

You state, that “the relay system appears on the whole, as far as this district is concerned, to have failed.” If you had said that it has not been much acted upon, as far as that district is concerned, the statement would not have been liable to be misunderstood, as it is in the way you put it; for, in so far as the *practicability* of the system is concerned, the experiment has not only not failed, but has, in my opinion, succeeded beyond what its most sanguine advocates could have anticipated, considering the many obstacles it has had to contend with. It was to be expected that, for a time at least, a system which at first occasions some trouble, would not be adopted unless from necessity; and up to the present day, in such populous places as Manchester, Stockport, Ashton, and Staly Bridge, there has been comparatively little scarcity of children *certified to be* 13 years of age. From the great imperfection of the Act, in all that relates to the enactments for the determination of the ages of the children, it is impossible for the inspector to check the most palpable frauds, and to prevent the admission of children to work full time, long before they are 13 years of age. I have tried various checks, but with very partial success; and I am persuaded that fully one-half of the children now working under surgeons’ certificates of thirteen, are in fact not more than twelve, many not more than eleven years of age. Until this defect in the fundamental part of the Act be remedied, the object of the law will, to a great extent, be defeated. Had it not been for this facility of finding children *nominally* of thirteen years of age in the above named places, I have little doubt that the relay system would have been much more extensively in operation. In every instance which has come to my knowledge, *where it has been fairly tried*, it has succeeded. But I have entered so fully into this subject in my Reports, that I cannot do better than refer you to them; and I rest the proof of what I assert, upon what I have there stated, and on the special return I made to the House of Commons on the 6th of the present month. I shall quote a few passages from those Reports.

“The factory where the relay system is in operation on the largest scale in my district, is at the cotton works of Messrs. Finlay and Co., at Deanston, near Doune, in Perthshire. This factory is on a great scale, the water power being equal to 300 horses, and 800 persons being employed, of whom 442 are under eighteen years of age. Mr. Smith, the able and enlightened resident partner of the establishment, is a zealous advocate for the limitation of the hours of the children, and for the enforcement of their attendance on school; and immediately upon the Act coming into operation, he adopted the relay system. He has now 106 children under eleven years of age working upon that plan, and attending school for at least two hours a day for six days out of the seven in each week. I visited the works on the 18th of June, and conversed with Mr. Smith, and with two of his overseers, in order to ascertain how the plan was working after a four months’ trial. The account I received was, that at first there was some awkwardness, but that the difficulties were overcome, and the plan was going on smoothly, without inconvenience of any sort to the business of the factory.”—*Report of 21st July*, 1824, p. 11.

I saw Mr. Smith in London a month ago, when he informed me that the relay system has been going on at their factory uninterruptedly since he began it, more than three years ago, and that he is more and more convinced of its practicability and advantages.

“The prejudices that exist against the system of so working with relays of children are, however, beginning to give way: and the assurances which I have been able to give of the success of that plan, in every instance where it has been fairly tried, have overcome the reluctance to adopt it in many cases. There are now sixty-five mills in my district, where it is in operation; some upon an extensive, but in general upon a small scale: the total number of children so working by relays being 776, by my last returns. More would have adopted the system, but for a strong expectation that the law is to be altered, and that it would therefore be better to wait for some time before they make the change in their works, and incur any expense about schools.”—*Report 24th of February, 1836*, p. 13.

“These arguments in favour of the relay system are not theoretical speculations, but the results of experiments fairly made. In my reports from my former districts I stated several instances where this plan of employing children had been extensively acted upon with complete success; and I am happy to say that I have already found several mills in my new district where it is adopted. I have seen it in operation in 30 factories, under various modifications, some employing double sets, but more generally three children are engaged to work eight hours for two who used to work 12. I found the plan more general in the West Riding of Yorkshire than in the other parts of my district which I visited; and Mr. Baker mentions 14 mills where he found it in operation in August. Mr. Marshall, of Leeds, has long acted upon it in his extensive works, indeed for nearly two years before the passing of the present Act; and his sons, who take an active part in the direction of the mills, informed me that they find no difficulty in it. I found it in full operation with 300 children in the admirable establishment of Messrs. Wood and Walker, at Bradford; and Mr. Walker, in a conversation I had with him on this point, bore equally decided testimony to its practicability, and he also can speak from the experience of several years. Messrs. Hives, Atkinson, and Co., of Leeds, who have more recently adopted it in their large factory, and under an excellent arrangement, told me that they even preferred it to employing the children full time, finding them more cheerful and alert, and that consequently they got their work better done. Were it necessary, I could mention other instances of the plan working successfully; and the testimony of those who have fairly tried it is so strong in its favour as to warrant the expectation that many, ere long, will become converts to it, even among those who most decidedly pronounced it, before trial, to be impracticable.”—*Report of 12th October, 1836*, p. 9.

“In my last report I mentioned a great number of instances where this system had been adopted; and within the last three months a great increase has taken place, especially in the West Riding of Yorkshire. Mr. Baker has just sent me a report, from which it appears that, in the town and neighbourhood of Halifax alone, there are forty factories where there are 635 children working by relays, and regularly attending school. I have seen it in operation in large mills and in small mills, in towns and in country situations, and all I have seen has confirmed the opinions I have expressed in former reports, formed upon experience in my last district, that this mode of working children is not only perfectly practicable, but attended with very little difficulty after it has been but a short time in operation. Masters, managers, and operatives, have, in numerous instances in the last three months, expressed the same thing to me.”—*Report of 18th January, 1837*, p. 45.

In my report of the 12th of October, I mention, that Messrs. Hives, Atkinsons, and Co., of Leeds, are acting upon this plan; and when I visited their factory ten days ago, they expressed their unqualified approbation of it; the best proof of which is, that, while on my inspection of their mill on the 9th of December last, I found 65 children so employed; on my visit to it on the 15th instant, I found 123.

The following are extracts from my journal of inspection at Manchester:—28th of October, 1836.—“Visited the mill of Mr. Bazley, New Bridge Mill, in Water Street. Here I found the relay system in full operation. I did not see Mr. B., but John Powdrell, the manager. They have at present twenty-eight children on half time, and would have double the number, but the children leave them for mills where P. said they still get full-time employment. They work by a double set. P. said that he is very friendly to the short-time, mainly for the sake of the education; and when I said to him that I saw no impracticability in the working by relays, he replied, that there is none—‘Where there is a will, there is a way.’ ”

5th of November.—“I visited the mill of J. Pooley and Sons, at Hulme. It was in excellent order in all respects; I have seen none better, and few so good, if any, in Manchester. They employ about fifty children by relays of three for two, and send them to the National School, which is near at hand, and to the Sunday Schools of different sects. Mr. Pooley, jun., said, that the men who employ the children did not like the plan at first, but now that they have got used to it, and that they know that their masters desire it, it goes on very well.”

On the 6th of the present month, I made a return to the House of Commons of the number of mills in my district that are acting upon the relay system; and if you refer to it you will find that 524 out of 1289 factories are working upon that plan.

I have cotton mills, woollen mills, and flax mills, working on this plan, in large towns, small towns, and country situations; and I think you will admit that I am justified in maintaining that its *practicability* has been abundantly established.

With regard to the losses stated by you to be consequent upon the restriction of the labour of children to eight hours a day, I have to observe, that, where the relay system is adopted, the mill-owner pays, at least, the same gross amount of wages, and generally more; so that the working classes receive as much or more than they did before the interference of the law. A man with three sons, who formerly sent two of eleven and twelve years of age to the factory, and received six shillings a week for their labour, now sends the little fellow of nine years old, who was not employed at all, because twelve hours a day were too much for him, and he still receives his six shillings; with the advantage that the two elder boys have now time for their education, which they had not before, and have a game at football in the green fields besides. It seems to me perfectly reasonable that a man who receives two shillings a week by the labour of his child—and few receive less for the eight hours’ work—should be obliged to spend one-twelfth part of it, two-pence a week, for the education of that child.

On the subject of education, I agree with you that little has yet been effected. Except in those cases where good schools are attached to the mills, or in their immediate vicinity,—and these are comparatively rare,—little more can be said to have been hitherto accomplished, than the establishment of the principle, that attendance at a factory for a part of the day and at a school for another part, are two things perfectly compatible; but that is no inconsiderable step in our progress to a better state of things. In nine cases out of ten, the instruction given is very little, and the incompetence of the teachers is eminently conspicuous. If we stop where we are, we shall be far short of what ought to be done for the benefit of the factory children, because the necessity of interference for the sake of their bodily health was trifling in comparison of that called for by their destitution as regards moral training. The country insists, and most happy I am that it does insist, that the factory children shall be educated; but the order cannot be complied with, unless schools and teachers be provided, where the children may be able *to purchase* that commodity with which they are required to supply themselves. I hail the Factory Act as the first legislative step in this country towards that to which, under some modification or other, we must sooner or later come—a compulsory education for all classes. Among the more wealthy classes, shame of exposure would compel a man to educate his children if he were unwilling to do his duty to them; but there are many ignorant uneducated parents among the working classes who cannot perceive the advantages of sending their children to school, and nothing short of compulsion will induce them to spend a portion of their earnings for that purpose.

As to what you say of the difficulty of getting the children to go to school, the representations made to you have been greatly exaggerated. They are true, I have no doubt, in many cases, where no pains have been bestowed to impress upon the children and their parents; that attendance at school must be as regular as attendance at the mill;—but I have made particular inquiry upon this point, and the certificates show, in a great many cases, as regular an attendance as you would find in most schools. Since I have had some parents punished, under the 29th section, for neglecting to send their children to school, the attendance has been better. I have recommended the masters to fine the children for playing truant; to make the master or an overlooker the treasurer, in order to avoid all suspicion of the fines going into his own pocket, and to distribute the sum collected periodically, in the form of rewards in the school. By contrivances of various kinds, the difficulty will soon be got the better of; if we had good schools, where the children were evidently deriving useful instruction, a large proportion of parents would set a just value upon the opportunity, and look after the attendance of their children.

What you say of many of the operatives being hostile to the Act, accords with my experience, as I have stated in my Report of the 18th of January, 1837, page 46. But this applies chiefly to the Ten-hour Bill men, and those under their influence. When all hope of the limitation of the labour of adults is set at rest by some strong expression in Parliament, the opposition will greatly diminish. Operatives in numerous instances have expressed to me their approval of the Act, and particularly of that part of it by which their children “get a bit of schooling.”

The masters maintained to you, that factory children are better educated than the children employed in other trades; so have mill-owners maintained to me, but they failed in giving any evidence of the assertion. For proofs of the deplorable ignorance of factory children in the cotton trade, I beg to refer you to my Report of the 12th of October, 1836, (p. 10,) and to that of the 18th of January, 1837 (p. 47,) where you will find that out of 2000, of 13 and 14 years of age, who were individually examined, 1067 could not read. I say *cotton*, because your inquiries were restricted to that branch; but it is no better in the woollen and flax mills; and, by an extraordinary inconsistency, children in silk mills are not required to attend school by the present Act; an absurdity which I hope to see corrected in the proposed amending act.

The masters complain bitterly, you say, of the machinery of the Act. They know perfectly well that without other machinery than what is contained in the Act itself, the law could not be enforced; and so, doubtless, parliament was aware, and they gave the inspectors the power of making such regulations as, in the working of the Act, might be proved to be necessary; a power which has been represented as novel, and as being unknown to the constitution; whereas there are precedents without number. The principle upon which the inspectors have all along acted has been, to endeavour to discover in what way the law could be carried into effect with the least possible inconvenience to the mill-owner or his work-people. To those mill-owners who have complained of the machinery, I have said again and again—"You see what the law requires as well as I do; and if you will point out a mode by which it can be carried into execution, with less trouble to you than attends compliance with our regulations, we shall give it our best attention, and will gladly adopt it if we can." *Nothing practicable has been suggested.* Objections have been made in abundance by some mill-owners; but they have proposed no substitute;—the demand is, "Do away with your troublesome machinery;" which is another way of saying, "Do not put the law in force."

The inspectors could not stir a step without some regulations; and we framed, at first, such as appeared to us to be necessary. After these had been put to the test of practical application, some were found unnecessary, others unreasonably troublesome; and we found too that some additional regulations were called for, in order to check frequent and gross evasions of the law. We, therefore, set earnestly to work last October, and issued a new code, which had previously received the sanction of the Secretary of State, by which the labour of the mill-owner is greatly diminished from what it was under the former regulations. This proceeding has been represented to you as if we had been capriciously and arbitrarily using vexatious rules, "not easily comprehended, and, by the time they have been understood, revoked." No rule or regulation has been issued without a copy having been sent, free of expense and postage, to every mill-occupier; and there was also an advertisement in the county newspaper twice, in addition to that delivery of notice. No rule or regulation has been attempted to be enforced by legal steps, until a considerable time had elapsed after the delivery of such notice, and after such advertisement.

With regard to the complaints stated at pages 20 and 21, under the heads 1, 2, and 3, I may challenge the complainants to bring forward a single instance of a mill-owner having been proceeded against for any such frivolous cause. They have been

prosecuted for allowing a child to remain in the factory longer than the law allows; not because they were humanely protecting the child from the inclemency of the weather, but because they were employing it to *clean the machinery*, while the adult was at his dinner, or after the mill stopped at night; a practice which would be very common, if it had not been enacted that the child must not remain in the mill longer than the hours specified; because, cleaning machinery not being one of the enumerated processes in the 1st section, they could not otherwise be prevented from working the children any number of hours at other things than the processes so enumerated. No mill-owner has been prosecuted for making a false entry, “because one of 80 children has one day come at half-past 8,” &c.; but because he was working the 80 children 12 hours a day, and falsely stating in his Time Register that they worked only eight hours. No mill-owner has been prosecuted “because he has been unable to force a child to school,” but because he has for weeks and months paid no attention to the enactment requiring school attendance.

I shall next notice the suggestions stated at p. 12:—

1. I have already said that, to be consistent, Parliament must do something to provide schools and teachers where none already exist.
2. I do not see how the mill-owner can be relieved from the obligation now imposed upon him, viz. that he must not employ any child that does not produce proof of having attended school during the preceding week. *The impossibility of getting work*, unless the school be regularly attended, is the grand compelling power both over the parent and the child. It has been suggested by some, that children should be excluded from factories until they are 11 years of age; when, if they could read and write, they should be admissible to work 12 hours a day. There are strong objections to this. It is a great injustice to the parents; because children, by the time they are eight or nine years of age, can, with perfect safety to their health, be employed in a factory for eight hours in the day, and thus earn a large proportion of the sum necessary for their maintenance and education: by coming into the mill they acquire habits of regularity and industry,—no unimportant part of their education; and they are in a warm, dry place, generally far more healthy than the dwellings of their parents. Besides, if they were to be examined as to their education before getting work, it could only be as to the mechanical power of reading and writing,—the mere initiatory step in that process which alone is entitled to be called education. There is, moreover, the great objection that they would not be long enough at school for the formation of habits.
3. If the mill-owner were not punishable for mere *formal* violations of the law, he would very soon contrive to escape from all punishment for *substantial* violations. Any public officer who should prosecute for such informalities as are here stated must be a fool, and would be unfit for his situation; but if the mill-owner will not observe the *forms* by which the inspector can alone judge whether the law has been *substantially* obeyed, he surely deserves punishment. But the punishment ought to be very different for neglecting to obey a regulation and for overworking a child. As bringing a mill-owner into court is a very serious, and to many the most serious punishment, it is worthy of consideration whether it would be safe, or sound in principle, to authorize the inspector summarily, and without bringing the party into

court, to impose a fine not exceeding a small sum, for all such minor offences, giving the party the option to pay the fine, or to be proceeded against by information in the usual way.

4. To a control by government over the promulgation of rules and regulations by the inspectors, I see no objection, but, on the contrary, should rejoice to see it established. The inspectors, however, ought to have a full opportunity of stating to the controlling party why they consider the rules they have proposed necessary. As to an appeal, that is more questionable, and, with the supposed control, hardly necessary. What better mode of publication could be devised than that now practised, I am at a loss to conjecture. We could not employ any more expensive messenger than the postman; and the transmission of a copy, free of charge, to every mill-occupier, and two advertisements in the county paper, appear to me to be very full notice of what mill-owners are required to attend to.

You make me assume a tone of decision, which I am not conscious of having employed, when in your third letter you speak of my making “requisitions.” On the subject of magistrates, who are themselves mill-owners, or nearly connected with them, sitting on factory cases, all I have said is contained in the following paragraph in my Report of the 12th of October, 1836:—“It is, in my opinion, a matter very much to be regretted, that magistrates, who are themselves mill-owners, or who have property in mills, or who are by trade or near relationship connected with factories, should sit on the bench in cases of prosecution for offences against this Act. They must often, unconsciously to themselves, have a bias in favour of such offenders; and, at all events, this serious evil will arise,—that, however uprightly they may act, their motives for leniency will always be liable to misconstruction, and a doubt will be thrown on the purity of the administration of the law.” I have also joined with my colleagues in recommending that the disqualifying clause in Sir John Hobhouse’s Act, 1 and 2 Wm. IV. c. 39, sect. 10, should be introduced into the proposed amending Act.

When I tell you that I have had mill-occupiers trying cases against other mill-occupiers living in the same town, upon several occasions;—a mill-owner, sitting as a single magistrate upon an information against *his own sons* the tenants of his mill; a mill-occupier deciding upon an information laid against *his own brother*; and all these giving, in every instance, the lowest penalty which they had power to award in the case of a conviction, in some cases for a second and even a third offence, I think I was bound to bring the subject before the Secretary of State. Whether it be practicable to have the law administered in such cases by magistrates who are not interested parties, Parliament is best able to decide.

If you will examine the return of convictions laid before the House of Commons in the present session, and printed, No. 97, you will find that the prosecutions have not been for mere formal offences, but for grave violations of the great enactments in the statute, or wilful neglect of regulations without the observance of which the law would speedily become a dead letter; as its predecessors became, for want of a proper machinery to enforce obedience to them.

I have recommended that, in place of the superintendent getting admission to the interior of the factory by sufferance, he should be able to go there as a matter of right; because, at present, it is in the power of a mill-owner, by excluding him, to set the law at defiance so long as he is out of the immediate reach of the inspector. I remain of the opinion, that such a right is wanting for the due enforcement of the law. If a power were given to the inspector to issue a warrant to the superintendent to enter the interior of a mill upon his declaration in writing that he has good reason to believe that the law is violated there, the evil perhaps might be remedied to a great extent, without conferring the right upon the superintendent to go at pleasure into the factory. Two of the mill-owners whom you saw, and whom I met with in London at the beginning of this month, and who spoke to me on this point, stated to me that their objection to the admission of the superintendent would be very much diminished if he were more under the control of the inspector than he is at present, by holding his appointment from him; and if thus the inspector were made responsible for the good conduct of his deputy. Upon this last subject you agree, I know, with these gentlemen; and you have adverted to it shortly in the postscript to your second letter. There are few things less to be envied than the possession of patronage when it is to be exercised in the selection of a proper man for such an office; but I am satisfied (and I speak from experience) that, until the inspector has a very different control over his assistants than he possesses at present, the public service will be exposed to suffer from collisions between them.

I Am, My Dear Sir,
Yours, Very Faithfully,

LEONARD HORNER.

N. W. Senior, Esq.

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Minutes *Of A Conversation On Friday, The 22Th Of May, 1837, Between Mr. Thompson, Mr. Edmund Ashworth, And Mr. Senior.**

The following paper was read by Mr. Thomson:—

A belief that whatever regulations are permanently established by the legislature for cotton-mills, will sooner or later be imposed on calico printers, has made me watch with interest the operation of the present enactments. The calico printers are, in fact, much more obnoxious to reproach than the spinners, for they now employ children at a much earlier age, work them harder, and work them longer. An ordinary day's work in a print ground is 10 hours of actual labour; but at the busy season, in spring and autumn, or during the shipping months, the hours of actual labour are extended to 12 or 14, and sometimes (with a relay) through the night. If the law interfered to prevent this, it would not be a question of profit to the manufacturer, but of employment for the people. Time is an element in the calculations of a manufacture, dependent on season, taste, and fashion. That which one month fetches a high profit, in the next is sold for none at all, and, in the following, to a heavy loss. A calico printer cannot work to a stock as a spinner or weaver, whose production being the same from year to year, is saleable some time or other. The consequence is, that the printer is often idle for weeks, and often again has double the work he can perform in the ordinary hours of labour. It is the same in all countries,—France, Switzerland, Germany, and the north of Europe. It is irremediable: and the law that imposed restrictions on the hours of labour in calico printing would destroy the trade, and involve masters and labourers in common ruin.

The factory system of education is wholly inapplicable to calico printing. The child is actually a part of a machine, like a lynch pin; and just as when the pin is out, the wheel comes off, so a tier-boy absent stops his master. I once proposed to try the experiment. In order to educate 300 children, I intended to form them into classes of 30 each, and place each class for one hour under a schoolmaster; and thus, in 10 hours per day, to give to the whole number one hour's education per day. The schoolmaster's salary would have been 12*s.* per week; the wages, at 2*s.* 6*d.* each per week, of 30 supernumeraries, to replace the class, would have been 4*l.* 7*s.*; but I abandoned it, on finding that the only result would be the giving an inadequate, and, in fact, almost useless education, at the expense of about 250*l.* a year. To have doubled the time would have doubled the expense.

A more grave objection than the expense was, that the children would have been sent into school dirty from their employment, their minds unprepared, or ill-prepared, for a sudden transition from mere animal labour to mental, and for a short period only, and then back to work again. The relay system would require a doubling of the hands, which, in very few situations, are to be had.

Having abandoned this project, I adopted with success a system, which throws on the parents the *onus* of attending to the education of their children, and secures it by making it their interest. Apprenticeships in the various branches of calico printing, viz. pattern drawing, engraving, block cutting, block printing, are eagerly sought after by parents for their children, as leading to high wages. I have made the ability to read and write at 14 years of age an indispensable qualification. The effect of this is strikingly shown in the demand for teaching which it has produced. The Sunday schools of the Established Church not teaching writing, as being a secular employment, were deserted for those of the Methodists and Catholics. The children have been allured back to the Establishment by gratuitous night schools twice a week, when writing and arithmetic are taught. Such apprentices as are already indentured, though not qualified, have received notice, that if they are not able to pass an examination at the expiration of their apprenticeships, they will not be employed as journeymen. Lastly, notice has been given, that after the 1st of July, 1838, no child, whatever its age, will be received into the manufactory who cannot read; and it forms a part of my plan, considerably to extend the qualification for apprenticeships as soon as certain arrangements regarding the schools of the neighborhood, now in contemplation, are carried into effect.

Mr. Ashworth.—We have found so much advantage from our people being able to read and write, that, although opposed in feeling to the compulsory education forced upon us by the present Factory Law, we are anxious to see a law of the nation, a general law, enforcing education on all trades, by making it unlawful for any child, unable to read and write, to be found working out of its parent's house.

Q. Have you any, and what objection to a law forbidding a parent to obtain profit from the labour of his child, until that child had made a certain proficiency in reading and writing?

A. Except within its own parent's house, under his own roof. I suggest this limitation, on the ground that it would be too much an infringement upon domestic society, to interfere with the parent's arrangements in his own house. I never expect a law to be well observed, unless obedience is made the interest of those affected by it. The regulation which I propose by holding out education as the condition for a parent's receiving a lucrative return for his children's labour out of the house, would effectually induce him to see to their attaining it. But at the same time, there must be the facility of obtaining that education. There must be both the motive and the means—the means must be provided by Government. At present such means do not exist.

Q. Do you see no objection to the Legislature imposing a condition on parents whose children work from home, and none on those whose children work at home?

A. I do not see any: There are few families in which the children can permanently obtain their livelihood in their parents' house; sooner or later they all quit it.

Q. Supposing there were an indisposition to promote this education, on the part of the parents, or a total indifference to it, would not the proposed law occasion a preference

of domestic employment to that which would lead the children abroad; of hand-loom weaving, for instance, to factory work?

A. I think not; parents may be, and unhappily often are, indifferent to the education of their children, but not to their getting good wages, or to their advancement in the world; and those objects are best obtained by sending them from home. A child can be earlier and more effectually profitable to his parent, by attending a factory than a hand-loom. Children cannot become weavers till the age of ten, eleven, or twelve; they are admitted to the factories at nine, and generally they are able to get more in a factory at eleven, than they would in their father's house at eleven. Again, hand-loom weaving is a declining trade; mill occupations are an increasing and improving trade.

Q. (*To Mr. Thomson.*)—What amount of education would you consider sufficient for the children in your employ?

A. Constant attendance at the Sunday school, morning and afternoon, and attendance at the night school twice a week for two hours each night.

Q. That would be,—how many hours on Sunday?

A. On Sunday that would be six hours.

Q. Six hours in school?

A. Three hours in the morning, and three hours in the afternoon.

Q. With the attendance at church, that would make from eight to nine hours a-day, on Sunday?

A. Generally, young children who attend Sunday schools, do not attend the church service—at least, not regularly, but in sections, as there may be accommodation.

Q. The whole time given to education would be ten hours per week?

A. It would.

Q. But in your paper, you described one hour a day on the week days, which, with the 6 hours on Sunday, makes 12 hours a-week, as inadequate?

A. Two hours of continued attention are much more than twice as efficient as a single hour. The first quarter of an hour and the last are generally wasted: I think the two hours would be usefully employed.

In fact, however, I was assuming the adoption of the proposal, that no child unable to read, or perhaps to write, should be admitted into a factory. The ten hours a week, therefore, which I have just mentioned, would be employed only in keeping up and extending an education of which the foundation had been previously laid.

Mr. Ashworth.—If a national course of education were enforced, and children received in Infant Schools up to seven years of age, and in the National School from seven to ten years of age, they would then, nine-tenths of them, have sufficient education for the general profession of artisans.

Mr. Thomson.—On such a plan I am now proceeding at Clithero. Two schools, an infant, and a British or National school, are now in a course of erection; the operation of which will render unnecessary the present restrictions.

Q. What restrictions?

A. I speak of my own regulations with regard to the non-admission of apprentices who cannot read and write.

Q. You think, that if your regulations were applied to the cotton manufacture, the education clauses of the Factory Act would be unnecessary?

A. I do.

Q. What effect did your plan produce on the desire and means of procuring education in your neighbourhood?

A. It produced a great desire on the part of the parents to have their children taught reading and writing, when they found that without these qualifications they were refused apprenticeships, and admission into situations that were eagerly sought after. The new demand in the town for education was so considerable, that new schools, both day and night schools, were formed by private schoolmasters. There are now three schools more than there were before this regulation; and, as I mentioned before, those who have the management of the Church of England Sunday school, have found it necessary to open schools for reading, writing, and arithmetic, two nights in the week, to prevent the children from being drawn off to the schools of the Methodists and Catholics, where writing is taught on the Sunday.

Q. Had you any difficulty in obtaining schoolmasters?

A. No difficulty in obtaining schoolmasters to teach reading, nor indeed to teach writing; but great difficulty in obtaining masters with higher qualifications. In the lower classes, when a man can do nothing else for his livelihood, he becomes a schoolmaster; men whose failure in life is often to be attributed to their own improvident and vicious habits.

Mr. Ashworth.—In reference to the practicability of applying national education, I would say that I have been lately engaged in taking, or rather in having taken for me, the statistics of education of the borough of Bolton, containing about 54,000 inhabitants. There were 61 schools; and of the 61 schoolmasters there were only 13 who had been educated for the profession; 25 had taken it up from poverty, and the remainder for a livelihood. With such masters little can be done; but with able teachers great progress might be made, at little expense. We have lately established a school in Bolton, under the title of “The Bolton British School,” on the “London

British and Foreign School” system, where we educate 500 children, at the cost of twopence each per week. They consider three years a sufficient length of time to teach them reading, writing, and arithmetic, and some acquaintance with mechanical drawing. Such an education can be given between the ages of seven and ten.

Q. (To Mr. Thomson.)—Do you think that those whom you have admitted to apprenticeships, as capable of reading and writing, can read so as to amuse themselves?

A. They cannot all read fluently; some do: but if we had exacted too much at first, we should have had no hands. We found that the parents cared little or nothing about their children’s education, for its own sake; mere exhortations would have driven them away; it was only by making it decidedly their interest, that I could do any thing. It was this that led me to adopt the plan detailed in my paper. I found from experience, that the parents themselves would never do any thing for the education of their children; that even where schools exist, as they do in our neighbourhood, they never enforced the attendance of the children, and never took any pains to procure education for them; so that it was necessary not only to explain to them that it was their duty, but to make it their immediate and direct interest.

Q. In many cases, are not the parents jealous of their children being better educated than themselves? Do they not dislike it?

A. I have never seen that feeling.

Mr. Ashworth.—And I have never seen it.

Q. Then it is indifference on their parts, not dislike?

A. Indifference, rather than dislike.

Mr. Thomson.—The lower classes are not sensible of the advantages of education.

Mr. Ashworth.—I have generally found them so ignorant, as not to know the disadvantages they laboured under. It is to be observed, that when a case does occur that an individual can both read and write, and becomes more successful in his business, the rest of the community seldom refer his success to his education, but to some other cause, such as superior conduct; and very often attribute the whole of it to what they call a gift of intellect. The great objection which I have to the mode in which education is now provided in the manufacturing districts, is that it is given on Sundays. Too many of the young people are brought up with the feeling, that they have performed their duties by simply attending a school, and not a place of worship, on the Sabbath day; and at a great number of those schools, but little of real religious instruction is given. None but the Church teaches religion; the Church does teach the fundamental principles of religion; but you cannot find any others that do so. I feel it to be lamentable, that the Sabbath should be the only day in the week devoted to receiving instruction—that we rob the Sabbath of its peculiar service, in order that we may devote the whole of the working days to work. At the same time, the instruction to which the appropriate duties of the Sabbath are sacrificed, is not such as best fits

the child for its employment during the week. The result is, that the children receive neither good social, nor good religious instruction.

What I wish would be, that sufficient secular instruction should be given in the working days, and that such instruction should be given to them on the Sabbath as might be peculiar to their religious profession.

I have seen the evil, in many cases, of persons growing up to manhood, and feeling satisfied in their moral duty by simply attending at a Sunday school, and not attaching themselves to any religious body or profession. I speak of this now, not from any isolated case, but generally as an evil growing up to be combated in a succeeding generation.

Q. I think the chapel connected with your school is Independent?

A. We have three. I speak now looking at Bolton, where there are 9000 children educated out of a population of 54,000; and, as Mr. Thomson has previously said, the schools where writing is taught are much followed: on the other hand, some of the promoters of such schools, joining with me in opinion that the Sabbath day is too much devoted to secular education, have shown a wish to abolish writing in their schools, and those schools have consequently sunk in the estimation of the scholars.

Q. Would you yourself consider writing as too secular?

Mr. Ashworth.—I should decidedly say, too secular for Sunday. At the same time, my religious profession have no Sunday schools.* They hold that the Sabbath should be wholly devoted to its peculiar service.

Mr. Thomson.—If the schools of the Established Church would dispense with a peculiar test as to their weekly schools, that is, would admit the children of other denominations, without compelling them to learn the Catechism,—and their own Sunday schools, and the Sunday schools of each sect of Christians were made schools for religious instruction,—it would be a great improvement.

Q. But according to your scheme of an evening school for only two hours on two days in the week, would it be possible to give a sufficient quantity of mere intellectual instruction, if the Sunday were wholly devoted to religious and moral instruction?

Mr. Thomson.—This is leaving out my proposal of the children going till seven years of age to an infant school, and for three years afterwards to a national or British school.

Mr. Ashworth.—I may further say, I have tried most perseveringly evening schools, and so long as I attended them personally, success resulted; but when it was left to the inclination of the parents and the children, without my almost compulsory superintendence, it fell away.

Q. I was told at Manchester, that the children in the cotton factories were, on the whole, better educated than the children of the same class in other employments: do you think that it is so?

Mr. Ashworth.—As respects the children of English parents, the children in cotton factories are not better educated than those in other factory employments in Lancashire; because the education which they receive is not peculiar to the cotton manufacture. But as far as my own experience goes, I should say, that the factory children are better educated than children in other parts of the country; certainly better than the children of the agricultural labourers. The manufacturing parents are, as I have already stated, indifferent to the education of their children. The agricultural parents are often positively hostile. In a part of the south, which I have frequently visited, parents have often asked, “Will my boys be any better ploughmen or spade-labourers for learning to read and write?” A school which was established there by a near connexion of my own, on his own estate, and at his own expense, was very unwillingly attended, and only in obedience to his express desire; and so unpopular was education in the neighbourhood, that a clergyman used his influence to prevent the attendance of the children at the school, although no sectarian religious instruction was given to the children; and there was no Sunday school. The clergyman and his wife actually went from door to door, to forbid their going. There is a feeling in that district, that education would spoil the labouring classes. We cannot combat this prejudice throughout the whole country, without the aid of the Legislature.

Q. There is another subject upon which I wish for Mr. Ashworth’s and Mr. Thomson’s opinions. I have stated in my letters to Mr. Poulett Thomson, that it was represented to us that a great number of prosecutions had been brought under the Factory Act, for mere formal offences. I have stated that the manufacturers complained to us that a master may be called before a magistrate, exposed, and fined, for overworking a child, because a child has remained a minute too long within the walls of the mill, from heedlessness, or from dislike of being turned out in the snow, or, perhaps, as part of a conspiracy to make the Act intolerable. I have also said, that they object to being liable to be accused, convicted, and fined, for making false entries in the time-book, because one of 80 children has one day come at half-past eight, and gone at half-past four, instead of coming at eight and going at four, the hours fixed for it, and entered in the time-book on the supposition that they had been adhered to; and that it is to avoid this danger that the relay system had been generally unattempted or disused. I have also said, that the manufacturers have objected to being convicted and fined for neglecting the education of the children, because they had been unable to force a child to school, or have allowed one to work without a regular certificate of school attendance; that they say the children will work, and will not go to school; and that the mill-owner, whose time is filled with other things, cannot employ it in preventing 80 urchins from truancy. In a letter which I had the day before yesterday from Mr. Horner, he states his disbelief that any mill-occupier has ever been fined for such offences as the two first, and his conviction that no punishment had been inflicted except for wilful violations of the substance of the law. What is your opinion on these statements?

Mr. Ashworth.—I do not personally know of any cases of such convictions; but we conceive ourselves liable to them, inasmuch as we are obliged to keep an account at the mill of the time of the children coming and going,—neglect of which subjects us to a penalty. Again, we send the children to a school at about ten minutes' distance; the schoolmaster gives a certificate of the attendance of those children at the school: if we have not that certificate we are liable to a penalty; and again, we are liable to a penalty if a child has been only an hour, or an hour and a half, at school, instead of two hours.

Q. But do you employ the children without a certificate?

A. We do employ them without a certificate, when they are not possessed of one, otherwise the machinery must remain idle. It is utterly impossible for any manufacturer to employ a moderate number of hands without being liable to a penalty every day.

Q. What proportion do you suppose of your hands, speaking generally, have certificates?

A. 10 per cent. require certificates.

Q. Are you able to comply with the requisitions of the Act, as to the entries in the time-book?

A. Of the time of their coming in the morning, and our driving them away, we are; but as respects the intermediate time of their going out of the mill to the school, and their return from the school to the mill, we are not able to control their attendance.

Q. Therefore, in point of fact, you are liable to prosecution, from some source or another, for almost all the children you employ.

A. Yes; as to the fifty that go in and out of our mill, we are liable every day to penalties, which might be enforced against us, on proofs derived from our own records. This plan gives the superintendents great power of annoyance, if we were to thwart them; and although I do not know of any particular cases of conviction, for mere formal offences, still the general opinion is, that it is within the power of *any* superintendent to obtain a conviction from *any* manufacturer. It is the general feeling, that we are entirely in the hands of the superintendent, by his having so very many points upon which he can enforce a penalty under regulations made by his superior, which it is almost impossible literally to observe; and although I do not know personally of any such convictions, it is the general opinion that such convictions have taken place.

Mr. Thomson.—I know that the masters complain, that convictions have taken place upon the most frivolous accusations.

Q. Do you think that the substitution of a test for education, instead of the education clauses, would effect the object, without the inconvenience?

A. Mr. Ashworth.—I think that it would be, inasmuch as it would then become the interest of the parents to see to the education of their children; at present they feel averse to the small degree of compulsion which is now exercised over them. The answers of many of our men, when reproved for the irregular attendance of their children at school, have been to that effect.

Q. Would it be an improvement if the master were altogether exonerated, and the parent only fined.

Mr. Ashworth.—In such cases the school, and the schoolmaster, would have to be provided by some other authority; at present, the responsibility as to providing a school rests in effect with the master. The present law enforces the attendance of the scholars, but not their proficiency; and I know many cases where the attendance is merely nominal, and little or no education is attempted to be enforced.

Q. Your school appeared to me, when I visited it, to be conducted by an excellent master, and to be efficient; do you find that the goodness of the education thus supplied, increases, or rather creates a wish in the children to attend it, and in the parents to send them?

A. The system we have adopted, which is that of the British and Foreign School Society, renders the studies of the children much less irksome; and when the attendance is entire, not mixed with mill labour, the children attend very cheerfully, but those who belong to the mills, go for short periods, are compelled to wash, and clean themselves previous to entering the school, and then immediately enter their classes, and attend to rather a laborious mental duty for two hours, therefore feel averse to it; we have more truants from those who come from the mill, than from all our other scholars put together, although the number from the mill is only one-fourth of the whole.

THE END.

r. clay, printer, bread-street-hill.

[*]As this sheet was passing though the press, I received the following letter from Mr. Edmund Ashworth:—

“Egerton, near Bolton, 6 mo. 5, 1837.

“Respected Friend, N. W. Senior,

“On my return home I find that our establishment was last week visited by J. Heathcote, one of Leonard Horner’s superintendents of factories, and we have now received notice of summons before the magistrates, to answer his charges.

“As these cases may serve to illustrate the subject we were speaking upon when I was in London, I take the liberty of stating them as briefly as possible.

“It is a well-known regulation, that no child under 13 years of age is allowed to work in a mill except it have a doctor’s certificate of age, and also a schoolmaster’s certificate of having attended school two hours each day. The doctor is appointed by the inspector. In this case he resides at Bolton, two and a half miles distant from us; consequently, as it would be very inconvenient to send every child that distance to obtain a certificate previous to entering the mill, we entered into an arrangement with him to call at intervals of a few weeks, to certify all new comers; he assured us no advantage should be taken, during these intervals, of children found in the mill on trial: of these we had four cases; one had only worked two and a half days.

“It had been the practice of our book-keepers not to enter a child upon any of our various school and registry books, until it had obtained a doctor’s certificate, viewing that as a preliminary to all other proceedings; consequently we are charged with ten offences for these four children, namely: for each child not having a doctor’s, and each a schoolmaster’s certificate; then for our registry under 13 years being erroneous, or false; also for those names not being entered in our registry of all under 18 years of age.

“Although the circumstance of our being placed in this unpleasant situation has arisen from an arrangement made with us by a servant of the inspector’s, for his own convenience, still we are liable, and, I believe, shall be convicted.

“There are one or two other cases charged against us; as, for instance, the certificate of a child being lost, though passed by the doctor, &c., the particulars of all which, I trust, will be shown on the trial; a newspaper report of which I will send when it occurs.

“The above will sufficiently confirm my previously expressed opinion, that we are every day liable to convictions from the errors or informalities of our clerks or schoolmasters, although we are at an expense of near 200*l.* a year to supply the needful means of observing this absurd and oppressive law.

“I Remain, Very Respectfully, Thy Friend,

“Edmund Ashworth.

[*] Mr. Thomson’s print-works, at Primrose, near Clithero, are among the most extensive in the kingdom.

[*] Mr. Ashworth is a member of the Society of Friends.