

**LETTERS ON THE FACTORY ACT, AS IT
AFFECTS THE COTTON
MANUFACTURE, ADDRESSED TO THE
RIGHT HONOURABLE THE PRESIDENT
OF THE BOARD OF TRADE**

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Letters on the Factory Act, as it Affects the Cotton Manufacture, Addressed to the Right Honourable the President of the Board of trade by Nassau W. Senior

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NASSAU W. SENIOR

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LETTERS

F A C T O R Y A C T,

As it affects the Cotton Manufacture,

ADDRESSED TO

THE RIGHT HONOURABLE

THE PRESIDENT OF THE BOARD OF TRADE,

BY

NASSAU W. SENIOR, ESQ.

TO WHICH ARE APPENDED,

A LETTER TO MR. SENIOR FROM LEONARD HORNER, ESQ.

AND

MINUTES OF A CONVERSATION BETWEEN

MR. EDMUND ASHWORTH, MR. THOMSON AND MR. SENIOR.

LONDON:

B. FELLOWES, LUDGATE STREET.

1837.

ADVERTISEMENT.

Reclass. 9-27-29 A. V. M.
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.

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.*

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

The last point of difference, or rather of apparent difference, between Mr. Horner and my informants, to

“ 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