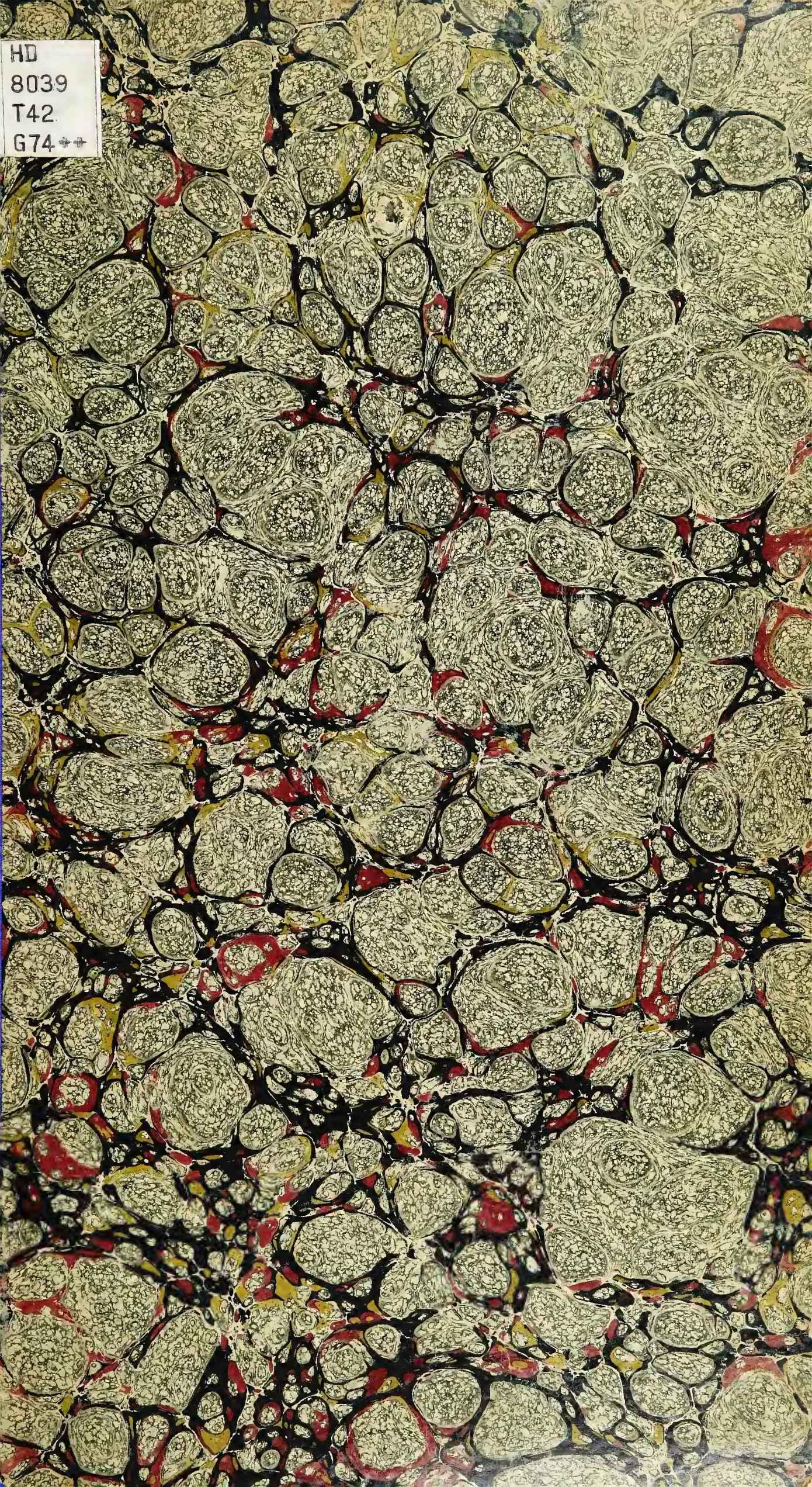


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# HAND-LOOM WEAVERS.

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## R E P O R T

OF THE

## COMMISSIONERS.

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Presented to both Houses of Parliament by Command of Her Majesty.

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LONDON:

PRINTED BY W. CLOWES AND SONS, STAMFORD STREET,  
FOR HER MAJESTY'S STATIONERY OFFICE.

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1841.



command all and singular Our Justices of the Peace, Sheriffs, Mayors, Bailiffs, Constables, Officers, Ministers, and all other Our Loving Subjects whatsoever, as well within liberties as without, that they be assistant to you and each of you in the execution of these presents. And for your assistance in the due execution of this Commission, We have made choice of Our trusty and well-beloved *Joseph Fletcher*, Esquire, to be Secretary to this Our Commission, whose services We require you to use from time to time as occasion may require. In Witness whereof, We have caused these Our Letters to be made Patent. Witness Ourselves at Westminster, the Fourteenth day of September, in the First Year of Our Reign.

By Writ of Privy Seal.

EDMUNDS.

# ANALYSIS OF REPORT.

STATEMENT OF PROCEEDINGS . . . . .	Page 1
CONDITION OF HAND-LOOM WEAVERS :—	
1. Where little strength or skill is required . . . . .	3
2. Where moderate skill is required . . . . .	11
3. Where strength is required . . . . .	14
4. Where both strength and skill are required, or unusual skill . . . . .	17
Irregularity of employment . . . . .	18
General condition of hand-loom weavers . . . . .	22
CAUSES :—	
THIS CONDITION AFFECTED BY CAUSES INFLUENCING EITHER THE DEMAND FOR LABOUR OR THE SUPPLY OF LABOUR . . . . .	23
CAUSES AFFECTING DEMAND FOR LABOUR :—	
1 Recency of business . . . . .	23
2. Increase or diminution of consumption . . . . .	23
3. Competition of rival producers . . . . .	24
4. Combinations . . . . .	30
CAUSES AFFECTING SUPPLY OF LABOUR :—	
1. Attractiveness of hand-loom labour . . . . .	39
2. Accessibility of hand-loom labour . . . . .	39
3. Employment of wife and children of weaver . . . . .	44
GENERAL RESULT AS TO CONCOITION OF HAND-LOOM WEAVERS, AND ITS CAUSES . . . . .	48
REMEDIES :—	
MUST EITHER INCREASE THE DEMAND FOR HAND-LOOM LABOUR, OR DIMINISH THE NUMBER OF HAND-LOOM WEAVERS, OR PREVENT ITS UNQUE INCREASE, OR CHEAPEN OR IMPROVE THE COMMODITIES WHICH THEY CONSUME . . . . .	48
Boards of trade . . . . .	49.
MEASURES FOR INCREASING THE DEMAND FOR HAND-LOOM LABOUR, OR CHEAPENING OR IMPROVING THE COMMODITIES CONSUMED BY WEAVERS :—	
1. Restriction of competition . . . . .	50.
2. Promotion of exportation and importation . . . . .	51
Alteration of corn-laws . . . . .	51
Alteration of timber duties and improvement of dwellings . . . . .	72
Further alteration of import duties . . . . .	76
3. Improvement of patterns . . . . .	79
4. Repression of embezzlement . . . . .	89
5. Abolition of restrictions on the Irish linen manufacture . . . . .	94
6. Releasing workmen from the tyranny of combinations . . . . .	98.
MEASURES FOR DIMINISHING THE NUMBER OF HAND-LOOM WEAVERS OR PREVENTING ITS UNDUE INCREASE :—	
1. Emigration . . . . .	118
2. Education . . . . .	120
SUMMARY OF REPORT . . . . .	124





# HAND-LOOM WEAVERS.

## REPORT OF THE COMMISSIONERS.

### TO THE QUEEN'S MOST EXCELLENT MAJESTY.

WE, the Commissioners appointed by Your Majesty to inquire into the condition of the unemployed hand-loom weavers in the United Kingdom, and to report whether any, and, if so, what measures may be devised for their relief, humbly report to Your Majesty, in manner following, our proceedings in the execution of Your Majesty's Commission, and the opinions which they have led us to form.

The Commission bears date the 14th day of September, 1837, but the absence from London of the Commissioners, during the recess, and difficulties in providing us with offices, prevented our meeting for the dispatch of business until the beginning of 1838.

Statement of Proceedings.

Our first inquiries convinced us that, neither at that time, nor at the time when the commission was issued, were there many unemployed hand-loom weavers, and consequently that, if the terms of the Commission were strictly followed, the inquiry would be short and unproductive. But those inquiries also convinced us that, though the hand-loom weavers were generally employed, many individuals, and indeed many classes of them, were in a state of great privation and distress, arising immediately not from want of employment, but from insufficient wages and excessive toil. Under such circumstances, believing it to be Your Majesty's intention that the sufferings of this large and meritorious portion of Your Majesty's subjects, whatever be their proximate cause, should be investigated, and remedies, if any be practicable, be suggested, we requested, and obtained permission to consider the word "unemployed" as a qualification not intended to confine our inquiries.

As it would have been impracticable to summon witnesses from every part of the United Kingdom, or for the Commissioners to travel themselves over the whole of the weaving districts, we determined, almost at the beginning of our inquiry, to avail ourselves of the power granted to us of appointing Assistant Commissioners; but one of our own body, Mr. Hickson, with a view of connecting the results of their inquiries, undertook to visit the principal weaving districts, and having personally inquired into the state of the weavers of Bethnal Green and Spitalfields, proceeded afterwards to Manchester and several of the principal towns in the north of England, and then visited the south of Scotland and the provinces of Ulster, Connaught, and Leinster, in Ireland. In order to direct the attention of the Assistant Commissioners to the extent and nature of the inquiry, we addressed to them a letter of instructions. A copy of this document accompanies the present Report,\* and we beg to refer to it as containing the best exposition which it is in the power of the Commission to afford, of the view which we entertained of the object of the inquiry, of its extent, and the varied difficulties which must attend it; of the mode of procedure by which we conceived that those difficulties might be most effectually met, and of the results which we hoped might be ultimately attained. The results of the inquiries of the Assistant Commissioners, and also those of the separate investigation made by Mr. Hickson, as set forth in their respective Reports, having been submitted to Your Majesty from time to time, and by Your Majesty's command presented to both houses of Parliament, are now before the public.

Appointment of Assistant Commissioners.

We feel that, from the nature of the subject, any attempt to present the purport of these Reports in a condensed and simplified form must fail. The varying features of the trade can be described by each inquirer only as he found them in his particular district, and they can be understood by others only through a careful perusal of their different Reports. Personal inspection of the condition of the hand-loom weaving classes is essential to a complete knowledge of that condition, and the best substitute for such inspection will be found in the Reports of those who describe what they witnessed themselves. On this account, we feel that it is impossible to render this Report in any respect

Condition of Hand-loom Weavers.

a substitute for those of our Assistant Commissioners, or to hope for a just understanding of the subject on the part of those who do not seek it by a careful consideration of the statements contained in those documents.

We shall add, however, a few statements as to the condition of the different classes of hand-loom weavers, chiefly in order to render intelligible our subsequent views as to the causes and the palliatives of the distress to which many of them are subject. For this purpose it is necessary to arrange the whole body into classes, and we have felt considerable doubts as to the most convenient principle of classification. The most obvious classification is according to the material on which the weaver works; but on examination this would be found to be, for our purposes, almost an arbitrary division, since it does not appear that the material of the texture necessarily influences the condition of the weaver; and the same remark applies to a classification according to districts. On the whole we have thought it best to classify them according to the comparative degree of strength and skill required by their work. According to this principle they may be divided into four classes.

1. Where little strength or skill is required.
2. Where the principal requisite is moderate skill.
3. Where the principal requisite is strength.
4. Where both strength and skill are requisite, or an unusual degree of skill.

We do not mean to imply that these are the only elements which decide what shall be the comparative wages of different classes of workmen. But they are the elements which decide in the absence of disturbing causes; their influence is therefore constant, and though often interrupted, and frequently even overborne, it will in general ultimately prevail.

It may be necessary, however, to preface this general view by a short description of the process of weaving. The material out of which the web or finished fabric is to be formed consists of the warp or longitudinal threads (in woollen called the chain), and the weft (sometimes called the shuttle or the abb) which is to form the transverse threads. The insertion of the weft between the threads of the warp is the only part of the business strictly called weaving. But besides this operation there are others of some importance generally performed by the weaver, or at his expense. One is the fixing the warp on the beam of the loom and arranging and preparing it for the reception of the weft, another the winding the weft on the quill, a small movable pin which when full of weft is inserted in the shuttle, and replaced as soon as it has become exhausted. The latter operation, called winding or quilling, requires neither skill nor strength, and is performed by children, generally at an early age; the former where there is much variety of pattern requires skill, and the weaver is generally forced to do it himself, and sometimes even, when his own skill is inadequate, to get it done for him by a superior workman.

Originally, hand-loom weaving was in the British islands, as it continues to be in general on the continent of Europe, a domestic occupation. At first indeed the weaver was both capitalist and labourer, as the linen weaver is still in many parts of the north of Ireland. He and his family there cultivate the flax, heckle it, spin it into yarn, weave it, and sell the web in the linen market. This almost total absence of the division of labour is however confined to the material and the district that we have mentioned. In every other branch of weaving, even in Ireland and in every branch in Great Britain, with the unimportant exception of a small class of weavers called customer weavers in the north of England and in Scotland, the material is supplied by the capitalist or manufacturer (generally called the putter out of work) to the weaver, and he is paid on returning a given quantity of finished cloth. In most cases the loom belongs to the weaver or is hired by him. If he has not a loom, he must work either at a loom belonging to some other weaver, or at one belonging to a manufacturer. In the former case he is called a journeyman, and the weaver at whose loom he works a master weaver: the journeyman has no immediate connexion with the manufacturer, and receives from his own immediate employer, the master weaver, a fixed portion, generally two-thirds, of the price which the former receives from the manufacturer. The weaver who works on the looms belonging to a manufacturer is called a factory weaver, or shop weaver, a designation arising from the circumstance that the manufacturers' looms are placed in his manufactory, or as it is usually called, his shop. Neither the factory weavers, nor the journeymen, form large portions of the weaving population. The bulk of the hand-loom weavers own or hire their own looms, keep them in their own cottages, and perform themselves, assisted by their wives and children, both the weaving and the operations which are subsidiary to it.

We must preface our description of the condition of the hand-loom weavers by

the following qualification. Our statements are copied from the reports of our Assistant Commissioners: the Assistant Commissioners derived their information principally from the weavers; and the weavers, exaggerating as almost all persons do, the power of the State to afford to every distress direct and immediate relief, were anxious to attract the interference of Government by making the picture as melancholy as possible. We cannot but suspect that extreme cases were often described to the Assistant Commissioners as the usual state of things, the wages actually obtained by old or infirm, or slow or unskilful workmen as representing the ordinary rate, and in short exceptions presented for rules. And we attach the more weight to this remark from having observed that Mr. Hickson, the object of whose inquiries was less notorious than that of those of the Assistant Commissioners, reports in general a higher rate of earnings than will be found in the statements to which we refer.

In proportion to the width of a fabric must be the size of the loom, and therefore the strength of the workman; in proportion to its fineness, and the intricacy of its pattern, must in general be his skill. The weavers, therefore, who are employed on narrow, plain, and coarse fabrics, whatever be the material, being engaged on work requiring little strength or skill will in general be found the worst paid classes. We will endeavour to give, from the Reports in our Appendix, some general views of their condition. The following are extracts from the report of Mr. Muggeridge, to whom Lancashire, Westmoreland, Cumberland, and a portion of the West Riding of Yorkshire were assigned:—

## WIGAN.

No. of Persons in each Family.	No. of Persons employed in each Family.	Total Income of each Family.	Designation of Work. (All Cotton.)
		£. s. d.	
6	2	0 7 6	Check.
6	2	0 7 6	Ditto.
5	2	0 7 6	Ditto.
7	3	0 9 4	Diaper.
5	2	0 8 0	Check.
6	2	0 9 0	Gingham.
6	2	0 8 0	Plain.
6	3	0 12 0	Check.
7	4	0 18 0	Ditto.
10	5	1 0 0	Ditto.
2	2	0 5 6	Check.
1	1	0 6 0	Gingham.
1	1	0 5 6	Check.
3	2	0 6 0	Plain.
7	6	1 7 10	Check.
2	2	0 7 0	Twill.
8	4	0 18 6	Check.
5	2	0 9 0	Plain.
5	2	0 9 0	Twill.
7	3	0 6 6	Strip.
5	1	0 4 4	Ditto.
2	2	0 6 0	Ditto.
1	1	0 6 0	Check.
1	1	0 6 0	Ditto.
4	4	0 16 0	Ditto.
4	3	0 8 6	Ditto.
2	2	0 6 6	Ditto.
9	6	1 4 0	Check.
1	1	0 6 0	Gingham.
8	5	1 2 0	Check.
7	5	0 18 0	Ditto.
13	6	2 0 0	Check.
3	3	0 10 0	Twill.
1	1	0 3 0	Plain.
4	2	0 11 0	Diaper.
5	1	0 3 9	Check.
4	1	0 6 0	Check.
5	2	0 8 0	Twill.
10	4	0 17 0	Check.
4	2	0 8 0	Twill.
5	2	0 8 0	Plain.
4	2	0 5 0	Ditto.

Lowest paid Weavers—North of England.  
Mr. Muggeridge.



REPORT OF THE COMMISSIONERS ON THE

BLACKBURN.

Lowest paid  
Weavers—North  
of England.

No. of Persons in each Family.	No. of Persons employed in each Family.	Total Income of each Family weekly.	Designation of Work. (Cotton.)
		s. d.	
6	2	8 0	Plain.
9	6	19 3	Ditto.
5	2	8 0	Ditto.
7	3	11 0	Ditto.
5	3	10 0	Ditto.
6	2	9 0	Ditto.
6	3	9 2	Ditto.
4	2	7 0	Ditto.
6	3	9 10½	Ditto.
8	4	11 8	Ditto.
5	2	8 6	Ditto.
5	2	10 0	Ditto.
2	2	6 0	Ditto.
7	2	10 0	Fancy.
3	2	7 0	Ditto.
5	2	8 5	Plain.
4	2	7 6	Ditto.
5	1	6 0	Ditto.
1	1	5 0	Ditto.
5	2	8 0	Ditto.
5	2	11 0	Ditto.
6	2	9 6	Ditto.
6	3	14 0	Ditto.
4	2	8 0	Ditto.
9	3	14 6	Ditto.
9	4	13 0	Ditto.
8	2	8 6	Ditto.
6	2	9 5	Ditto.

PRESTON.

No. of Family.	No. at Work.	Earnings.
		s. d.
2	1	6 9
5	2	9 10
3	1	7 0
7	2	12 0
1	1	6 9
5	1	5 4
5	1	6 0
6	1	6 6
5	1	5 6

“ Ashton-under-Lyne district :—

“ Heads of families visited . . . . .	483
Number of persons employed . . . . .	813
Number of looms idle . . . . .	213
Number of persons dependent on the earnings of those employed .	1,955
Clear total average weekly income . . . . .	£119 3 3
Average per family per week . . . . .	0 4 11½

“The Mirfield, near Huddersfield, average was 402 weavers, clear 5s. 6½d. per week, for twelve months. The total number the 402 had to maintain was 1,655, giving 2½d. per day each individual.”—Assistant Commissioners’ Reports, Muggeridge, Vol. II., p. 582—4.

The following are extracts from Mr. Symons’s Report from the south of Scotland :—

Mr. Symons.

“The following table indicates the number of separate trades or fabrics of hand-loom weaving in my district, the locality of each fabric, the looms employed in each, as nearly as they can be estimated, and the average rate of net wages earned in each department, and divided into two classes; the first being the average net amount earned by adult skilled artisans on the finer qualities of the fabric; the second being the average net amount earned by the less skilled and younger artisans on the coarser qualities of the fabric.

Fabrics.	District where woven.	Date of Introduction.	Residence of Chief Manufacturers.	Number of Looms.	Clear Weekly Wages.	
					1st Class.	2d Class.
Pullicates, Gingham, Stripes, Checks, &c.	Lanarkshire, especially in Airdrie, Lanark and Glasgow; also at Girvan, and on the west coast.	1786	Glasgow .	18,420	s. d. 7 0	s. d. 4 6
Shawls, Zebras, &c.	Renfrewshire, Paisley, Glasgow, &c.	1802 to 1806	Paisley, Glasgow, and Edinburgh.	7,750	10 6	6 0
Plain Muslins .	Lanarkshire, Glasgow, Irvine, Hamilton, Eaglesham, &c.	1784	Glasgow .	10,080	7 6	4 6
Fancy Muslins . Silk Gauzes, &c.	Renfrewshire and Lanarkshire.	Silk Gauze in 1760	Paisley and Glasgow.	7,860	9 6	6 0
Thibets and Tartans.	Thibets in Lanarkshire; a few Tartans. Dalmellington, Stracton, Sanguhar and Hawick.	Thibets, 1824	Glasgow and Hawick.	2,980	7 0	5 6
Carlisle Gingham Woollens . .	Dumfriesshire . . South-east of Scotland, Galashiels, Hawick, Jedburgh, &c.	.. ..	Carlisle . Galashiels, Hawick, Jedburgh.	1,575 950	7 6 16 6	4 6 11 0
Carpets . . .	Kirkmarnock, Glasgow and Laswade.	..	Kirkmarnock, Glasgow, Laswade.	865	18 0	11 0
Sail-cloths, coarse Linens and Hair-cloth.	Port Glasgow, Leith, and Musselburgh.	..	Port Glasgow, Leith, &c.	580	13 0	10 0
Total . .				51,060		

Lowest paid Weavers—South of Scotland.

“The wages of the woollen weavers in Galashiels, Hawick, &c., are, it will be perceived, above 100 per cent. higher than those of the cotton weavers.

“The weavers in factories average nearly double what the weavers make on the same cotton fabrics when woven at home. In Messrs. Johnston and Galbraith’s hand-loom factory in Glasgow, the wages of the gingham weavers will run from 9s. to 11s. net per week; in the checked department from 7s. to 11s.

“The number of these factory weavers is not large enough to affect the general average.

“It will be seen by this table that more than half the whole number of weavers are employed on the lowest paid fabrics. In the next place, the ‘families’ being to the looms as five is to nine, and the total number of looms being 51,060, there will be about 28,366 families, and (at the rate of four to each, as ascertained in Paisley) 113,464 individuals. As the 28,366 ‘families’ indicate all the adult male weavers, it follows that 22,694 looms are worked by women and youths.

“Coupling these facts (which are borne out by my investigations) with the great number of old men who come into the class of heads of families, and are unable to work hard, I am decidedly of opinion that not less than two-thirds of the whole number of weavers belong to the second class of wages in the above table; whilst no less than 30,075 out of the 51,060 looms are employed on the worst paid work.

“The families of hand-loom weavers are variously occupied; but by far the most ordinary employment is that of weaving, winding the pirns, or embroidering muslins. The average amount earned by winding will not exceed 2s. 6d. per week; and this is usually done by the wife of the weaver, who can more easily blend it with her domestic labours than any other work.

“The sons usually weave, and earn the second class of wages, as also the daughters, where there are no factories, in which those who get admitted earn all rates of wages from 3s. 6d. to 10s. 6d. per week.

“The following examples will serve as fair specimens of the ‘collective earnings’ of weavers’ families:—

“No. 1.

“A man, his wife, and four children:—

	Net Weekly Wages.		
	£.	s.	d.
“Father, weaving a 15 <sup>oo</sup> shawl, together with second son, twelve years old, drawing for him . . . . .	0	12	6
First son, fourteen years old, weaving a 14 <sup>oo</sup> pullicate . . . . .	0	3	10
Third son, nine years old, at school . . . . .	..	..	..
Daughter, seventeen years old, embroidering . . . . .	0	4	6
Wife, winding pirns . . . . .	0	2	2

“Total per week . . . . . £1 0 3

## “ No. 2.

Lowest paid  
Weavers—South  
of Scotland.

	Net Wages.		
	£.	s.	d.
“ Man, wife, and five children :—			
“ Father, weaving a 17 <sup>00</sup> book muslin . . . . .	0	7	6
First son, eleven years old, weaving a 12 <sup>00</sup> check . . . . .	0	3	4
Daughter in factory . . . . .	0	3	6
Three children, young . . . . .			..
Wife, time partially occupied with children, winding . . . . .	0	1	10
“ Total per week . . . . .	£0	16	2

“ Or 2s. 3½d. per person.

## “ No. 3.

	Net Wages.		
	£.	s.	d.
“ Man, wife, and two children :—			
“ Man, weaving a 15 <sup>00</sup> gingham . . . . .	0	5	11
Wife, winding . . . . .	0	2	0
Two young children . . . . .			..
“ Total per week . . . . .	£0	7	11

“ Or 1s. 11¾d. per person.

## “ No. 4.

	Net Wages.		
	£.	s.	d.
“ Man, wife, and five children :—			
“ Father, weaving muslin . . . . .	0	5	0
Eldest daughter (sick) winding . . . . .	0	1	0
Four young children . . . . .			..
Wife, winding . . . . .	0	1	2
“ Total per week . . . . .	£0	7	2

“ Or 1s. ¾d. per person.

“The first and fourth are extreme cases; in the latter, the woman was evidently dying a slow death from want of food; but Nos. 2 and 3 represent the wages and distribution of labour in the great bulk of the Scottish weavers' families.

“The number of hours usually actually occupied in work by the domestic weavers in the cotton districts will average 70 hours per week, exclusive of meal-time; usually 12 or 13 hours on five days of the week, and from five to ten on the Saturday. Monday is often an idle day, owing to the new webs, which are usually loomed then, an operation in which the weavers assist each other; but all idle time must be made up to realize an average wage. The time the weavers are at work is little more than half occupied in throwing the shuttle; the time spent in attending the warehouse, in beaming the warps of the new webs, and drawing or passing them through the heddles and reed, also in constantly dressing them with the paste used for the purpose, and which must be continually put on to keep the warp moist; all these, and other minutia, which cannot be correctly termed weaving, occupy a considerable portion of the 70 hours.

“This fact is proved by the higher wages earned in hand-loom factories above alluded to, although the rate of payment is lower. In the factory of the Messrs. Johnston and Galbraith the weavers are paid for a 15<sup>00</sup> ¼ gingham, 32 inches wide, 2d. per ell. For the same fabric, the domestic weavers will receive 2½d. and 2¾d., yet the net average amount earned by the former will be at least 9s. per week, and by the latter 6s. at the very utmost, both working the same length of time. The differences result from three distinct causes; first, the factory weaver finds the web ready to his hand, and both beamed and dressed for him by machinery; he has therefore nothing to do but throw the shuttle as fast and uninterruptedly as he pleases. Secondly, a superior quality of warp yarn is usually used in factories, which breaks far less frequently, and nearly removes another and continual hindrance to the domestic weaver. Thirdly, the factory weaver being further from his home, has far fewer temptations to leave his work, even for a few minutes.

“The wages of the country weavers are five per cent. less than those of the Glasgow weavers. This reduction is made on the pretext of the extra expense of agency to the manufacturer; though in some cases the weavers pay the agency, and receive the reduced rate besides.

“The same, or nearly the same, amount of wages appears to be made by the Scottish as by the Irish weavers.”—*Assistant Commissioners' Reports, Symons, Vol. I., p. 6—9.*

“The homes of the cotton weavers (which I was during my whole inquiry constantly visiting) but too well attest the reality of their generally depressed condition; their food is usually of a coarse description, and often deficient in quantity.

“The furniture in most of their dwellings is scanty and miserable; their beds are often of straw, and seldom among the poorer class are they provided with clothing by day or covering at night so good as the common day-labourers, either in Scotland or in England; sometimes I found articles of massive and even handsome furniture, the relics of former and happier days, still treasured up with a pride which poverty cannot subjugate, and contrasting painfully with the pauper meal and care-worn features of the impoverished owner; in fact, to me it appears



that the hardship of their case, as regards, at least, the elder class of the weavers, consists less in the actual scantiness of their means, than in the bitterness of the contrast between past and present times: the income which formerly raised them as high, if not higher in social rank, than any other class of Scottish artisans, is gone from them; but the intelligence and education which then enhanced their prosperity, remains now to embitter their poverty: the case is far less painful of the younger generation, who have been for the most part accustomed to but little more means than they possess; and whose tone of mind and scale of education render the evils of a low physical condition less grievous and galling.—*Assistant Commissioners' Reports, Symons, Vol. I., p. 18—20.*

Lowest paid Weavers—South of Scotland.

The following are extracts from Mr. Fletcher's statement of the condition of the single hand ribbon weavers in the villages near Coventry, whose earnings he estimates at 5s. a-week.

Lowest paid Weavers—Neighbourhood of Coventry.

Mr. Fletcher.

"In the neighbourhoods of Nuneaton, Bulkington, and Foleshill, the usual condition of a number of journeyhand families is that of the greatest dirt and misery, sometimes with no bedsteads, but beds of wrappers, stuffed with straw, and without any linen to them. Sometimes the bed consists merely of chaff held together with bricks, and covered with a wrapper. Their food in these instances consists chiefly of bread and butter, potatoes, and a little tea, with occasionally a few poor scraps of bacon. This class are commonly in extreme distress, while the wife is bearing a family of young children, who can as yet render them no assistance; and, when want of weaving work comes upon them, they are utterly helpless. The joint earnings of the single-hand journeyman weaver and his wife, if she could continue uninterruptedly at the work, would only amount at most to the wages of an agricultural labourer, whose wife was attending to domestic duties, for the non-performance of which scarcely any amount of earnings can compensate. The condition of the single-hand weaver is therefore far worse. When the children begin to work, the family earnings might rise to those of an agricultural labourer, and set the wife more at liberty for domestic duties, but she has not learned what they are. The weavers working together, too, at irregular hours, and with this want of domestic comfort, inevitably mismanage the narrow means they possess. Rudeness and misery seem to be the inevitable condition of the mere journeyhand in the single-hand trade.—*Assistant Commissioners' Reports, Fletcher, Vol. II., p. 302.*

"I did not at first credit the statements made to me of the moral debasement which prevails among the country weavers, but cautiously weighed the mental character of the witnesses, in the belief that their strong terms might be employed only according to some exaggerated standard in their own minds. But the overwhelming flood of evidence on every side at length compelled me to recognise a grossness and an immorality, which are the more painful to contemplate, since I cannot but apprehend that they prevail throughout the other large portions of our population similarly circumstanced. The more intelligent of the men themselves gave, in public, uncontradicted testimony to ignorance and vice, rendered appalling by their universality. Even in regard to their labour they are absurdly unsteady. They are, for the most part, idle from Saturday morning to Tuesday morning, and to make up their week's work, apply themselves during the whole night of Friday.

"The following evidence was given me in public, at Foleshill, by Richard Holmes, an intelligent undertaker, and one of the constables:—

"The mass of the people, with the exception of a few young men, are brutally ignorant, and the intelligence which is to be found in the exceptions has manifested itself only within the last half-dozen years. It is not the population which has gone down into ignorance; it has never emerged from it. This is not surprising, for there is not an efficient school in the parish (which contains upwards of *seven thousand inhabitants*). The people are as ignorant as ever, and, in proportion to their numbers, more immoral. Their language is awfully depraved. Independently of their irreligion, they are *practically* more immoral than formerly. Bastardy is greater than ever, even since the Poor Law Amendment Act (and information to the same effect was given me in regard to the city). At any little holiday time, the public-houses will be thronged with girls ready for the lowest excesses. Both sexes are great drinkers, chiefly of ale. The place is also notorious for poaching and robberies; and the magistrates of Coventry well know that when a desperate case is brought before them, it is generally from this neighbourhood. Compared to what they now are, though rude and ignorant, they were formerly a harmless population. The foregoing observations apply to the mass; the better are only exceptions."

"Robert Cantrill, an aged man of the same class, thinks that, 'though the journeyhand weavers' houses, forty years ago, were poor miserable places, which might be called 'hovels' almost, the journeyhands are less well-conducted now. A part, certainly, of the general misconduct is brought on by distress. Thinks it makes a man hopeless; and, when hopeless, he becomes desperate, and preys upon society, and careless even of what little honest advantages are in his way; and then comes the last wretchedness. Times of bad trade, in the witness's youth, which were very frequent, then, as now, always led to thieving. Thinks, however, that there was then nothing of the aggravated kind that there now is. Now never a night passes without some depredation in this or the neighbouring parishes.' They generally marry very young, approaching, or just at full age. Sometimes the men marry without any home to go to, and they and their wives will lodge in separate habitations. They are altogether excessively rude and uncultivated. When trade has been unusually good, these people would spend their extra earnings in lamb out of season, fowls, and dress; and such is now the feebleness of their morality, that any sudden increase to their resources would assuredly pro-

Lowest paid  
Weavers—Linen  
Weavers in York-  
shire.

duce only the same effects. And with all its usual distress and degradation, the trade of single-hand weaving offers half the *liberty* of savage life, for which the uninstructed man is almost tempted to sacrifice half the enjoyments of the civilised. Thus, there is a well-known feeling among the farm labourers, the bricklayers, and the other ordinary artizans, in this district, that it is very hard upon them to be turned out at early hours every day instead of being able to take what hours they please like the ribbon weaver, and, like him, take *saint* Monday, and *saint* Tuesday, too, if they choose.

“Precisely the counterpart of these feelings is also to be found in the other sex. Notwithstanding the wretched state in which, until recently, the trade had long been, it was impossible for the respectable families to procure domestic servants. There is the greatest difficulty in prevailing on parents to let their children come to service. The young women look down with scorn upon it, and prefer the liberty of the Monday and Saturday, the exemption from confinement, and the little finery, with the liberty to wear it, which the loom procures them. As housewives there are none worse. They can neither make nor mend their own clothes; they cannot sew; they know nothing of domestic management; they cannot make a house comfortable, and the men, not much expecting it, seek the beer-shops.”—*Assistant Commissioners' Reports, Fletcher. Vol. II., p. 75-8.*

Linen Weavers in  
Yorkshire.

The previous statements apply principally to those employed on cotton and silk. We will now extract from Mr. Keyser's Report some particulars respecting the condition of the worst paid linen weavers in Yorkshire.

Mr. Keyser.

“Barnsley may be considered the most important town in Yorkshire in which linen weaving is carried on, not only as regards the number of persons engaged in hand-loom leaving, but also by their influence in regulating the rates of wages, in many other places where the Barnsley printed lists have for the most part been adopted to regulate prices between masters and men.

“At the time of my inquiry at Barnsley, the trade was considered good, and up to the present date (September 1838), I am informed it continues so, and that there is no scarcity of work.

“In order to obtain as correct an average of wages as could be ascertained, I induced a principal manufacturer to favour me with an extract from his books, showing the earnings of a considerable number of weavers in his employ for various periods at different seasons of the year, stating the days on which work was taken out, and returned to the warehouse, and the amount of wages paid.

“After considerable discussion and objections on the part of the weavers to the mode in which this document was made up, it was referred to a committee of the weavers, who, after a long conference with the manufacturer, returned the statement with trifling alterations, and pronounced it a fair average statement of the weavers' earnings when fully employed. The result being, net wages 7s. 11d. per week.

“The weavers also furnished me with an average statement of wages, the result of which gives a net weekly earning of 7s. 8½d. The trifling difference in these two statements may be easily accounted for, the weavers in their statement deducting from the gross wages per week 2½d. more.

“To the weavers' statement of earnings they have annexed several observations on their general condition, and pointing out other items not taken into the above calculation, but which may also be considered deductions from wages. This statement bears the signatures of three persons deputed to present it by the general body of weavers, and is in the following words:—

“‘The weavers are at the very lowest average, one week out of eight, fully employed in changing from one sort of work to another, and going to and from the warehouses concerning their work, for which they do not get a single farthing remuneration; and very often these changes are attended with considerable expense over and above what they ever stipulate as deductions from their wages, such as winding, loom-rent, dressing, &c., and for which they cannot make any accurate calculation. These changes are very laborious, and very frequently can only be managed by the studious artizan. In many other trades the same amount of labour and skill would secure to the workman a very high amount of wages. The time and expense thus incurred are not deducted from the statement of the average earnings of the weavers of Barnsley, for which in general they do bitterly complain, being, in their opinion, unexampled in any other trade.

“‘There is also, at the very lowest calculation among the weavers, one week out of every eight that they will be entirely without employment, and being so very numerous, not a tithe of them can get any other kind of employment in the neighbourhood where they reside. When these two great deductions are made from the earnings of the weavers when fully employed, there would only remain about 5s. 6d. a-week for a man's earnings, for, be it understood, this statement applies exclusively to the men. Boys and girls do not average above half that amount.’”—*Assistant Commissioners' Reports, Keyser, Vol. I., p. 478-9.*

And yet, low as are the wages of the linen weavers of Barnsley, their condition appears to be far better than that of many better paid artisans. The following description is a striking instance of the degree in which low earnings may be eked out by good management:—

Mr. Keyser.

“The moral condition of the Barnsley weavers is highly spoken of by their employers and others with whom I conversed on the subject, and I have found them, for the most part, sober, steady, and intelligent to a degree far above what might be expected in their humble situation.

Their dwellings present an appearance of comfort much superior to that of weavers in other places. Their cottages are built of stone for the most part, in the airy and dry situations for which the town and neighbourhood afford abundant space, the situation being remarkably healthy. The cellars in which they work are not more damp than is desirable for carrying on their trade; well ventilated; and, even where the inhabitants are suffering from extreme poverty, their houses have a look of cleanliness and good order. There are, of course, exceptions to this rule, but they are not very numerous. In their persons, clothing, and the appearance of their children, the Barnsley weavers contrast favourably with the same class of persons at Leeds and elsewhere.

Lowest paid Weavers.—Linen Weavers in Yorkshire.

"It must, however, be kept in view that the time of my investigation at Barnsley was a period of comparative prosperity, the sufferings and privations of the weavers some months ago having been very great; but even when fully employed on the best work, the weavers' wages are below those of any other journeymen, some persons employed in the collieries only excepted.

"Few power-looms are as yet employed in linen weaving at Barnsley, but their number is likely to increase considerably. Although at present, and for some time to come, evidently tending to throw many hand-loom weavers out of employ, their ultimate advantage to the trade is ably described in the evidence of a manufacturer. He gives it as his opinion, that 'before power-looms are even generally brought into operation, they will occupy all the hand-loom weavers who can be found to work at them.'

"At Knaresborough the linen trade has greatly fallen off, and has been very bad for the last 12 months. The situation of the place is by no means so favourable as that of Barnsley. Coals are brought 18 miles by land carriage. There are no canals in the immediate neighbourhood.

" In 1801 . . . .	4,202		
1811 . . . .	5,067	. .	865 increase in 10 years
1821 . . . .	6,656	. .	1,589 " "
1831 . . . .	6,894	. .	238 only in the latter 10 years.

"This falling off is attributed to the weavers leaving Knaresborough, and going to Barnsley and other places. There are at present about 130 cottages empty.

"Mr. Richard Dewes, formerly a manufacturer, now overseer of the poor, says in his evidence, 'The situation of the weavers here is most deplorable; they are suffering much. As assistant overseer, I have the opportunity of seeing it. There are many able-bodied men who, by working day and night, are not able to get a living, owing to the low rate of wages. We have a dispensary, a lying-in charity, some free Sunday and day schools. Much good is done here by private charity, but there is much demand for it.'

"'I consider the weavers much worse paid than any other workmen. I have had many men in my employ who would formerly have scorned to ask charity, and are now obliged to do so. We have 68 poor persons on our pension list, not one of whom is an agricultural labourer; they are all weavers or flax-dressers; also about 30 having casual relief, all weavers.'

"Mr. Thorpe, a considerable manufacturer, says in evidence, 'The weavers are very badly off; from my own knowledge of weaving, I know they are so. They are certainly the worst paid of any description of workmen. They could not, with the greatest industry and exertion, do as well as other workmen.'

"Other manufacturers confirm this statement.

"The general average of wages will be, according to various data from which I have endeavoured to calculate accurately on 404 looms, the number at present employed in various descriptions of linen, (mostly, however, of the lower sorts,) about 7s. 4d. net per week.—*Assistant Commissioners' Reports, Keyser, Vol. I., p. 483—4.*

"At Darley, Hampsthwaite, Dacre, &c., the rate of wages are even lower than at Knaresborough. The weavers in these villages are in very great distress, and would be worse off than those in the town, but that they occasionally obtain harvest and other field-work, of which, however, only a few are capable. On the other hand, the weavers living in the country have not the advantages of charitable and other assistance afforded in the town.

"Their dwellings, their clothing, and that of their children evince great misery,

"I visited an extensive linen factory at Westhouse, about 11 miles from Knaresborough, where many power-looms are employed, and will undoubtedly in a short time be adapted to almost all descriptions of linen weaving.

"I continued my inquiry at Northallerton, Brompton, Osmotherly, Borrowby, and the neighbourhood, where, with few exceptions, the weavers suffer distress, occasioned by low wages and scarcity of employment. The amount of their earnings appears to depend in a great measure on the master for whom they work, not being regulated by any fixed rate. At Osmotherly, in particular, wages are very low. It is given in evidence that they are one-third lower than at Brompton; and, by a statement furnished by the Osmotherly weavers, would not produce 7s. a-week.

"Proceeding with the investigation at Darlington, &c., I found the rates of wages not differing materially from those of Northallerton and neighbourhood.

"There have been several extensive failures of houses engaged in the manufacture of linen, which trade, now remaining in few hands, has caused a continual reduction in wages, very many hand-loom weavers being constantly out of employ and reduced to very great distress: an experienced weaver states his earnings at 7s. 6d. per week,

"A manufacturer deposes to the condition of the weavers being much worse than that of other operatives; he further says,

Lowest paid  
Weavers.—Linen  
Weavers in York-  
shire.

“ ‘ Many are thrown out of work for half their time ; there is no demand for their labour. A weaver certainly cannot live on his wages, working 12 hours a-day. They are generally sober, steady, industrious men ; but with the best intentions, at the present wages, they cannot get a living. Many weavers are obliged to apply for parish assistance.’

“ Several witnesses stated their earnings to be very trifling, from 3s. 6d. to 5s. a-week, but, being old and very infirm men, it cannot be taken as a criterion.

“ As the evidence of Mr. Laidler, overseer of the poor, conveys a full description of the weavers’ general condition, I state it at length as follows :—

“ ‘ I have been manager of the poor for five years. The weavers are generally in great distress ; I have many applications from them, very distressing cases. From five or six years’ experience, I know they are not idle men ; in general, they are a very industrious set of men. Many of the weavers’ children are so much in want of clothes that they cannot avail themselves of the Sunday and other free schools. I scarcely ever had an application for assistance from a weaver but found it really a case of distress and a deserving object.’

“ Similar evidence is given by the overseer at Aycliffe, a neighbouring village, as to the state of the weavers in his district, who says—

“ ‘ The situation of the weavers is so bad, they should go to some other business. As weavers they are badly off—much worse than other labourers. Many have left weaving ; the able-bodied men are gone to the collieries and to rail-road work.

“ ‘ Not one weaver has applied for parochial relief, though in great distress. They all try to get employment at something else.’—*Assistant Commissioners’ Reports, Keyser, Vol. I., p. 488—9.*

Linen Weavers—  
Ireland.

The state of the linen weavers in some portions of Ireland affords a remarkable example of occasional prosperity, the result of circumstances which will, we fear, at no distant period produce extensive distress. Till within a recent period, the only yarn used, was hand-spun, and it was too hard to be woven by females. Mill-spun yarn, which may be worked in half the time, and with half the strength, has now been extensively introduced, and females are taking to weaving. At the same time the greater cheapness of the mill-spun yarn, and the shorter time and labour required to weave a piece, have extended the trade, and prevented any fall of wages. For the present, therefore, the weavers in many parts of Ireland can obtain employment for all, except the infant members of the family, at wages which for that country are good. The following answers to some queries circulated by Mr. Muggeridge, are instances of the state of things which we have been describing.

Mr. Muggeridge.

“ 16. What is the condition, moral and physical, of the hand-loom weavers in your district ?

“ The linen weavers are in general the most industrious and happy people of their rank or place in Ireland.

“ 17. Are there more or less female weavers in your neighbourhood than formerly ; and at what period, and under what circumstances, did such increase or diminution take place ?

“ There are a great many more female weavers than there were before mill-spun yarn was introduced.

“ 18. Has such increase or diminution had any, and what effect, on the wages of the male weavers ?

“ I think the female weavers have not made any alteration in the wages of male weavers, there being abundance of work for all.

“ Millview, Keady, December 14, 1838.

“ JOSEPH M’KEE.”

*Assistant Commissioners’ Reports, Muggeridge, Vol. I., p. 753.*

“ 16. What is the condition, moral and physical, of the hand-loom weavers in your district ?

“ The linen weavers, from not being congregated in large towns, their moral condition is and always has been greatly superior to any other class of operatives. Their physical condition is at the present pretty fair, as there is plenty of employment at pretty fair wages ; but, at the high price of provisions, if the demand for linens was not good, the condition of the hand-loom weaver would be wretched.

“ 17. Are there more or less female weavers in your neighbourhood than formerly ; and at what period, and under what circumstances, did such increase or such diminution take place ?

“ There are more female weavers every year.

“ JAMES MURLAND.

“ Castle Welland, December 22, 1838.

“ PRO CHARLES MURLAND.”

*Assistant Commissioners’ Reports, Muggeridge, Vol. I., p. 755.*

“ 16. What is the condition, moral and physical, of the hand-loom weavers in your district ?

“ At present they are pretty comfortable, wages being high. They are, in general, quiet, well-conducted people.



" 17. Are there more or less female weavers in your neighbourhood than formerly ; and at what period, and under what circumstances, did such increase or diminution take place ?

Linen Weavers—  
Ireland.

" Female weavers have much increased in number since the introduction of the trade in unions, and latterly by the falling off in the demand for hand-spun yarn.

" Dunminning, Ballymena, December 18, 1838.

" THO. M. BIRNIE."

*Assistant Commissioners' Reports, Muggeridge, Vol. I., p. 757.*

" 16. What is the condition, moral and physical, of the hand-loom weavers in your district ?

" The weavers in this district are in general poor, although contented and well conducted ; many of them save from their earnings what enables them to emigrate to America, if they are so inclined ; and, generally speaking, they are better off than their contemporary agricultural labourers.

" 17. Are there more or less female weavers in your neighbourhood than formerly ; and at what period, and under what circumstances, did such increase or diminution take place ?

" There are more females weaving in this district than formerly, particularly within the last six or seven years.

" Cneve Ballyboy, February 6, 1839

" S. CUNINGHAM."

*Assistant Commissioners' Reports, Muggeridge, Vol. I., p. 771.*

" I am of opinion that the substitution of mill-spun for hand-spun yarn has been beneficial ; it can be woven in one half of the time. A female weaver can weave a linen web of mill-spun yarn in less than six days, which a few years since, when nothing but hand-spun yarn was to be obtained, would have kept a male weaver busy for 12 days.

" As to the physical condition of the weavers (query 16), it is perhaps better in those weavers who are partly agricultural labourers (which is generally the case with a great number of them who are employed in the fields at certain seasons of the year), than with such as confine themselves exclusively to their looms. In reply to query 17, there are many more female weavers in this neighbourhood than formerly. Within the space of three years, since the mill-spun yarn surmounted the prejudice which existed previously against it, the weaving by females commenced, and has gained ground, and, in my opinion, ought to be encouraged.

" Ross Lodge Antrim, December 4, 1838.

" W. MILLER."

" The rural population generally are the hand-loom weavers ; and I think their moral condition will compare with any others of the same class of society in the empire. Wages, have been very low ; they are now advancing, and, on the whole, their present prospects are much better than they have been for some time.

" There are more females now weaving than formerly, because they make better wages than by spinning. I do not think that they have affected the wages of male weavers ; demand regulates wages. Female weavers are employed on the lighter and less valuable fabrics,

" Anvale Keady, December 1, 1838.

" WILLIAM KIRK."

*Assistant Commissioners' Reports, Muggeridge, Vol. I., p. 746—7.*

It is to be feared, however, that this state of things cannot be permanent. In a country where employment affording even a bare subsistence is almost always of difficult attainment, and often unobtainable, it is not likely that a trade easily learned and easily practised, will remain unaffected by the general competition in the labour market. In the branches which require strength or skill, wages may keep up, but where women and children can be employed, the wages will be those of women and children, and those of the men who continue in such an employment must sink to their level.

We now come to a class of weavers whose remuneration rises one step higher, namely, those employed on fabrics requiring moderate skill without strength. Wherever women are found to earn wages exceeding 5s. a week, or probably wages even approaching nearly to that sum, it may be inferred that the business is of this description. As an illustration of the wages obtained by those employed on such fabrics we insert the following tables from Dr. Mitchell's Report on Norwich. It shows the wages obtained there, not only on the abovementioned fabrics, but also in the higher class, requiring the union of skill and strength, and therefore confined to men.

Second Class of  
Weavers—w here  
skill alone is re-  
quired.

" The wages earned by the weavers employed by Messrs. Henry and Edward Willett, as certified by Mr. Henry Willett, are as follows :—

*Dr. Mitchell*

Wages of moderately skilled Weavers--Norwich  
*Dr. Mitchell.*

Exhibition of the Average Earnings per Week of Sixty Weavers on the following Four Fabrics.

Article.	Quality or Rate.	Weavers on each Fabric.	Average Earnings of each Weaver per Week.
	Rate.		s. d.
Figured Challi .	84	10 men .	16 0
Plain Challi . .	90	10 men .	14 3
Ditto . . . .	78	10 men .	13 0
Bombazines . .	39	10 men .	12 6
Ditto . . . .	32	10 women	8 0
Cotton, &c. . .	60	10 women	7 0

“ Mr. Philip Breeze, warehouseman to Mr. Francis, gives a more detailed account, which will show more distinctly the wages of each class of persons.

BANDANAS.

	Per Week.
MEN :	s. d.
Old married . . . . .	8 9
Middle-age married . . . . .	7 0
Ditto . . . . .	11 8
Ditto . . . . .	12 10
Young single . . . . .	10 7
Ditto. . . . .	8 10
Average . . . . .	9 6
WOMEN :	
Middle-age married . . . . .	7 0
Ditto . . . . .	5 3
Young single . . . . .	5 10
Middle-age married . . . . .	5 6
Young single . . . . .	8 7
Middle-age married . . . . .	5 0
Average . . . . .	6 1½

COTTON WARFS.

	Per Week.
MEN :	s. d.
Middle-age married . . . . .	5 3
Ditto . . . . .	9 2
Ditto . . . . .	8 0
Young single . . . . .	9 9
Old married . . . . .	7 0
Ditto . . . . .	7 8½
Middle-age married . . . . .	9 2
Young married . . . . .	9 9
Average . . . . .	7 10½
WOMEN :	
Middle-age married . . . . .	6 3
Young married . . . . .	6 8
Middle-age married . . . . .	6 5
Aged married . . . . .	8 10½
Young married . . . . .	6 5
Middle-age married . . . . .	7 0
Young married . . . . .	6 0
Middle-age married . . . . .	4 10
Average . . . . .	6 5

Wages of moderately skilled Weavers.

- “ From Messrs. Bolingbroke, Enfield and Co. the following account was received :—
- “ Twenty weavers (men) employed on fine bombazines, alapines, and paramattas :  
 “ Number of weavers, 20.  
 Weeks each, 12.  
 Money earned, 164*l.* 11*s.* 1*d.*  
 Average to each, per week, 13*s.* 6½*d.*  
 Including play, 9½ days each.
- “ Twenty weavers employed on low bombazines, checks, and challis .  
 “ Number of weavers, women and men, 20.  
 Weeks each, 12.  
 Money earned, 101*l.* 9*s.* 1*d.*  
 Average to each per week, 8*s.* 5½*d.*  
 Including play, 10¼ days each.
- “ Twenty men employed in weaving bandana cloth :  
 “ Number of weavers, 20.  
 Weeks each, 11½.  
 Money earned, 106*l.* 9*s.* 6*d.*  
 Average to each per week, 9*s.* 4*d.*  
 Including play, 1¼ day each.
- “ The above is taken from December, 1837, to March, 1838, inclusive.  
 “ Pro Bolingbroke, Enfield and Co.,  
 “ (signed) JESSE MINNS, Warehouseman.
- “ Norwich, 5 April, 1838.  
 “ The above may be considered a fair average of all the weavers in the employ of B. E. and Co.
- (Signed) J. M.
- “ Mr. Charles Middleton, through his warehouseman, Mr. Spinks, has given the wages of his weavers as follows :—

“ First Class.

“ Twelve weavers constantly employed on fine bombazines :

“ Days employed, 1,870.  
 Earnings, 194*l.* 15*s.* 7*d.*  
 Average to each per week, 14*s.* 7*d.*

“ Second Class.

“ Twelve weavers generally employed on bombazines and other work

“ Days employed, 1,845.  
 Earnings, 134*l.* 10*s.* 5*d.*  
 Average per week, 10*s.* 2½*d.*

“ Third Class.

“ Twelve weavers generally employed on challis and light work :

“ Days employed, 1,906.  
 Earnings, 90*l.* 17*s.* 8*d.*  
 Average per week, 6*s.* 8*d.*

“ The above classes have generally employment. There are others who are occasionally employed by me and other manufacturers, of the earnings of whom no correct calculation can be made.

“ For Mr. Charles Middleton,  
 (Signed) S. SPINKS.

“ From Messrs. Shickle, Towler and Co., the following amount was received :—

“ Ten men employed weaving fine bombazines :

“ Number of weavers, 10.  
 Time employed, including Sundays and all stops, 1,851 days.  
 Money earned, 165*l.* 15*s.* 10½*d.*  
 Average to each per week, 12*s.* 6*d.*

“ Ten women employed weaving middling and coarse bombazines :

“ Number of weavers, 10.  
 Time employed, including Sundays and all stops, 1,840 days.  
 Money earned, 98*l.* 0*s.* 4½*d.*  
 Average to each per week, 7*s.* 5¼*d.*

“ Twelve men employed weaving paramattas, saxonies, and challis :

“ Number of weavers, 12.  
 Time employed, including Sundays and all stops, 1,265 days.  
 Money earned, 116*l.* 13*s.* 8*d.*  
 Average to each per week, 12*s.* 10*d.*

Per pro Shickle, Towler and Co.,  
 (Signed) H. GUNTON.

Wages of moderately skilled Weavers.

“ From Messrs. Massey and Son, the following statement was received, through Mr Williams, their warehouseman and clerk :—

	Gross earnings.
“ No. 1.—Ten men, each 20 weeks, average	13s. 10d. a-week.
No. 2.—Ten men . . . . .	10s. 9d. ”
No. 3.—Ten men . . . . .	6s. 7½d. ”
No. 4.—Ten women . . . . .	7s. 4d. ”
“ No. 1 are upon the best work, fine bombazines.	
No. 2 are upon secondary work, paramattas and middling bombazines.	
No. 3 are upon the lowest bombazines, challis, &c.	
No. 4 are upon bombazines, generally below 33s. 3d.	

“ For Massey and Son,  
(Signed) “ J. WILLIAMS, jun., Warehouseman and Clerk.  
“ April 9, 1838.”

“ OF THE EXPENSES OF THE WEAVERS.

“ From the weaver’s gross earnings must be deducted his expenses.  
“ Mr. Fish, and the deputation accompanying him, gave the following account :—

	£.	s.	d.
“ Extra rent on account of loom . . . . .	0	0	6
Winding . . . . .	0	1	0
Candles . . . . .	0	0	3
Beaming-on . . . . .	0	0	1
Twisting-in . . . . .	0	0	4
Cord to repair the loom-picker, to pull the fly-shuttle and shuttle . . . . .	0	0	1
	£0	2	3

“ The beaming-on and twisting-in occur only to every new web, say every six weeks ; and the above is the sixth part of what is paid when these operations are performed.  
“ When bombazines are wove, there must be added another 6d. for winding, making the expenses 2s. 9d. a-week. This is for a man in full employment, and making good earnings. When the man is not fully employed, his loom-rent remains the same, but all the other expenses are less in proportion

“ Mr. Spinks gave the following statement :—

	£.	s.	d.
“ Winding . . . . .	0	1	6
Rent (extra) . . . . .	0	0	6
Candles . . . . .	0	0	3
Pickers and cord . . . . .	0	0	1½
Beaming-on . . . . .	0	0	1½
Dressing . . . . .	0	0	1
Change of work and other expenses, namely, twisting-in, &c.	0	0	3
	£0	2	10
Deduct for weaver, who is at no expense for sleight, that is, wear and tear of clothes, comparatively with other trades	0	0	3
	£0	2	7

“ Respecting the account of expenses given by Mr. Fish, the following evidence has been given by Mr. Breeze :—

“ ‘ Respecting the outgoings of the weaver on account of his work, I would remark, that a weaver who pays for twisting-in thereby proves that he has not properly learnt his business ; if he employ another man to twist in, he must himself be idle all that time. The shilling a-week for winding applies to bandanas. A man who has to pay 1s. 6d. a-week for winding the bombazines must do work enough to earn 18s. wages. At the rate of wages given by me, 1s. a-week for winding would be sufficient.”—Assistant Commissioners’ Reports, Mitchell, Vol. I., p. 312—15.

Mr. Symons has stated, vol. ii. p. 616, that in weaving strength is better paid than skill. This proposition is partially confirmed by the wages obtained by those employed on the strong and coarse woollen, hemp, and linen fabrics, such as blankets, and coarse carpets, among the one, and sail-cloth, sacking, and floor-cloth, among the other. On recurring to the tabular statement of the wages of weavers on the south-west of Scotland, which we have extracted, p. 5, it will be seen that the lowest wages obtained by the weavers of coarse fabrics, whether woollen or linen, are more than double those obtained on the easy fabrics of cotton and silk ; and on looking through the Reports of the Assistant Commissioners, this difference will be found general. There are however so many fabric of cotton and silk in which little or no skill is required, that this opinion must be cautiously received. Mr. Hickson was unable to find any

Third class of Weavers—where strength is required.

instances of mere strength being so well paid as the skilled labour of the weaver of figured poplins and broad velvets. Wages where strength is required.

We extract the following statements from Mr. Mitchell's report on Surrey and Norfolk, from Mr. Miles's report on Bristol, Mr. Austin's on the South-west of England, Mr. Symons's on the South of Scotland, and Dr. Harding's on the East of Scotland, a district in which, for the higher linen fabrics, the highest earnings of able-bodied men do not exceed 7s. 6d. a-week.

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"BOLTING-CLOTH FACTORY, WANDSWORTH.

Dr. Mitchell.

"This factory was visited on the 14th of June, 1838, when the following account was given by Mr. Henderson, the superintendent, and, as far as regards the wages, was confirmed by the men:—

"The factory is situate near the church. It is for making bolting cloths without seams, to be used for dressing flour. These cloths are a substitute for the wire machines. The proprietors are Messrs. Blackmore. The fabric is made from hard hand-spun woollen yarn of the same sort as is made in Suffolk.

"The men all work in the factory, the proprietors finding the looms, and making no charge for looms or loom standing. The men work by the piece, and their average earnings are about 25s. a-week; but out of this they have to pay for candles, as well as the assistance of a boy in some parts of the work, and in winding the quills. The employment is regular throughout the year.

"The Assistant Commissioner had only to congratulate the men on their condition being so much more favourable than that of the weavers generally in other fabrics."—*Assistant Commissioners' Reports, Mitchell, Vol. I., p. 278.*

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"DISS, IN NORFOLK.

"The only manufacturer giving out work is Mr. Henry Warne. He makes drabbetts, huckabacks, sheeting, and shirting. The number of persons employed is 63, being 40 men, 20 boys, and 3 women. Mr. Warne stated that he was anxious to increase the number of his weavers, but had not at that time succeeded. The fabrics are capable of being produced by the power-loom, but they have not as yet been made to such an extent by power as materially to affect the market.

"Two workmen were examined, Mr. John Bradley and Mr. Samuel Crick. The first of these is a veteran soldier, who was five years in the wars under the Duke of Wellington, and he is now one of the most industrious men in the country. He works from 15 to 16 hours a-day regularly, which, deducting time for meals, is 13 to 14 hours, and he makes 16s. a-week in the gross, and deducting expenses has 14s. net. He makes two chains a-week, and is paid 8s. a chain. The wife and foreman of Mr. Warne confirmed this account, but both agreed that two chains a-week was more than men generally could possibly do, and that a chain and a half was the full average which most men could weave without destroying themselves. Occasionally men did more than even two chains, and sometimes two chains and a half, but unless the over-exertion was counterbalanced by rest afterwards, it would do serious injury.

"Mr. Samuel Crick gave a similar account of the work done on the average. He himself did a chain and a half, making thereby 12s., and deducting 1s. for winding his quills, 6d. for starch, and 6d. for candles, he had 10s. clear; which was the usual amount of wages.—*Assistant Commissioners' Reports, Mitchell, Vol. I., p. 353.*

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"NORTH LOPHAM, IN NORFOLK.

"It is delightful at last to have met with one green oasis in the vast desert of discontent in which the inquiries of this Commission have been conducted.

"Three of the operatives, Messrs. Christopher Land, Michael Barman, and George Shaw, who were sent for to the inn, on being asked how trade was going on with them, at once replied, "Pretty middling; we are pretty well off here. We are not as they are in many parts." These men, like the other weavers of North Lopham, were engaged in making shirting, sheeting, and table-linen. They stated that their net wages, after deducting expenses, were on the average 10s. a-week. The hours of labour are twelve hours, out of which two are to be deducted for meals, leaving ten hours in the loom. This length of time they declared to be the utmost that men in general could endure for a permanency. Occasionally, when an order was received which must be executed by a given day, if taken at all, the men, to oblige the master, worked even 16 or 18 hours; but such work rendered it necessary to have corresponding relaxation afterwards.

"The race of weavers is kept up by the fathers teaching their sons. Lads accustomed to the looms, and to winding quills, and handling the yarn from their early youth, readily learn weaving; but a man from field labour would be difficult to teach. The masters said that if they were asked to take an apprentice they would not do it under 20l., and it would be necessary besides to pay 50s. to the journeyman who taught the apprentice, to make up for his loss of time. This expense saves the trade from overwhelming ruinous competition.

"The houses of North Lopham are distributed along both sides of the road, at some distance from each other, and frequently back in the fields. There is a neat and cheerful air about the place, which is pleasing to behold. The men seemed to be in a fine state of health."—*Assistant Commissioners' Reports, Mitchell, Vol. I., p. 353—4.*



Wages where  
strength is required.  
Mr. Miles.

STATEMENT of the EARNINGS for Two Years of SIXTEEN WEAVERS, employed in the Manufacture of  
Sacking and Tarpauling, at Messrs. H. and F. GWYER's, at BRISTOL, with the Average Amount  
of Weekly Earnings per head.

Names.	Earnings in 1836.			Earnings in 1837.		
	£.	s.	d.	£.	s.	d.
George Lucas . . . . .	38	0	0	40	0	0
Adam Welsh . . . . .	39	0	0	1	0	0
Daniel Harrington . . . . .	30	0	0	36	0	0
Charles M'Carthy . . . . .	39	0	0	30	0	0
John M'Carthy . . . . .	33	0	0	35	0	0
Daniel M'Carthy . . . . .	34	0	0	33	0	0
John Croker . . . . .	39	0	0	34	0	0
John Camble . . . . .	30	0	0	38	0	0
James Warr . . . . .	37	0	0	31	0	0
James Warr, junior . . . . .	30	0	0	29	4	1
John Donovan . . . . .	32	0	0	27	0	0
John Gribble . . . . .	33	0	0	31	2	2
Daniel Crowley . . . . .	27	19	2	26	0	0
Henry Evans . . . . .	31	0	0	33	7	0
William Peat . . . . .	30	0	0	29	17	3
John Oram . . . . .	29	0	0	30	9	0
	531	19	2	514	19	6

Equal to 1046*l.* 18. 8*d.*, or 12*s.* 7*d.* per week per man.

“ John Hare and Co.

“ Floor-cloth manufacturers. Weave canvas chiefly for their own purposes.

“ The firm employs about 19 men, weavers, who work in a factory.

“ The payment for weaving is by the piece, which contains 60 yards in length, and breadth according to the width of the loom ; thus—

“ 1 piece of canvas cloth, 7 yards wide, 420 yards . . . £3 10  
1 piece of canvas cloth, 9 yards wide, 540 yards . . . 5 2

“ Two men work in a loom of seven and nine yards wide, and finish a piece in about a fortnight, some in ten days.”

“ Edwards and Baker.

“ Hemp and Flax Works.

“ The following is a list of the prices of wages for weaving, per piece :—

“ Bed sacking, 46 yards, 7*s.* per piece, 2½ can be woven in a week, 17*s.* 6*d.*  
Sacking for sacks, 42 „ 4 „ 4 „ 16 0  
Wool bagging, 72 „ 7 „ 2½ „ 17 6  
Poldavey  
Hemp carpeting, { 52 „ wide, } 8 „ 2½ „ 20 0  
                          { 1 „                }

“ Tarpauling, 41 yards in a piece—

“ 2 feet wide, 5*s.* 9*d.* per piece, 3 in a week, 17*s.* 3*d.*  
2 feet 3 inches, 6 3 „ 3 „ 18 9  
2 feet 6 inches, 7 0 „ 2 „ 14 0

“ The firm employs about 26 weavers, who are in constant work in a factory.

“ There are other manufactories which I did not visit, as I was given to understand that the above rate of earnings was the average in the trade.”—*Assistant Commissioners' Reports, Miles, Vol. II., p. 545—6.*

Mr. Austin.

“ The linen\* trade is carried on at Crediton, and at Plymouth, in Devonshire ; at Bridport, Beaminster, and the adjacent villages in Dorsetshire ; at Crewkerne and Yeovill and vicinities, in Somersetshire ; and at Mere, and within a circle of four or five miles radius in Wiltshire.

“ The sailcloth trade employs 1,154 looms.

“ Strong able-bodied men can earn 13*s.* a week at Bridport, and from 11*s.* to 11*s.* 6*d.* at the other places where the wages are lower, in consequence, it is stated, of having to pay land-carriage for the manufactured article to Bridport, the place of shipment ; rent and provisions are also cheaper.

“ Very little variation has taken in this trade for many years. During the war the wages were higher and the work was passed by the master in a more slovenly condition, and less firm in texture ; but, on the other hand, the yarn is now spun by improved machinery, is much

\* “ By linen, I mean everything made of flax ; it is said that 80 tons of flax are used weekly in a circuit of 20 miles round Bridport, one-tenth of which is of home growth.

better, and gives a facility of weaving, which, according to the manufacturers' statement, is equivalent to the before-mentioned drawbacks. Wages where strength is required.

"The other sorts of canvas, ducks, &c. are generally woven by women, many of whom are weavers' wives, some are wives and daughters of agriculturists, &c.

"Finding that no variation had taken place in this trade for many years, that no complaints were made by the weavers, or of the weavers by their masters; that no combinations or strikes, and no disagreements had taken place, and that until the present alarmingly high price of bread the people were contented,\* I concluded that further inquiry was needless."—(*Assistant Commissioners' Reports, Austin, Vol. I., p. 412.*)

South of Scotland, Mr. Symons, p. 35.—

PORT GLASGOW AND GREENOCK.

"Sail-cloths are almost exclusively woven here: the Gourack Rope Company employs 300 looms in a factory at Port Glasgow. Mr. Symons.

"There is a sail-cloth factory at Greenock also belonging to Messrs. Muir and Martin, employing 60 looms, of which two are domestic.

"Sail-cloths are divided into five qualities, of which the first is woven of flax warp and weft, and is highly bleached; the second is the same, but less bleached; the third is coarser, and with flax warp and tow weft; the fourth is the same, but less bleached; the fifth is of tow, both warp and weft.

"There are, moreover, seven subdivisions of each, varying according to the quality of the yarn.

"These vary from 10s. to 15s. per week.

"The first quality, No. 1. (subdivision,) 24 porter reed, is paid 6s. 2d. per piece of 40 ells; deduction for winding, 5d. each piece; a good weaver weaves 2½ pieces per week.

"The factory hours are from six morning to half past seven evening, and the weavers take what time they choose for meals.

"The weavers say they have nothing to complain of."

KILMARNOCK.

"Wages of the carpet and rug weavers run from 12s. to 14s. per week net, and occasionally higher."—(*Assistant Commissioners' Reports, Symons, Vol. I., p. 35, 36.*)

East of Scotland, Dr. Harding, p. 187.—

"2d. 'Heavy work,' as canvas or sail-cloth, broad sheetings, floor-cloth, some descriptions of bagging, &c. This is entirely carried on in factories; perhaps 4,000 looms may be thus employed in the district. These fabrics generally require able-bodied men, the physical force necessary being often very great, although no great skill is essential. They are almost entirely manufactured in large towns; principally in Dundee, Arbroath, Aberdeen, Montrose and Kircaldy. The average net weekly earnings of this class of weavers is at least 8s. 6d.; steady and skilful men can earn 10s., and in some cases much higher wages; at some fabrics of this description, 15s. is not rare."—(*Assistant Commissioners' Reports, Harding, Vol. I., p. 187.*)

Dr. Harding.

It is unnecessary to swell this Report with similar evidence as to the wages of those employed on the coarse and heavy woollen fabrics. As their employment, though seldom requiring much skill, yet generally requires more than the heavy linen fabrics, their earnings are rather higher.

On the whole the class of weavers of whom we are now speaking, those whose employment requires principally strength, appears as a body, and with the exception of a comparatively small section of highly skilled weavers, to be by far the most prosperous portion of the weaving community. Their fabrics are principally intended for the home market, and are articles for which the demand is regular and uninterrupted. Their wages are higher than those of the agricultural labourer, and their employment is unaffected by weather; and while the strength necessary for their own department saves them from the competition of women and children, there are in their manufacture subsidiary branches (though not to the same extent as in silk and cotton) in which women and children can be employed, and the united income of the family increased.

We now come to the highest paid class of weavers, those whose business demands both strength and skill, or an extraordinary degree of skill.

Fourth class of Weavers—wages where both strength and skill or unusual skill are required.

\* "It must not be imagined that this contentment was produced by a rate of wages which enabled them to live in luxury. I have everywhere found that an Englishman's contentment is hard work, enough to employ all the hours of the day, with as much bread, cheese, and potatoes, as he can eat at night, and a little fuel to cook them; if they get meat once a week, they think themselves very fortunate. I will here quote the words of a manufacturer of woollens at Salisbury, which run thus: 'Has never known one during his life and experience who would not rather work if he could get employment, than go to the parish: it is not the Englishman's character.'

Wages where both strength and skill or unusual skill are required.

Dr. Mitchell estimates the highest individual wages of the Spitalfields weavers on waistcoat velvets at 25s. 9d. a-week, and the average at 20s. (p. 229.) The gross wages of those employed at Norwich on the broad and rich flowered shawls, appear (p. 212) to be 25s. 6d. a-week. Mr. Otway states that the earnings of the tabinet weavers in Dublin are equal, if not superior, to those of any other class of weavers with whom he has met. And this appears from the evidence of Mr. Geoghan, one of the most respectable manufacturers in Dublin, employing one third of the whole number of tabinet weavers, who states that the hand-loom weavers on plain tabinets can earn from 10s. to 15s. a-week, those on the figured from 20s. to 24s., and those on the brocaded from 25s. to 28s. (p. 605.) To proceed from silk to wool, it appears from Mr. Miles's Report from Kidderminster, (p. 532) that a skilful weaver on the finer carpets can earn 1l. 6s. 9d. a-week, (p. 550,) and that nearly the same sum can be earned on the finer blankets. Mr. Chapman states (p. 530), that on the finest cloths at Leeds from 24s. to 28s. a-week may be earned, and that the average earnings of the 146 weavers employed by Messrs. Hirst Bromley and Co., who stand highest among the manufacturers of that town, for the preceding six months, were 3,562l. or 18s. 9d. per head.

Irregularity of Weavers' employment.

But though the earnings made on the highest paid fabrics are comparatively high, it does not follow that either the annual income of those employed on them is large, or their general condition prosperous. The commodities which they produce are necessarily high priced, and in many instances can be considered merely as ornamental superfluities. The demand for them is, in some cases, confined to portions of the year, in others is affected by changes of fashion, and, in all, is contingent on the prosperity of the community. Unhappily the commercial code of this country has long been and still continues to be such as to occasion constant alternations of prosperity and adversity, sometimes, indeed, affecting only a small portion of the community, but more frequently comprehending several and large classes. There are few on whom these calamities press more severely than those who produce articles which are luxuries that can readily be dispensed with, or which, though decencies or even necessities, may be more or less sparingly and carefully used, and more or less frequently replaced. In these classes are comprehended the great bulk of the commodities on which hand-loom weavers are employed, and particularly those which, from their fabric or their material, are the most costly. Silk is so expensive a material that, except among the most opulent portions of the community, articles composed of it are considered luxuries; and, as might have been inferred, it is found that those employed on them suffer in their full force the evils arising from vicissitudes of demand.

*Dr. Mitchell.*

"There is, perhaps," says Dr. Mitchell, "no occupation in society so much subject to irregularity and uncertainty of employment, as that of the silk weaver. In common with the merchant, he is affected by the fluctuations of commerce, and he is also subject to that which influences his fate still more, and which baffles all possible calculation, the caprice of fashion. Hence for a period of time, which may be longer or shorter, there is an abundance of employment for all hands that can possibly be induced to enter into the trade, and at such times multitudes are enlisted into it, and then, after a time, the employment may cease to a greater or less degree, and to what extent no man can ever predict, and how long it may endure is equally uncertain. There may be an embarrassment in the commerce of the country, or there may be a change of fashion, and either of those causes will produce a powerful effect, and if both causes come into operation together, the whole body of the weavers is reduced to incalculable misery.

"At a period of great demand for silk goods, the weavers previously employed, have not now to wait, after bringing home the last piece, for a week or fortnight before getting another cane. There is no artificial delay affected by keeping them, during the progress of weaving a cane, a week or more at a time waiting for shute. Every facility is now afforded; and although no addition be made to the rate of payment, much more wages are earned. The other weavers who have been nearly, or altogether, unemployed, have now work given to them. The weavers' wives now also get work, and their boys and girls who never were in the loom before, are now put to the trade, and are allowed the same rate per yard as grown persons. Fresh hands are also introduced. From the metropolis the demand for labour goes into the country. All the old weavers are employed with their wives and families; agricultural labourers are engaged on every side, and every one is urged to do all he can. Blemishes, for which at other times a deduction from the wages would have been claimed, are now overlooked. Carts are sent round to the villages and hamlets, with the work, for the weavers, that time may not be lost in going to the warehouse to carry home, or take out work.

"The facility with which the plainest kind of weaving may be done, is abundantly shown by the evidence given in London and in the country towns. One of the Norwich witnesses expresses it that the weavers may be 'struck into existence in a month.' Men from almost any other employment may be put to do the plainest and easiest fabrics, and men who have been accustomed to do the easiest fabrics, may be advanced to those which are more difficult.

Irregularity of Weavers' employment.

"The whole number is, therefore, capable of an immediate and indefinite extension.

"But let us see the contrast when business falls off, and at no time is there so likely to be so complete a stagnation of employment and commercial embarrassment as immediately after an extremely exciting and supposed prosperity, as in the beginning of 1825 and in 1836. As to the caprices of fashion, they baffle all calculation.

"The immediate effect is, that all the less skilful workmen, the dissolute and disorderly, are denied work. The third and fourth looms, those worked by the sons and daughters of the weavers, are all thrown out of use. The weaver is fortunate who can get work for himself, and reckons himself still more fortunate if he can get a second loom employed also, perhaps by his wife.

"But the manufacturers, at such a period, do systematically, and with design, divide what work they still have to do amongst as many weavers as they possibly can, in order to retain as large a number of hands as they can about them, and thereby be able, when trade revives, to supply the demand. They may also be actuated by an idea that it is benevolent so to do. Hence the weaver is kept waiting between one cane and another, not only, as sometimes is the case, because the manufacturer is waiting for fresh orders from the mercers, but because he keeps engaged far more people than he can fully employ, and he makes the best excuses that he can to put off weavers one by one. Many of these men, ignorant of the motives, attribute to tyranny and caprice what is really the result of calculating design.

"At such times the country towns and villages, to which work is liberally sent when there is a demand for goods, suffer still more. A staff or skeleton only is kept in pay, and that chiefly with a view to operations when a demand returns."—*Assistant Commissioners' Reports, Mitchell, Vol. I., p. 375—6.*

"The weaver," says Mr. Bresson, a very intelligent silk weaver, examined by Mr. Hickson,

Mr. Bresson.

"would do pretty well if he could depend on full employment throughout the year, one year with another, and especially upon the best fabrics; but the trade has always been uncertain and precarious. Every five or six years there comes a period of stagnation, which often lasts for two years before the trade is brisk again. The last winter was one of the worst we have known. The weather was unusually severe; and the trade almost destroyed, owing to the panic which affected the American houses. The holders of silk could not sell at any price, and the manufacturers therefore completely stopped. I and my family were always able to get work, but thousands could not, and, owing to the inclemency of the season, they suffered much. At the present moment there are still many looms idle, though the greater part are employed."\*

The demand for the finer woollen fabrics, though more regular than that for silks, is subject to great vicissitudes. We have already remarked on the high wages earned by the best workmen in Leeds. Mr. Chapman proceeds to condense in the following table "the points of the whole scale of earnings at which the largest number of cases occur :"—

Mr. Chapman.

		s.	s.
" 4	earn over . . . . .	20	
9	" from . . . . .	16	to 20
13	" " . . . . .	12	" 16
4	" " . . . . .	10	" 12
3	" under . . . . .	10	
<hr/>			
33"			

But he adds, "that these earnings suppose full employment—that is, with no more delay than is incidental to fetching the warp and carrying home the piece. If employment were steady—if all the cloth-weavers in the West Riding could earn the wages stated in the table—however desirable it might be to improve their condition, I very much doubt if they themselves would have complained. It unfortunately happens, however, that full employment is rare. Even Messrs. Ripley and Ogle, who carry on an extensive business, cannot at all times give employment to their hands. Out of the 10,000 weavers in the district, it is rare—perhaps I ought rather to say, it never occurs—that some are not out of work. On this point, the following testimony may be offered from Joseph Best's examination :—

"20. Is there now full employment for weavers?—It is much better than it was in 1836 and 1837; but there are still some out of employment. There are also many who are only partially employed.

"21. You yourself stated that your looms are idle; how long have they been so?—About three weeks.

"22. You say that during 1836 and 1837 employment was slack; did that affect wages?—Wages have not risen since. In the best of times there are always men enough out of employment to keep down wages."

"Joseph Cromack, who stated himself to be able, with good work and constant employment, to earn 20s. a-week, said his earnings in 1837 would not average more than 13s. a-week. In like manner, Abraham Worsnop gave evidence as follows :—

\* Mr. Hickson's Report, p. 76.

Irregularity of  
Weavers' employ-  
ment.

" ' 6. If I could have full employment all the year, as I have had for the last three months, I could earn 17s. a-week; but that would be rather over than under.

" ' 7. Had you full employment last year?—No; from November to November I made exactly 11s. 1½d.; and, previous to this quarter, I have stated I was one month and I had not an hour's work.'

" It has been already stated, that the papers put in by the several witnesses referred exclusively to the year 1837. The statement for the township of Holbeck, delivered in by Joseph Best, shows the total net earnings of 174 men to have been 3,130*l.*, which will make an average of just 7*s.* per week. This would make it appear, that in 1837 the weavers of that township were not above half employed.

" The statement for Armley, given in evidence by James Cromack, makes the average earnings of the weavers of that township, in 1837, 9*s.* a-week. The Bramley statement, put in by Joseph Middlebrook, is rather better, as it makes 10*s.* 6*d.*

" To estimate the exact measure of these periods of depression would be quite impossible. There can be no doubt, however, of their constant occurrence. Their injurious effects upon the condition of the weaver, it is easy to perceive, must be much more intense than a permanent reduction of wages with constant work. The habits of a people, receiving at all times 10*s.* a-week, would be much more conducive to their own comfort, in every way, than the same average sum distributed in the shape of higher wages, during one part of the year, lower wages during another, and no wages at all during a third portion; yet this is precisely the fluctuating condition to which the cloth weaver is liable.

" In the evidence taken at Horsforth, a clothing township just without the limits of the borough of Leeds, an attempt was made to estimate the average effects of periods of depression. First, as to the severe suffering of 1837, one witness, Charles Fletcher, gave evidence as follows:—

" ' 13. Have you any statement of the earnings of last year?—I have a statement made out, by going from house to house, when we first heard of the commission, in December last (1837). We took a report of earnings from 340 looms, and the whole sum earned was 5,374*l.* 15*s.*, which gives 15*l.* 16*s.* 2*d.* each loom, good workmen and bad workmen taken altogether; the weekly average would be 6*s.* 1*d.*; from that there is deducted for rent, light, and repairs, of 1*s.* 3*d.*, which leaves a weekly average of 4*s.* 10*d.*' Accompanying the evidence of the above witness is a written statement, from which the following is taken. It embodies the estimate alluded to:—

" ' It was also ascertained that the weavers of Horsforth, *if fully employed*, would average 12*s.* a-week, taking skilled and unskilled persons together; some would earn a little more, and some less; but it was found that the weavers in Horsforth are unemployed one-sixth part of their time, which will make their average earnings 10*s.*; from this sum there will be 1*s.* 3*d.* to be deducted for rent, for the loom, light, &c., leaving 8*s.* 9*d.* per loom for the weavers of Horsforth.' One of the witnesses examined at Yeadon, a township a few miles north-west of Horsforth, said, at the conclusion of his evidence, ' I wish also to state that we have had four panics in eight years; the first lasted half a year, the two next a quarter of a year each, and the last half year, adding something for the fact already stated, that there are always some few out of employment at the best of times, the Horsforth estimate of one-sixth as an average, receives confirmation.'

" To say that the 10,000 weavers of the district around Leeds were out of employment three months in 1837, is, I am convinced, within the truth; as an aggregate average, calling wages only 10*s.* per week, we have a sum of 65,000*l.*, of which the weaving population were deprived. We often felicitate ourselves on the large sums raised to relieve the distresses of particular classes during periods of depression; but we are too apt to overlook the extent of the evil to be remedied. No relief, in fact, can make up for even a short period of stagnation. When the general rate of wages is low, as in the case of the weavers, as well as in that of the agricultural labourers, there must be acute suffering; it is for this reason that it is especially incumbent on the Legislature to avoid all measures which have a tendency to promote, rather than check, commercial fluctuations, by far the most serious evil the weaver has to endure."—*Assistant Commissioners' Reports, Chapman, Vol. I., p. 535—7—8.*

A similar irregularity of employment is attributed by Mr. Symons to all the Scottish hand-loom weavers.

Mr. Symons.

" There is no constancy of employment in any branch of Scottish hand-loom weaving; all are liable to periodical stagnation; and there were few of which some portion of the weavers were not thrown wholly out of employment during the crisis of last summer; in fact, these frequent stagnations are a considerable part, though far from the whole, of the grievance. In May, this year, 756 of the Paisley looms were idle; in two months subsequently they were all, or very nearly all, again employed; at the present time, August, 1838, all the Paisley and nearly all the Glasgow looms are in full employment, and some employers have already raised wages ¼*d.* to ½*d.* per ell on pullicates, and in Paisley the lower class of wages is raised by 20 per cent.

" In April there were 365 idle in Glasgow; perhaps in six weeks there may be from 500 to 600 weavers seeking webs in both places.

" In the check and striped gingham, a very few weeks ago, the demand slackened so much, that a large hand-loom factory was compelled to work short time; even at Jedburgh, notwithstanding the extraordinary impulse recently experienced in the Scottish woollen trade,

both manufacturers and weavers complained of the *inconstancy* of demand and employment." *Irregularity of Weavers' employment.*  
—*Assistant Commissioners' Reports, Symons, Vol. I., p. 8—9.*

"The inference," says Mr. Austin, in his report on the south-western parts of England, "from all my evidence is, that the weavers, taken as a body, are out of work one-third of their time, which reduces the income of the master weaver, for one loom, to 8s. instead of 12s. a-week, and that of the journeyman to 7s. instead of 10s."

"During the time that the weaver has no work on his loom he incurs debts, a part of which he pays off when his earnings are higher,\* but he is rarely in advance of the world; few are ever in a situation to save in good times, to provide for adversity; those who trust them are generally losers, and sell to them perhaps as much from charity as profit.

*Mr. Austin.*

"He must, consequently (if he do pay), pay dear for all he consumes; he must take just such bad or indifferent articles as they will let him have; he is, therefore, badly fed and at a dear rate.

"This is a sad demoralizing state of things, but it is true, and even extensively so.

"Referring to the evidence of a person† deputed by me to go from house to house to inspect personally the condition of the weavers, and to obtain from each family a statement of income and expenditure, I find that, 'in the 74 houses he has visited to procure this statement, there is great distress. In some of them he was told they had not a bit of bread nor a potatoe in the house, and he believes this to be true.'

"To sum up, I should say that one-third of the whole number were in a worse situation than the agricultural labourer in amount of income, one-third on a par in that respect, but without the advantages of cheap rent, occasional food and fuel, and a settled habit of life, arising from greater regularity in his wages and employment; the remainder are in tolerably good circumstances."‡—*Vol. I., p. 451—453.*

Mr. Otway gives a nearly similar account of the Dublin woollen weavers, who are, he says,

"Generally kept idle for want of work for one-third of each year. The average earnings of the woollen weavers for the last three years amount to from 8s. to 10s. a-week, making allowances for the time they are kept idle, and the fines and deductions to which they are subject. The periods of idleness, which are very frequent, act most injuriously on the woollen weavers; if they had full employment, the industrious portion of them would, on the present rate of wages, earn from 15s. to 18s. a-week on each loom, clear of all expenses. It was stated in evidence that the woollen weavers earning from 10s. to 15s. a-week, are worse off than other weavers earning only 7s. or 8s. a-week, from their bad management, improvidence, and intemperance; that if they were kept working the whole year round except one week, they would be starving that week."—*Vol. I., p. 661.*

*Mr. Otway.*

It is not, however, by the mere reduction of average wages that the evils of fluctuation are to be estimated—

"Long want of employment," says Dr. Mitchell, "has a strange benumbing influence. Necessity at such times teaches to half exist on almost nothing, and this diminishes mental and bodily energy; and the habit of indolence, from doing nothing from day to day, becomes a ruling principle. There is a strong instance of this at Braintree. When the crape weavers of that place, after being for months idle, had, on a demand springing up, work given to them in 1837; the manufacturer found, after some weeks, that exceedingly little was done, and he ascertained that they were not engaged at anything else, but too indolent to work as formerly. He was, therefore, obliged to exact from every one a condition, that a certain quantity should be done every week, and that, too, was much less than they could do, under a penalty of a fine, and risk of being totally discharged."—*Vol. I., p. 376.*

*Dr. Mitchell.*

Even the high wages of occasional prosperity are mischievous to those who have not the habits necessary to their judicious or innocent expenditure.

"Whenever," adds Mr. Austin, "the monopoly of any new invention has enabled the proprietor to give high wages, or that he has been compelled so to do by the difficulty of procuring a sufficient number of workmen instructed in the new art, or by the effect of combinations among the operatives, the consequence is frequently drunkenness, neglect of their work and of their families.

*Mr. Austin.*

"I do not mean to say that this is universal, but it is of more frequent occurrence than where wages are at a medium rate. Those who have been in the best circumstances, as regards wages in the trades which have come under my observation, have the worst reputation. Those who are generally the best characters for steadiness, are persons who, by giving their whole time to their employment, can earn from 12s. to 15s. per week."—*Vol. I., p. 473.*

"The Rev. Bryan King, of St. John's church, Spitalfields, speaking of the silk weavers of that district, says,

\* "This debt is frequently never repaid.

† "This person was considered by those manufacturers who knew him, and by the weavers also, to be a very competent and proper person for the purpose.

‡ "That they also are worse paid than other branches of the trade is acknowledged by all; a manufacturer states, they are generally, and were in better times, a poor class of people, and the adults in other branches of the manufacture are better paid than the weavers."



Irregularity of  
Weavers' employ-  
ment.

*Rev. B. King.*

“ ‘That the condition, religious, moral, intellectual, and physical, of this class of operatives is of a decidedly lower standard than that of the other trades of their neighbourhood, appears to be an almost universally recognised fact. And yet,’ he remarks, ‘to a person of prudence and frugality, and in other respects of ordinary well-regulated moral habits, there are perhaps few occupations of a similar grade which offer equally favourable opportunities for the development of a high moral and even intellectual character. The circumstance of the weaver’s work being necessarily performed in his house, in the midst of his family, would appear especially favourable to the growth of the domestic virtues and charities both in himself and his children. The fact of his working by the piece ensures a steady attention and perseverance in his employment, whilst the nature of the work itself stimulates the mechanical ingenuity of the workman, by its constant demand upon his invention for contrivances to meet the ever-varying patterns. But,’ he adds, ‘on the other hand, the extreme alternations of occupation and idleness experienced in a trade subjected to commercial changes in common with others, and to the caprices of fashion, perhaps far exceeding all other employment, these alternations acting upon persons who are unprepared by moral habits of providence and frugality to provide for such contingencies, must evidently degrade the great mass of minds which are subjected to its operation.’”—*Vol. I., p. 251. Mitchell.*

*Mr. Keyser.*

“A temporary improvement in the state of trade,” says Mr. Keyser, “has too often led to carelessness, neglect, and sometimes even to dangerous excesses. Many good workmen by such conduct have lost their employment, and thus, by being for a time in comparative prosperity, have been finally reduced to the deepest distress.”—*Vol. I. p. 493.*

*Mr. Miles.*

“The habits of the weaver,” remarks Mr. Miles, “are as unsettled as his earnings; he feels little or no inducement to set his house in order this year, because his goods might be seized the next. It is not so, however, with the mechanic or an agricultural labourer, whose earnings are more regular and steady; he knows what he has to depend upon; his habits become fixed; he supplies his cottage more or less with furniture, and adds to the comforts of his home with a conviction that necessity will not compel him to dispose of them. This remark holds good to all classes of work-people who earn certain, as well as those who earn precarious, wages. The brickmaker, for instance, obtains good earnings in the summer-time; the sawyer is a roving and uncertain trade; the postboy earns money one week, and none the next; and the consequence is, their houses are dirty and ill-conditioned, and their habits loose and unsettled. On the contrary, the mason, the carpenter, and the agricultural labourer, obtain regular wages, and in most of their houses there is a degree of comfort, and amongst the men a stability of conduct.”—*Vol. II. p. 398.*

*Mr. Otway.*

“The silk weavers of Dublin,” says Mr. Otway, “are thrown out of employment, taking the average of the last three years, for from two to three months in each year. The wages received during the period of employment, with frugality, should enable them to provide against these depressions of their trade, and, if equally divided, would afford an adequate means of subsistence throughout each year. Yet, on the recurrence of these staginations, they are unable to meet them, and maintain themselves by going in debt, or by having recourse to the pawn office. During a renewal of employment they are seldom able to clear themselves before another stagnation occurs, which they are in a worse position to meet. Thus, from want of abstinence and forethought, and the fluctuations between full employment and total idleness, they are involved in a circle of evils reproducing and increasing each other, until they are left in such a state as to be reduced, on the slightest fluctuation or depression in their trade, to a condition of absolute starvation. They present continually the deplorable spectacle of a body of able and skillful tradesmen, with large families looking to them for support, whose average yearly earnings ought to be sufficient for their maintenance, reduced to the necessity of depending for their supply of the necessaries of life on the bounty of their friends, or on the unprofitable charity of the public.”—*Vol. I. p. 613.*

General results as  
to condition of  
Weavers.

We have already disclaimed the intention, indeed we have denied the possibility, of making this Report a substitute for those of our Assistant Commissioners. But, we have endeavoured to give a general, though a superficial, view of the condition of the numerous and diversified classes comprehended under the general name of hand-loom weavers. We have shown that, with the exception of those employed on the coarse manufactures for domestic use, which require strength from the workman, and command a regular sale, their condition is a painful one—distressing where wages are low, and subject to frequent vicissitudes where they are high; and we have shown that, as a general result, the lowest wages are found among the weavers whose business requires the least strength or skill, that their wages are generally somewhat better when rather more skill though not much strength is required, and better still where the strength of an able-bodied man is necessary, and that the highest wages are paid where the fabric requires both skill and strength, or unusual skill, though the irregularity of the demand for such fabrics may keep down the average annual income of the workman.

But we have already remarked that the degree of strength and skill required are not the only elements which decide what shall be the comparative wages of different classes of workmen. The demand for these qualities operates on wages solely by limiting the *supply* of labour. But there are other causes by which that supply is influenced, and there are causes, numerous and important, which affect the

*demand* for labour. We propose to consider the influence on the wages of the hand-loom weavers of all these causes.

The principal causes which influence the *supply* of labour in any business are three. First the degree in which it is attractive or disagreeable; secondly, the facilities for engaging in it; thirdly, the degree in which it affords employment, either in the main labour itself, or in occupations subsidiary to it, to the wife and children of the workman. These influences are generally permanent, and apply to the business in question at all times, and wherever it may be situated.

Causes affecting the supply of labour.

The principal causes which affect the *demand* for labour in any business are generally temporary and local; they seldom affect more than a portion of the work people engaged in the business, and only at a particular time and place.

Causes affecting demand for labour.

Of these causes the principal are—first, the recency or long establishment of the business; secondly, increase or diminution of the consumption of its produce; thirdly, the competition of rival producers, and fourthly, combinations.

It is to be observed, that temporary alterations in the supply of labour, or in the demand for it, may, during their continuance, as frequently raise the workman's wages as they may depress them. But durable alterations are always to his disadvantage. No cause can permanently keep the wages of any large class of artificers above the proportion which the skill, strength, and the sacrifices of comfort and ease which are required from them, bear to those required from the general body of labourers; but more than one cause may keep them under the general level for an indefinite period; in fact, until, as a separate class, they shall have ceased to exist.

As the causes which affect the demand for labour are rather accidents than properties, rather exceptions than rules, we think that it will be most convenient to consider them before we treat of those which influence the supply of labourers.

I. First as to the recency of a business. The evidence of our assistant commissioners is full of examples on the high wages obtained on almost every fabric at its first introduction. The absence of competition enables the manufacturer to obtain a high profit, and induces him to extend his operation, and to bribe workmen into his service by an increase of wages. But this prosperity carries in itself the seeds of an early decay. Other capitalists and other workmen press into the new employment; it becomes the interest of each manufacturer to reduce the price of the commodity in order to extend its sale, and the interest of each workman to accept lower wages as long as those wages exceed, in the least, the average wages which he could obtain for his labour in any other employment; until at length the price of the commodity, the profits of the manufacturer, and the wages of the workman sink to their natural level.

I. Recency of business.

The following evidence given by Mr. Kingan before the Committee of the House of Commons on hand-loom weavers in 1834, in answer to questions 215 and 217, illustrates the rise and fall of wages, on the introduction and subsequent disuse of new articles in the fancy trade:—

“In the last 20 years there was hardly any rise ever took place in an old article. I never knew a rise of wages in a thing which had been long made; but the wages were very high when a new article was introduced; then, as the article became old, it became depressed, till it became so bad and so low that it went out of use or fashion. That was the general history of everything in cotton manufacture in Scotland. The general rule of all fancy goods is, that as they are introduced, they continue to descend and descend until the article becomes so bad, and the wages so low, that they become stale and coarse, and badly manufactured, and they go out of use, and some new articles supersede them.”

Mr. Kingan.

“217. Did they supply the same demand for labour?—In general greater. When the new article was introduced it gave a fillip to all sorts of labour, because it relieved the old article of its hands, and sometimes it did more than compensate.”

II. The second cause which we have mentioned as affecting the demand for the labour of any work people is the increase or diminution of the consumption of the article which they produce. We have already remarked that a diminished consumption of the produce of their labour must frequently affect those artisans who produce commodities that may be more or less sparingly or carefully used, and more or less frequently replaced, particularly if they are commodities of only occasional demand, or superfluities owing their use merely to fashion, the consumption of which expands in general prosperity and is diminished or discontinued as soon as economy becomes necessary. Still more subject to such a calamity are those, on whatever articles employed, who work for a distant market, and who are affected therefore, not only by the commercial vicissitudes of their own country, but by those, still more difficult to foresee, which may affect the foreign consumer. And both the intensity and the duration of all these disturbing causes will be aggravated, if the commodities pro-

II. Increase or diminution of consumption.

Causes affecting?  
demand for labour.

duced by the labourers in question be from their own nature unfit to be accumulated, when the demand is slack, in anticipation of an improved market: or if the fixed capital, by which the labourer is aided, is small, or belongs to the labourer himself, so that he cannot hope for employment from a capitalist at periods when his work is unsaleable: or if, by refusing at such periods to accept lower wages, he voluntarily rejects the opportunity which is offered to him. The Reports of our Assistant Commissioners show that the wages of the larger portion of the hand-loom weavers are affected by one or more of these temporary disturbing causes, and that those of some classes suffer under almost every one of them.

We use the word *suffer* because we believe that fluctuations of all kinds, whether in wages, in employment, or in the prices of the principal articles of consumption, are in the long run injurious to the moral condition of the labourer, though their temporary effect may be as often to his immediate pecuniary benefit as to his disadvantage. In a subsequent portion of this Report we shall have to mention these fluctuations as one of the causes which make hand-loom weaving attractive, though there can be no doubt that it is also one of those which diminishes the happiness of those engaged in it.

III. Competition of  
rival producers.

III. The third cause influencing the wages and condition of particular branches of weavers, namely the competition of rival producers, requires to be considered more at length.

It is obvious that in the same market all commodities of the same kind and of the same goodness will sell for the same price, whatever be the means by which they have been produced. The purchaser will not pay more for a piece of cotton woven by hand, than for a similar one woven by power, though the latter may have cost less to the producer. It is obvious, too, that no manufacturing capitalist will voluntarily accept a less profit than he could obtain by using the cheapest mode of production that he can employ. His interest as a tradesman must almost force him to use the instrument which is least expensive, in proportion to the effect produced, and, if he finds that he is using processes more costly than those employed by his rivals, to escape from that condition, either by adopting the means of production used by them, or if he continue to use his own, by reducing their expense. Every inferiority in the means of production,—every inferiority in the habits or skill of the workman, or in the tool which he employs, and even every natural deficiency arising from want of coal or of water, or of means of communication, falls ultimately on the price of the workman's labour. The purchaser will not consent to its being met by an increase of the price of the commodity, and the manufacturer is never willing, and seldom able, to deduct it from the small portion of the whole-sale price which constitutes his profit.

We do not mean to represent these effects as immediate. The mechanical improvements which produce changes in manufacturing processes so great as to substitute one class of workpeople for another, such as the mule or the power-loom, are of slow introduction. Nearly 20 years have passed since the application of the power loom to wool, and though constantly extending, it is still much less employed for that purpose than the hand-loom. So much less, that its use does not seem to have as yet affected wages in the woollen trade. Again, the rise of a manufacture in a new district is always gradual. Years therefore generally elapse before the influence of a new process, or of a superior local advantage, is shown in a diminished price of the manufactured article. During this interval the effect of either is rather to give higher wages and higher profits where it has been adopted, than to lower those obtained in the establishments where it has not come into use. But sooner or later its influence is inevitable, and the workman who is unwilling or unable to obtain work under the new system, must submit to lower wages, and, in many cases, to irregular employment. He often attributes his calamities to his employer, and often attempts resistance by combination and violence. But the influence against which he contends is irresistible. The manufacturer who should yield to the wishes or to the menaces of his work people, and attempt to maintain a rate of wages greater than the price of the commodity will justify, must in time be ruined, and the only change on the workman's fate would be, that his employment, instead of continuing at a depressed rate of wages, would cease suddenly and altogether.

Power-loom.

One of the most melancholy instances of the mode in which the introduction of improved manufacturing processes affects those who are unable or unwilling to adopt them is found in the contest which has been long going on in many cotton and silk fabrics between the power-loom and the hand-loom.

The steam-engine, always exerting the same force, produces a more uniform texture, and can finish a larger quantity of web in the same time. Its produce is both better and greater. In the fabrics, therefore, on which the power-loom can be employed, it must supersede the hand-loom weaver, unless the latter can furnish his work at a cheaper rate. The consequence is, that with every improvement in the power-loom, which either cheapens its services so as to enable it to work on even terms with the hand-loom, or renders them applicable to a new fabric, the demand for the labour of the hand-loom weavers employed in producing similar articles diminishes, and, if their wages remained unaltered, must cease; since the manufacturer who persisted in employing them must be undersold. Their obvious resource is to take work at the power-loom, which in many cases would employ them all; but partly the dislike of factory restrictions, and partly the aversion to change, which prevails in proportion as education is deficient, leads the great majority of them to stick by the hand-loom while it will afford a subsistence, however poor. They are forced, therefore, to offer their services at a rate of wages which render them rather cheaper than those of the power-loom; and which can continue only until some further improvement shall again have made the power-loom a successful rival, and the hand-loom can be kept at work only at a still further reduction: and thus the unequal race continues, until the hand-loom weaver, finding the united wages of himself and of his family unequal to support life, is gradually ground out of the market, and forced to endeavour to find some other employment. Under the old Poor Law system, indeed, even the state of things which we have described need not have decided the matter, since the deficiency of the hand-loom weaver's wages might have been supplied out of the rates, and his parish taxed to prolong indefinitely a mischievous and hopeless contest.

Causes affecting  
demand for labour.  
III. Competition.]

The following extracts from Mr. Otway's Report on some branches of the linen and cotton trade in Ireland are painful but instructive examples of the influence which is exerted by the work people in one district by the rivalry of improved manufacturing processes in another.

*Mr. Otway,  
Drogheda.*

"I would now direct the attention of the Commissioners to the condition of the linen trade in Drogheda. The total number of linen weavers in occasional or permanent employment in Drogheda and its vicinity are about 1,890. The white cloth 27 and 30 inch wide weavers, who amount to 1,200 out of the total number, are not able to earn more than from 4s to 6s. a-week; and deducting 2d. on each shilling for the expenses attendant on the weaving, winding, and dressing, the net receipt of the weaver averages only from 3s. 4d. to 5s. a-week; the winding is, in most cases, performed by a member of the weaver's family. This is the lowest rate of wages I have met in the trade, and the weavers of Drogheda are in a most distressed condition. The numbers of individuals depending on each weaver for support, as far as I could learn from personal observation or inquiry, amount on the average to six; and the occasional earnings of the weavers at other employments are very small, though they avail themselves of harvest work, and some of them are bound to pay the rent of their cabins by agricultural labour, at whatever time their landlords require it, which is, of course, always at the busy season of the year.

"The cabins that the weavers live and work in, are fearful specimens of what habit will enable a human being to endure; it is impossible that any good description of work could be woven in such sinks of filth; but the very dirt is their principal means of support. I could easily explain, when I visited them, why fever and the cholera had made such dreadful ravages in Drogheda; there is no attempt made at drainage, and after rain it was almost impossible to enter the dwellings; what with the overflow of the noisome pools at the door and the droppings in the cabin from the mouldy and broken thatch. I have seen whole web so befouled with these droppings from the sooty roof, as to defy a guess at the nature of the fabric. That a corporate town, entrusted with public property for the benefit of its inhabitants, should have permitted such a state of things, is to me inexplicable; I am persuaded that no part of Europe, or, I might add, of the world, presents such a spectacle of dwellings for human beings as part of Drogheda.

"I found no dissimilarity in the rates of wages paid by the different masters for weaving in Drogheda. Whenever I have investigated statements of this kind, I have always found that either the description of the raw material given in the instances to which I have alluded was easier made up, or that the work of the higher-paying employer was of a better description, and required to be made up with greater care; the evidence on this head, without full consideration and investigation, would be likely to mislead. Though Drogheda, from the poverty of its weavers, would afford greater facilities for a dishonest employer (if in his power) to take advantage, for any long period, of the necessities of his weavers to reduce the amount of his wages below the rate which the state of the market would enable him to pay, and although the circumstance of the great body of the Drogheda weavers being reduced to the minimum of subsistence, might lead to the supposition that this had taken place, yet all my evidence goes to show that no real variation in the rates of wages has occurred, and that the manufacturers pay as high a price for the weaving of their cloth as the market will allow them to do. The fact is, that at a certain low rate, they can obtain a demand for their goods in the market, which merely enables them, at very small remuneration to all parties, to con-

Causes affecting  
demand for labour.  
III. Competition.  
*Mr. Otway,  
Drogheda.*

tinue in the trade ; at this rate they can obtain an extensive demand ; but the competition in the trade is so great as not to enable them, under the circumstances in which they are placed, to increase the wages of their weavers. The competition amongst manufacturers prevents the possibility of any one employer paying less to his weavers than the demand in the market would allow of his doing, after deducting his fair profits. There are 60 manufacturers employing hand-loom weavers in Drogheda ; and if any one of the 60 were to attempt to reduce his rate of wages below what the demand would enable him to give, the other 59 would be glad to get his weavers, and I presume the weavers would be equally glad to go to them. If the number of the weavers were reduced, the manufacture would be proportionably limited ; I think that if there were but 1,000 weavers instead of the present number, the wages would not be increased. The employers can only get, and only afford to give, a certain price. If there was an opening for agricultural or other employment which was more profitable to the present operatives, the consequence would be, not that the employers would raise their rate of wages, but that they would quit the trade.

"I have now to consider the causes which have operated to render it necessary to reduce the rate of wages in Drogheda to their present low rate, a rate lower than in any portion of the linen trade of Ireland ; and the only instance in which the earnings of the weaver are reduced to the level of the common labourers, though it must not be forgotten that, on the average, there are two looms to each family ; and that from the ease with which the fabric is woven, the labour of females, and young persons from the age of 12 to 20, is usefully applied to the manufacture. From the bounty on the exports of linen being paid according to quantity, not quality, and from the difficulty of obtaining large supplies of uniform quality in Ireland, the Irish manufacturers were able to export only mixed linens, while the English and Scotch devoted their attention to the manufacture of coarse linen, and were, in a short time, enabled to undersell the Drogheda manufacturer in his own market. This competition compelled the Drogheda manufacturers to lower wages, and restricted their profits. The manufacture of fine linens not being thus rivalled, the attention of Drogheda manufacturers was directed to this more profitable investment for their skill and capital, and most of the wealthy manufacturers emigrated to the counties Down, Armagh, Derry, and Antrim. These were amongst the first to introduce the system of giving out work to weavers, and transferring the domestic manufacture, carried on by the weavers, into the hands of a class of middlemen that had previously bought the made-up cloth by the weavers, and sold it to the wholesale merchants or exporters when bleached. But the hand-loom weavers did not emigrate with the manufacturers, and were left behind to struggle with a competition against which they could only successfully contend by the application of large capital and skill. Advantage was taken of the quantity of unemployed hand-loom labour thus thrown into the market, by a number of small manufacturers, who were tempted to enter the trade from the small fixed capital with which it could be carried on. The large manufacturers, employing from 100 to 200 weavers each, were obliged to lower their wages to meet the competition, and eventually left the trade. The small manufacturers were obliged to lower them still further ; not being able to make such extensive sales, they could not take the same rate of profit.

"Then came the introduction of spinning flax by machinery in England and Scotland by the manufacturers, and its application to produce coarse linens, which cheapened their production. This system not being introduced into Ireland until a considerable period after its introduction into England and Scotland, the Drogheda manufacturers were not able even to keep their former ground in the market, and were obliged to have recourse to the mill-spun yarn instead of the hand-spun ; and this they had to import ; in many cases they exported the raw flax to Scotland and had it spun there ; so that in the one case they had to pay the freight, commission, and insurance on the import of the yarn from Scotland, and in the other to pay the freight, insurance, and commission on the export of the raw material to Scotland, and the same expenses on its import back again converted into yarn ; this gave an advantage of from six to eight per cent. on the raw material to the Scotch and English manufacturer. From the number of small manufacturers in the linen trade of Drogheda, and their inability to purchase or keep on hand a large stock of good yarn, added to the want of concentration of their weavers, and their want of means to procure good looms or tackling, they were unable to produce a uniform quality or a regular supply of cloth. The character of their fabrics became injured in the market ; moreover the progress of bleaching was, and is, very imperfectly carried on, which added still farther to deteriorate the character and quality of the Drogheda cloth. In a Report made to the House of Commons, December 1782, it is stated, that a great quantity of Irish linen had been returned from England in consequence of being injured by the quantities of lime used in the bleaching ; that 2,141 pieces had been returned to a man named Crothers ; and that deficient measure and other frauds of Drogheda weavers, had forced the manufacturing of linens, similar to those of Drogheda in Lancashire and other parts of England. In addition to all these circumstances, the application of mechanical power in England and Scotland to weaving the description of cloth made in Drogheda, still further tended to enlarge the competition ; and the manufacturers, instead of turning to those other branches of weaving with which power did not interfere, and for which an increased demand was arising, continued an attempt to struggle against a power with which they were unable to compete, except by a reduction of wages, which reduced the operatives to the minimum of subsistence ; added to all this, the workmen, perceiving the continued depression of their wages, and not knowing the true cause attributed it to the avarice of their employers, and vainly attempted, by combinations and strikes among themselves, to fix and raise their wages, and to compel the employer to pay more for labour than there were funds to supply. But these attempts, though always acting injuriously, and leaving the operatives in a worse



condition than before, were of short duration; starvation soon compelled the weavers to strike to their employers. The Drogheda manufacturers attempted to introduce in 1827 a description of coarse sheeting, not made in England, and carried on the manufacture with great success for some time; there was an immediate advance on the wages of the weavers. The operatives, on the advance, concluded that their former wages had resulted from the will of their employers, and that even then they could afford to pay them higher wages; the consequence was a strike so extensive and continued that the orders could not be fulfilled; the trade consequently went away, and has never since returned."—*Vol. I., p. 627—8—9, 630—1.*

Causes affecting demand for labour.  
III. Competition.

#### "BANDON.

"The cotton-trade at Bandon is almost extinct, and the few weavers who continue to weave cotton are hardly able to eke out the most miserable means of subsistence. The numbers are rapidly on the decrease; Mr. James Scott, woollen manufacturer, comber, and spinner, states—

*Bandon.*

"I have been carrying on the cotton business for the last 15 years. In the year 1825 I employed between 200 and 300 cotton weavers, most of them on corduroys, some on calicoes. The weavers were then able to earn from 10s. to 12s. a-week for weaving corduroys. The cotton weavers could not earn more than from 9s. to 11s. a week. The trade flourished up to 1829. There were at that time from 1,500 to 2,000 cotton weavers employed in Bandon and its vicinity. After the year 1829 I found that we could not compete with the English goods that were sent into the market; the power looms swept away our trade in three or four years. This town was then the seat of the corduroy manufacture for the south of Ireland; we might say, for all Ireland. When we found we could not compete with the English goods, we reduced our wages to what enabled the weaver to earn from 6s. to 7s. a-week. We found that even with this reduction of wages we could not compete with the English merchants, who sent corduroys into Cork, Bandon, and Dublin. When we found we could not carry on the trade with a fair profit to ourselves or the weavers we gave it up. Those that still carried on the trade reduced the wages so that the weavers could only earn 3s. or 4s. a-week gross wages. From what I know of the trade I think there are not more than 150 cotton weavers, both on cord and calico, now employed, and we think 3s. 6d. the very outside of what weavers can earn at 14 to 15 hours work. They have been generally employed for about 10 months in each year for the last five years."

"Nothing can equal the distress of the poor cotton weavers of Bandon. I never witnessed greater misery than in their cabins and mode of living; few, however, remain at the trade, except old or infirm persons, and a few young boys, whom the poor parents try to keep at the loom, in order to preserve them from absolute destitution. I did not meet what I could call an able-bodied individual on a cotton loom. The moment the young weavers are able to turn to anything else, they quit the loom, and, if they cannot obtain labouring work, quit that part of the country, and look for employment elsewhere, or enlist. Bandon is one of the best depôts for obtaining recruits in the south of Ireland.

"The description of cotton cloth woven at Bandon, corduroys and check, is that kind of manufacture to which power looms have been most successfully applied; and I rejoice to say, that the competition has not been dubious, but so successful as to render it impossible for hand-loom labour to compete with it. The manufacturers are not even able to afford to pay what will supply the minimum of the most wretched means of subsistence to the able-bodied cotton hand-loom weavers."—*Vol. I. p. 658.*

In the first of these examples we see the depressing effects of an inferiority sufficient, not absolutely to destroy the local trade, but to reduce it to the actual verge of destruction. It is obvious that the slightest diminution of the price of the commodity, or increase in the wages of those who produce it, would immediately destroy it; and we see that in one instance that effect was produced by an attempt to force a rise of wages. Still the trade lingers on. But in Bandon the decisive superiority of the power-loom has destroyed it as far as concerns the able-bodied. And we fully agree with Mr. Otway in thinking this the less calamitous result of the two.

Similar instances of the depression or extinction of particular branches of hand-loom weaving in consequence of the superior local conveniences or improved processes of their rivals will be found scattered through the reports of our Assistant Commissioners. We do not think it necessary to do more than to refer to a few instances. Such as the depression of the woollen weavers in the south-west of England in consequence of the advantage which Yorkshire and the south-west of Scotland possess in their coal-fields; the result of which is, that the former are among the least prosperous portions of our artizans, the latter, especially in Scotland, among the most prosperous. Such again is the state of the hand-loom crape weavers, which is well stated and commented on by Dr. Mitchell in the following passage:—

"The weavers of crape, or, as they call it, of *hard silk*, are under circumstances very different from the other silk weavers, and very little will be required to explain their case.

*Dr. Mitchell.*

"By far the greater part of the crapes are now made by the power-loom, and it would be



Causes affecting  
demand for labour.  
III. Competition.

easy for the manufacturers to increase their power-loom establishments, and make the whole of the crapes thereby; but it is not their interest so to do. Like other branches of the silk manufacture, the crape branch has its high and its low tide. The manufacturers study so to arrange the extent of their power-loom factories, that they shall be able to produce all the goods which they expect shall be in demand at low tide; and they even venture to go a little farther, and to accumulate at certain times a stock of goods to be ready for the market as soon as there may be a brisk sale. But they do not venture to go farther in extending their factories; for if they were to do so, then during slack demand they would be obliged to have a part of their looms idle, and thus they would lose the interest of their capital fixed in buildings, and in machinery, of their looms, and in providing the power, whether by water or steam. To be able, however, to take advantage of an extraordinary demand for goods, they employ a certain number of hand-loom weavers; and when trade falls off, they gradually diminish the number, until perhaps they scarcely have any at all. Thus the factories are for what is expected to be the steady and permanent demand, and the hand-loom weavers are a body to meet the fluctuations of the market, and to be adjusted as circumstances may arise.

“The crape weavers are paid lower wages than other silk weavers, as may be seen by the accounts of Braintree and Norwich; nevertheless, at ordinary times they are not employed, as it is more beneficial for the manufacturer to get his work done by power. It is only when there is a large profit by increased price and a speedy return of capital that the manufacturer is induced to employ them.

“The inquiry to be made is, what, under those circumstances, can be done for the crape weavers, and the answer must be, that the only thing which at present can be done is, to explain to them what is the real state of their occupation, and advise them to flee from that occupation as soon as they can.

“The power of the Czar of Russia could not raise the wages of men so situated. He might, indeed, order a scale of prices to be paid to them for the work which they did, but in such case the manufacturer would soon cease to give out work, as it would be against his interest to do it.

“The Czar of Russia, either by fixing on a high scale of wages, or by a direct command, might put an end to the occupation altogether; and such would be a most merciful exercise of his unlimited power; but the authority of the government of a free country cannot thus control the subjects, even for their own good; and all that remains, therefore, is to enlighten the crape hand-loom weavers as to their real situation, warn them to flee from the trade, and to beware of leading their children into it, as they would beware of the commission of the most atrocious of crimes.”—*Vol. I. p. 378—9.*

We have already remarked that the influence on any given class of manufacturers of improved processes or superior natural advantages on the part of their rivals is gradual. But it is gradual only at its commencement. It is a well known law of manufacturing industry that *ceteris paribus* with every increase of the quantity produced the relative cost of production is diminished, and, what is the same thing, that with every diminution of production the relative cost of production is increased. The instant, therefore, that any given class of manufacturers begin to feel that their competitors are outstripping them, the instant they find that commodities similar to their own meet them in the market at a lower price, that instant they ought to know that they are engaged in a contest which, if its elements continue the same, must terminate ruinously. If they can change those elements, if they can adopt the processes of their rivals, or procure for themselves similar local advantages, they may, perhaps, regain their ground. But if they are unable or unwilling to use these means, their relative inferiority must become more striking every year. The less they produce the greater will be the relative cost of the produce, while the more their rivals produce the less will be their relative cost of production. First comes a fall of profits, next a reduction of wages, then irregular employment even at reduced wages, until the capitalist is ruined or forced to change his business, or the seat of his manufacture, and the workman must follow his example or be supported by charity.

“We find by experience,” says Mr. Gardner, a very intelligent manufacturer, examined by the Committee of the House of Commons on hand-loom weavers, in 1835, “that if we lose a market one year we lose it altogether. It is not well to trifle with trade: by trying experiments for only one year, we might shut ourselves out. Once in possession of the market they would keep it.”—*Q. 2321.*

These considerations give a painful interest to the contests now in progress, or beginning or impending, between many of our important manufactures and foreign producers. Great natural advantages enjoyed by the United States of America, difficulty and insecurity in the management of our manufacturing capital, occasioned by the perverseness and violence of our combined artisans, anti-commercial jealousy and folly on the part of many of our neighbours, and a still more anti-commercial, still more jealous, and still more absurd legislation of our own, are among the obstacles which oppose the British manufacturer for foreign sale.

Our capital, our machinery, the excellence of our means of internal and external communication, our mineral wealth, and above all the superiority of our artisans in skill and in diligence, a superiority so great as often to render British labour at British wages cheaper than that of the lowly paid continental workman, are the advantages which once gave to us in almost every manufacture a decided supremacy.

Causes affecting demand for labour.  
III. Competition.

Our advantage in mineral wealth continues. No other country has been able to avail itself of deposits of iron and coal so abundant and in such convenient juxtaposition; and we believe that as respects diligence and skill, with the exception of the operations requiring taste, our workmen retain over those of the continent of Europe their general superiority. The general result of the evidence collected by our Assistant Commissioners, by Dr. Bowring, and by the Committee on Manufactures and Trade of 1833, is that though the continental hours of labour are longer than ours, yet the daily amount of work done by a British workman is much greater. This remark, however, does not apply to America. There is indeed some evidence that American labour is more effective than our own,\* and none that it is inferior.

But twenty-five years of peace have made a vast addition to the capital of our most formidable rivals, the inhabitants of the north-eastern parts of Europe, and of the United States of America. The means of internal communication in America are in many respects superior to our own. We have nothing to compare with their inland navigation, or with their four thousand miles of railroad. Central Europe has made slower advances, but Belgium is already covered by a network of railroads; many are completed, and still more are in progress in Germany, and the mere improvement in the ordinary roads, which from being among the worst are now among the best in the world, is a change almost as great as that from a good English road to a railroad. In machinery the advance both in America and in Europe is still more remarkable. In 1824 the Americans were considered as thirty years behind us.† In 1833 their cotton machinery was in general quite equal to ours, and in the coarser articles superior, so much so that all our recent improvements had come from thence.‡ Such was their progress in nine years. Again, in 1824 France appears to have been the only rival that we feared in machinery. She then supplied Germany and Switzerland, and in a great measure Belgium.§ In 1833 the machinery in many parts of Germany is described as equally efficient, though not so durable as our own.|| In 1839, our Assistant Commissioner, Mr. Symons, found the trade of machine-making flourishing both in Switzerland and in Austria, vol. i. p. 113—119, and Belgium had already not only become independent of France, but a formidable rival to Great Britain.

“One of the most ungainsayable evidences,” says Mr. Symons, “of the progress of manufacturing industry in a country, is unquestionably that of the number of its machine-making establishments. In these, for extent Belgium surpasses, in proportion to her size and population, every nation in the world; whilst she can hardly be considered permanently second to England in mechanical perfection, when English engineers are at the head of all her establishments, English patents open to her immediate adoption, and English artisans in nearly all her *ateliers*.”

Mr. Symons.

“There is but one chance of an obstacle to the career of Belgium in her manufacturing progress of competition with England, and that one of Her Majesty’s Government have recently, no doubt with the best intentions, instructed their minister at Brussels to use his best exertions to remove—exertions which have met with the kindest reception and success on the part of Belgium. I allude to the decreasing stock and increasing price of coal in that country. The following table of its rapid rise in price is extracted from statistical returns:—

Coal.

	1836.	1837.
Mons . . .	frs. 7 and 8 per tonne	frs. 12 and 13 per tonne.
Charleroi . .	frs. 13 and 14 „	frs. 18 and 19 „

“Prior to 1836 Mons coal was 8*f.* per tonne at the *maximum*: it has risen in price again since last year; and the Belgian government have consequently assented to the prayer of the English government to be allowed to supply them free of duty. A similar favour has been obtained, though not quite to the same extent, in France.

“It is not for me to discuss the policy of this conduct on our part: all I have to state is, that the manufacturers of Belgium look upon the importation of English coal as a God-send.”

—*Assistant Commissioners’ Reports, Vol. I. p. 157.*

Equally strong is Dr. Bowring’s statement of the present state of machinery in Germany:—

\* Evidence of Committee on Trade and Manufactures of 1833, Answers 2618, 2619.

† Mr. Dunlop’s Evidence, Fifth Report, Artisans and Machinery, p. 473.

‡ Evidence of Committee on Manufactures, Commerce, and Shipping, 1833, Answers, 640, 1972, 1973 2620.

§ Third Report, Artisans and Machinery, p. 105.

|| Evidence of Committee on Manufactures and Shipping, 1833. 1127.

Causes affecting  
demand for labour.  
III. Competition.

*Dr. Bowring.*

"Our legislation prohibiting the export of machinery has wholly failed in its object. It has not prevented the exportation of machines from England, for such machines are to be found in every continental establishment; but it has led to the introduction of many machine-making establishments on the continent, and to the emigration of large numbers of our most intelligent artisans. I have often heard the observation made in Germany, 'You may try to stop the exportation of your machines, but how can you stop the exportation of the heads and hands that make them?' In fact, our prohibitions have only had the effect of transferring to the continent the trade in the manufacture of machinery, of which we might long have kept the monopoly; so that the prohibitions have injured nobody but ourselves.

"In some respects Germany may boast of superiority to Great Britain in her means for manufactures. The arts of design and their application to various fabrics are better understood; metals are more successfully wrought and worked: chemical knowledge, in its various branches, is farther advanced than with us. Steam-engines are found on all sides, and mechanical improvements have made rapid strides, and have served to open a wide field for the characteristic development of German intelligence; which, if not especially distinguished for invention and discovery, seems particularly fitted for laborious and thoughtful application, and for the unwearied pursuit of any object which strongly interests its attention."\*

We have already stated that the reports of our Assistant Commissioners show that the distress of many classes of hand-loom weavers arises from irregularity in the demand for their labour. They do not, however, show clearly how much of this irregularity arises from the increase of foreign competition. But of the formidable fact that this competition is increasing there can be no doubt.

*Dr. Bowring.*

"Much of the trade," says Dr. Bowring, "which was formerly carried on in direct importation from Manchester, has ceased. One example will serve instead of many. There was a district in Berlin frequently called Petty Manchester, in the Spandauer street and neighbourhood, in which were many large warehouses of British cotton goods. They have almost wholly disappeared. The owners have retired from a losing trade, either on their savings or have engaged in other adventures, some even in manufactures competing with England; so that all their influence, which was once on the side of free trade, is now flung into the protecting and prohibitory scale. And the evils of this state of things are increasing and must increase. Up to the present moment the importation of articles in the early stages of manufacture, to which more labour is to be applied, in Germany, is important and increasing, and serves, to a large extent, to fill up the vacuum arising from the diminished importation of wholly manufactured articles. The various materials, the produce of our superior machinery, such as cotton, woollen, linen, silk, and other thread—metals in the earlier progress of manipulation—in a word, articles which stand almost in the situation of *raw materials* to be worked in the later stages of manufacturing industry—form a very large portion of the imports of the Zoll Verein. They have been hitherto and are still imported at low rates of duty; but the protective system will as infallibly reach these in the progress of time as it has reached the articles of more complete manufacture, unless the field of intercourse be considerably extended by mutual modifications of the tariffs of Great Britain and Prussia. There will be a growing demand for higher duties on half-manufactured articles—a stronger desire to depend for their supply less upon the foreign and more on the home producer. Not that this state of things is at all likely to promote the future well-being and permanent interests of Germany; but it is quite certain, unless the tendencies of her legislation are towards the extension of her foreign trade, they must and will move in the direction of securing more and more of the home market to her manufacturers in every stage of manufacture. It is against all experience that the reasonings of a sound and enlarged philosophy, whose results, however splendid, require some time for their development, should be able to counteract and control the pressing claims of interests demanding present support, and which have been called into existence by the predominant legislation. And the influences of the Zoll Verein upon foreign nations, and especially upon Great Britain, are yet in their bud. In another stage of its progress, unless mutual concessions and friendly arrangements take place of the present hostile system, it will be in England that the action of the Zoll Verein will be principally felt, and will continue to be increasingly felt, by its progressive intrusions on manufacturing labour. It must invade more and more the regions where the raw materials receive the smallest quantity of added value. Thus the goods on which the manufacturing process is complete, have been the first to experience the effects of the Prussian tariff; for it cannot be too often repeated that many of the articles wholly manufactured, for which there was formerly a large demand, have ceased to find their way to the markets of the Commercial Union. No woven goods of low quality can any longer be sold, and the tendency of the tariffs is at the same time to intrude more and more upon the higher qualities which still are enabled to hold their place (but not very firmly) in the markets of Prussia.†

We now come to the third cause to which we have referred as influencing the demand for the labour of particular classes of hand-loom weavers at a particular time and place, namely combinations. We use this term in its common acceptation, as referring to combinations respecting wages, or the control of masters. It is of course evident that workmen may combine, and do so, for objects really bene-

\* Report on the Prussian Commercial Union, p. 53.

† Report on the Prussian Commercial Union, p. 55.

ficial to themselves and to the community, as in the case of benefit and mutual assurance societies. The shop meeting of Spitalfields, as now conducted, {are a protection to the master's property. But this is not what is usually understood by the word "combination."

Causes affecting demand for labour.  
IV. Combinations.

IV.—As the object of the combinations among workmen, of which we are now speaking, is the increase of their wages and the general improvement of their condition, and as they have adhered to them for many years, at the expense of great and widely-spread occasional suffering, at a sacrifice of individual liberty, such as no political despotism has ever been able to enforce, and with a frequent disregard of justice and of humanity, which only the strongest motives could instigate, it may be supposed that combinations have been found to produce the benefits for which such enormous evils have been voluntarily incurred. We believe, however, that, with a few exceptions, the tendency of combinations has been precisely the reverse of their object, and that, as hitherto directed, they have led to the positive deterioration of the wages and of the condition of those who have engaged in them, and of the far more numerous body who are excluded from them.

The purposes for which combinations are generally formed are four : 1st. Withdrawing the workmen from the master's control. 2dly. Rendering the wages of each class of workmen equal, as between the different members of that class, instead of being dependent on their comparative diligence, strength, and skill. 3dly. Raising wages, or, what is the same, preventing their fall. And 4thly, in order to effect the other objects, limiting the number of workpeople in the best paid classes.

The general basis is intimidation and a system of annoyance or injury to the property or persons of those who oppose, and in most instances of those who do not assist in the combination. As respects masters, the injury is generally confined to property, though cases have occurred even in England, and more frequently in Scotland and Ireland, of masters opposed to particular combinations having been wounded, maimed, or assassinated. These, however, are comparatively rare occurrences. The usual mode of attacking a master is in his property, by means of a strike—that is, a refusal to work for him, and a determination to prevent any other person from doing so. By this means his capital is rendered useless, his machinery spoils, his engagements are unfulfilled, and, if the combination can persevere, he must submit or abandon his business.

The obnoxious workmen, having little property, suffer in their persons, the punishments rising from simple assaults to blinding with vitriol and beating to death.

Some combinations are mere agreements among large bodies of workmen as to their conduct in one or two particulars; others are associations for a temporary purpose, which terminate when the occasion has passed. The most numerous and most important are the permanent unions, separately formed in almost every trade, by comparatively small portions of the workmen employed in it. The affairs of the combination are managed by a committee, appointed directly or indirectly by the whole body—directly, where the constituent body is small, indirectly, where it is large; each factory or shop, in the latter case, appointing delegates, who themselves elect the committee.

The committee, whether directly or indirectly elected, and whether appointed for temporary or for permanent purposes, appears always to exercise over all the members of the confederacy unquestioned power. For the purposes of detection, it is omnipresent; for those of punishment, unlimited in power and in ferocity. It directs against any resisting workman the moral force of the public opinion of his class, and the dread of bodily sufferings more severe than those which any civilized tribunal inflicts. One of its duties is to lay down the regulations of the combination. Three rules are common to almost all combinations:—1st, that each member shall pay a certain weekly or monthly payment towards the expenses of the combination; 2ndly, that no member shall work under a stated price; and 3rdly, that no member shall work in company with any workman not a member of the combination, or for any master that disobeys its orders. To these are generally added, in the smaller unions,—1. laws to keep down the number of persons in the trade, by prohibiting the employment of those who have not served an apprenticeship, and by limiting the number of apprentices, either by confining each master to a given number, or by absolutely forbidding any one to be received as an apprentice unless he be a son, brother, or nephew of a journeyman: 2. laws either prohibiting piece-work, and requiring every workman to be paid by the day, and at the same rate, or, where piece-work is permitted, forbidding any workman to earn more than a given sum or to do more than a given amount of work in a day or a week; 3. laws pro-

Causes affecting  
demand for labour.  
IV. Combinations.

hibiting a master from discharging any workman without the consent of the whole body, and, in many cases, requiring him to take into his employment as new workmen those only whom the committee may choose to send to him. Some special regulations generally follow, adapted to the peculiarities of each trade, the object of the whole being to enable the combined body to fix the price of their labour and to escape the control of their master, or even to reduce him to subservience to themselves.

A combination frequently succeeds in effecting its immediate purpose, when the inactivity of the workmen in combination can produce the further effect of throwing out of employment other and more numerous sets of workpeople, or render useless a large amount of fixed capital. These two circumstances render the spinners so formidable to all other persons engaged in the cotton manufacture. A spinning factory worked by 700 or 800 persons does not require more than 50 or 60 spinners. Supposing the capital engaged in it to be about 100,000*l.*, which is a probable estimate, at least 75,000*l.* of that capital is fixed in the buildings and machinery. A strike by the 60 spinners renders useless, during its continuance, all this vast aggregate of human and material power. If, as is frequently the case, a power-loom factory is connected with the spinning factory, the influence of the strike extends still further—and further still if there are also dependent on it bleaching-works and print-works: 50 or 60 individuals can then control thousands of work-people, and hundreds of thousands of property. Armed with such powers, the spinners are found everywhere in strict combination, and in the receipt of wages far exceeding the average price of labour in the district.

The hand-loom weavers possess neither of these advantages; the machinery which aids them is generally their own property, so that they alone suffer from its inactivity, and, in most subdivisions of the business, they add the last finish to the product, and have therefore no further classes of work-people or capitalists dependent on them. Under such circumstances, there exists less combination among them than in most other trades. They are not, however, free from it, and its effects on their welfare may be best understood from the following statements, extracted from Dr. Mitchell's report on Norwich, and from Mr. Otway's on Dublin:—

Dr. Mitchell,  
Norwich.

“In the city of Norwich there has never been an Act of Parliament to regulate wages as in Spitalfields, but in lieu thereof there has been a scale of prices, either agreed upon by the weavers and manufacturers together, or arranged by the weavers and submitted to by the manufacturers, and such scale has been enforced by the union of the weavers, and by their committee, with a vigour which, until of late years, produced the most decided conformity.”—*Assistant Commissioners' Reports, Mitchell, Vol. I., p. 311.*

“In the time of the war the scale of prices had been raised, and in 1829, there was a meeting of the manufacturers, at which it was agreed that the price of weaving bombazines, for which 1*s.* 3*d.* was paid, should be reduced to 1*s.*, and so on in proportion with other fabrics. This was strenuously resisted by the weavers, who made a general strike, and several manufacturers suffered personal outrage. Mr. Henry Willett, in reply to a question whether he had not suffered himself, says, ‘I considered that all the manufacturers who took an openly active part in this reduction were in considerable personal danger. I was myself, on returning from my warehouse to my dwelling-house, attacked by a multitude of several hundreds, and but for the assistance rendered to me by the Rev. Prebendary Wodehouse, my life would probably have fallen a sacrifice. I got into a court with a narrow entrance to it, and Mr. Prebendary Wodehouse placed himself at the entrance, and addressed the people, whilst I made my escape; but I could not return to my own house until a strong police force came to my assistance. In the course of that day the military had to be called out. Even at my own door a large stone was thrown at me, which might have proved very serious. Colonel Harvey, a magistrate, who was with me, was struck by a stone. Mr. Wright, who, with me and others, took an active part in this reduction, was waylaid, and vitriol was thrown into his face, and that gentleman thereby lost the use of his right eye. The rest of the manufacturers endeavoured to throw the blame on us, although many of them approved of the reduction, and were parties to it. The reduction, notwithstanding all this, was effected; the masters feeling that they must either obtain the reduction or abandon the trade.’

“Mr. John Wright, referred to in the preceding evidence, may be seen at his warehouse with a large green shade, which completely hides his right eye. He was not desirous of giving evidence, and it would have been unfeeling to have urged him to do so.

“In respect of the present time, many of the manufacturers most readily explained the state of dread under which they lived, but were unwilling to appear as witnesses.

“In 1831, a man who came in from the country for work, and was considered as doing it under the union price, was waylaid about five miles from Norwich, and dreadfully beaten with hurdles from the hedge, and was left on the ground. After they had left him, one of the miscreants turned back, and endeavoured to pour vitriol into his ear; some of the liquid ran down into his eye, and he lost the sight of it.”

“The evidence of Mr. John Clarke will explain the system:—

“Do you consider that the Norwich manufacturers can give the present list prices, and



at the same time withstand the competition of Kidderminster and the towns in the north?—I do not think we can. I held out for the list prices as long as I could. About Christmas last applications were made to me for work below the list prices, and I gave some out.

“What was the consequence?—Some of my people went and told the union committee, and soon after Mr. Fish and a committee-man came to me, and charged me with destroying their prices, and said, ‘We warn you to desist.’ I said to them, ‘I warn you to go down stairs;’ this was on Tuesday the 30th of January last. The next day Mr. Fish came to me with a letter, which I now show to you. The last words are, ‘Our every legal energy will therefore, and therefore only, be directed to oppose you in every shape.’ They then called my hands together, and tried to operate on their minds. I went to the magistrates, and told them that I had no doubt some of my work was likely to be cut or destroyed. Soon after I had a letter, which I now show you, signed by 13 of my work-people, and with 19 names of other work-people, with crosses after them, declaring that they would not work for me. I took this letter to the magistrates, but I could not get redress, and the same night two pieces of work were cut, but I could get no redress.

“I have been told that your premises were watched?—Such was the case from February 8th to Saturday April 7th, the night before your arrival in Norwich. They knew of your coming. Whether they will again lay my premises under blockade, after that you are gone, I know not.

“I have met with no offers of protection from our magistrates, nor do I expect any. I have been obliged to send out my work by night, and that with considerable risk.”

“Mr. Daynes gives evidence in perfect accordance with that of Mr. Clarke:—

“It was formerly very dangerous to send any work to the country; it was likely to be destroyed; and, in fact, goods have been destroyed; that occurred to some of my own. In common with many others, I have been greatly interfered with in my business, of which I can state one remarkable instance:—In London I was asked if I could make bandanas, and I made a sample, and stated at what price I could manufacture them; I, in consequence, had an order for 100 pieces. Soon after I began the work, a deputation of the union waited upon me, with a request that I would raise my wages 2d. a yard, as Mr. Francis had done. I told them that I had taken the order in expectation of accomplishing it at a certain price, which I had ascertained by inquiry among the weavers, and I could not afford to give more under that order. The union then told my weavers to give over working for me, and some of them sent in their work, and went on the parish. However, I persisted, and last winter, many being out of work, I had less difficulty in succeeding. From the first my own weavers were content, and why should the union interfere? Some manufacturers, in consequence of the union, have got their bandanas made at Sudbury.”

“At the Mechanics’ Institution, about a fortnight ago, 22d March last, I put certain questions to Mr. Fish, the secretary of the weavers’ union, and I have a copy of them, and of the answers.

*[Witness handed in a copy, from which the following is an extract.]*

“‘Do you employ or pay a police or watch?—We do.

“‘For what purpose?—To watch who go in and out of the premises of Mr. Clarke, and to advise them ‘not to touch that unclean thing, called under-price work,’ and to avoid his premises as they would a plague.

“‘How much do you pay them?—Four pence per day.

“‘Any other remuneration?—Yes, the persons employed to watch are persons who have been victimized by Mr. Clarke, and have an allowance of 8s. per week besides the 4d. per day.’

“Do you know from observation yourself, that a watch has for some weeks actually been set?—It is quite notorious; and I have seen them myself. A manufacturer, of whose honour I can entertain no doubt, has informed me that he saw the watch, and heard one man say to the others, ‘B—— his eyes! serve him out with vitriol, as they did to John Wright; but instead of putting out one eye, put out both.’

“Do you consider that many of the manufacturers are under feelings of dread of personal violence?—Most certainly they are; and I have no doubt that many of them have told you so, although they dread to come forward and sign evidence to that effect.”

“The conduct of the union, and of the weavers generally, in respect to the dispute respecting camlets, will be seen by the following narrative of Mr. Robberds:—

“‘Having ascertained that manufacturers in other parts of the kingdom were selling camlets at lower prices than I could charge, and that they were enabled to do this by the lower rate of wages which they paid for weaving, I announced to my weavers, about the middle of last May, that from that time I should reduce the scale by which they were paid. Soon after I had taken this step, some men, styling themselves a deputation from the weavers’ committee, came to speak to me on the subject. I inquired if they were camlet weavers, and having been answered in the negative, I stated that I had nothing to say to them, and would hear nothing from them; that I knew of no weavers’ committee; that the regulation of wages was a question to be decided between me and my workmen; and that I should allow no other parties to interfere. On this they withdrew, and I afterwards agreed to explain to two of my weavers, attended by a third person, the circumstances which rendered the proposed alteration necessary.

“‘The rate of wages which I offered is still considerably higher than that given to the



Causes affecting  
demand for labour.  
IV. Combinations.

hand-loom weavers of Yorkshire, whose average earnings are not more than 12*s.* a week while, at my reduced rate, regular and industrious workmen can bring in from 15*s.* to 20*s.* per week, and their wives and sons (of a competent age) from 12*s.* to 15*s.* more.

“ ‘The committee, however, although there were no camlet weavers among them, would not allow my hands to take any work. A watch was stationed, from six in the morning till twelve at night, at each end of the street in which my manufactory is situated, to observe all that was done, and to intimidate those who were willing to take work. There were many who stated, both to me and others, that they were anxious to be employed, but dared not, on account of the threats used against them. At length a few ventured to brave the danger; but some, as they were carrying away their work, were assaulted in the open streets, and forced to bring it back; others, who reached their homes in safety, were there beset by riotous mobs, and compelled to return the materials unwrought; and, in two instances, houses, where the work was in progress, were broken open during the night, and the goods destroyed on the loom.

“ ‘Wherever I could obtain sufficient evidence, the offenders were taken before the magistrates, and in most of these cases the committee undertook their defence. Some of the parties were convicted of assaults, and fined, but the fines were immediately paid (no doubt by the committee), and the parties at liberty to repeat the same outrages. Some underwent short terms of imprisonment, and others were bound over to keep the peace, which they were among the first to break. Six of the watchers were summoned before the magistrates on a charge of obstructing my business. The evidence against them was clear; they were informed that the charge was proved, but were recommended to acknowledge their error, and to promise that the system of watching should be discontinued. They agreed to this, and the case was adjourned for a month. But this produced no good effect; the watching was continued as before. I, therefore, summoned three others on the same charge. The case was proved, and the men were bound over to appear at the assizes, to answer an indictment against them for a conspiracy. All these proceedings were of no avail; intimidation and violence, escaping thus almost with impunity, were carried to greater lengths. The dispute began to be rendered subservient to the purposes of party. One of the most useful members of the court of guardians was turned out by the parish which he represented, because he disapproved the conduct of the weavers; and candidates for municipal honours sought to acquire popularity by courting the promoters of these disturbances. Subscriptions were collected for their support, to which publicans and small tradesmen were the principal contributors: some, deluded by the idea that a high rate of wages would enable the working classes to spend more freely, and others influenced by the fear of becoming marked men, and losing their customers. Those who refused to give any money, or in any manner discountenanced the proceedings of the weavers, were abused as “under price” men, and every possible effort was made to injure them in their business. Thus encouraged, the committee issued hand-bills, announcing that they had sufficient funds to maintain the camlet weavers for several months; and it was generally understood that they received an allowance of 3*s.* each per week.

“ ‘In the meantime I had commenced preparations for making my camlet by the power-loom, and passed some weeks in Yorkshire for that purpose. On my return from that district towards the end of August, I found my weavers generally dissatisfied with the conduct of the committee, and severely pinched by starving so long on 3*s.* per week, when they might have been earning at least five times as much. Many of them applied to me for work. I told them I should give them none, unless they went publicly to the magistrates, stating that they were willing to be employed on my terms, and claiming efficient protection for themselves and the materials entrusted to them. They at once complied with these conditions, and an additional police force was engaged to guard, both by day and night, the houses of those who might take work. But before these arrangements were completed, a body of nine or ten men attacked the house of a weaver, named Wells, about 12 o’clock, in the night of the 28th of August. Having broken open the outer door, they forced an entrance into the room where the man and his family slept, and in which was also his loom. There, while one of them stood over him with a pistol, and threatened to shoot him, some of the others totally destroyed his work; but before they could extinguish a candle which the wife had lighted on the first alarm, two of them, named English and Engall, were recognized, and both were apprehended during the night. On the following day they were fully committed, and bail refused for them. Both of them are sons of publicans. English had been a notorious leader in all tumults, and his father’s house the head-quarters, where some of the most active were always in attendance, to receive information, to issue orders, and distribute drink. The apprehension of these two men, and the vigilant observation of the police, produced an immediate calm. More weavers than I could employ came for work, and those who obtained it have been unmolested. My business is now proceeding quietly on my own terms, and offers have been made to me to take even lower wages than I am paying.

“ ‘But the consequences of these proceedings have been very injurious to the working classes; not only have they lost the circulation among them of at least 1,000*l.* in wages, but three months of idleness and delusive excitement have deteriorated all their habits. Many of them will never recover from the effects of their privations. One old man, who had for many years maintained himself decently, and for whom I had ordered work, came to thank me for it; but he added, ‘I must give up. I have been obliged to sell everything, and starvation has brought me so low that I can do no more. I must go home to my parish, and for this I have to thank the silk weavers’ committee.’ ”—*Assistant Commissioners’ Reports, Mitchell, Vol. I., p. 311—336—40.*

The following is Dr. Mitchell's statement of the result of this combination :—

Causes affecting  
demand for labour.  
IV. Combinations.  
*Dr. Mitchell.*  
*Norwich.*

“The rate of wages hitherto paid at Norwich to the weavers is according to a scale settled by the weavers themselves, and submitted to, if not formally agreed to, by the manufacturers. This scale is the same both for summer and winter, and is the same in slack trade as it is when all hands are in demand. Such is obviously different from what things would settle down into if left to themselves. But the manufacturers have been accustomed to look upon this scale as authoritatively established, and to call it the fixed scale, although it is no otherwise fixed than the weavers demand it, and the manufacturers submit to it; though perhaps the manufacturers will say that their lives and properties would be endangered if they resisted it.

“Mr. Henry Willett, in partnership with his brother Mr. Edward Willett, carries on business on a very large scale, having sometimes from 800 to 900 looms employed, and at other times a much greater number. He considers that the condition of his weavers is very good when they are in employment, but that they suffer very much when out of work. He is of opinion that a rate of wages, fluctuating and adjusting itself according to the state of trade, would be much more advantageous both to the manufacturers and weavers. He states,—

“‘I have little doubt that the effect would be to procure for the weavers nearly constant employment throughout the year. In all the large manufacturing towns of the north, when a slackness comes in trade, the manufacturers do not turn away their hands. Rather than that they should be idle, they allow them still to continue; but as they cannot then have sale for their goods, and must lay them up, and wait for a market, they cannot afford to give the same wages as at a time when they can get an immediate sale. They therefore then reduce the wages, to make up for the loss of interest upon the capital so locked up; but in Norwich we cannot do any such thing. The people will not work but for the rate of wages, which can be afforded only when the sale of goods may be immediate. We are not afraid to turn away a great many of our work-people when we have no occasion for them, because, from the system forced upon us, we know that we can always find a large mass unemployed; and although we always keep a great many hands constantly employed, it is because they are superior workmen, and we consider that it answers our purpose to keep them at work, whether the goods are wanted or not. Within the last week, a demand having sprung up, we have had no difficulty in engaging 600 or 700 new hands. If the Yorkshire principle were acted upon here, we should not turn our weavers off, but reduce their wages in a slack time, and advance them when trade became more active. My impression is, that the average rate of wages would be fully equal to what is now paid at the time when he is employed, and the weaver would have the advantage of constant work, instead of being out of employment one-third of the year, and some much more.

“‘There is less capital employed in Norwich in manufacturing than in most towns in the kingdom, and the reason is, that the capitalists know the system of wages at Norwich, and that the capitalists have but little advantage over the man of no capital; but if a fluctuating rate of wages were to be established, my impression is, that the capital employed in the Norwich trade would increase so rapidly, that not only the present weavers would be constantly employed, but a large proportion of the population for 10 or 12 miles round the city. The situation of Norwich being so much nearer to the metropolis than the other large manufacturing towns, it would have a decided advantage if trade were to be carried on on the same principle.’

“Mr. Willett has never been able to get the weavers to act agreeably to his plan, in consequence of the interference of the committee of the union, and of their influence over the weavers. He says, ‘I have endeavoured as well as I could to make them see their own interest. I endeavoured to reason with the men whom I had employed at a Macclesfield fabric, by which they were getting about 9s. or 10s. a week; I pointed out to them, that if they would work on another article which we were making, at the same rate of wages which they were paying in Yorkshire, then, instead of 9s. or 10s. a week, they would gain 20s. a week; but though it was so clearly for their own advantage, I could have no influence on their minds. They said that the price offered for that article was below the list price, and they would not take it; and I could not convince them that the ultimate effect of their conduct would be to drive from Norwich a trade by which 20s. a week might be earned, and extend one by which they would get only 10s.

“‘Now I can give another instance in regard to a new fabric called mousseline de laine, a fabric with silk and worsted warp and worsted shoot. I had women working at them, and earning 9s. or 10s. a week. The committee came and examined the fabric, and said, that, in conformity with the analogy of the list prices, I was paying too low a rate of wages for it. As I could not afford to pay more, and as the committee had sufficient influence over the weavers to prevent their continuing to weave it at the price which I had been paying, I took down the work, and gave up making it.’”—*Assistant Commissioners' Reports, Part II., p. 389—91.*

“The unhappy results of the violent conduct of the union, and the want of such a government and police force as would restrain such violent conduct, have been,

- “1. The prevention of the introduction of machinery into the city.
- “2. The prevention of the introduction of capital.
- “3. The loss of many fabrics.

“As to the prevention of the introduction of machinery, Mr. Stark has given distinct evidence on this subject. Mr. Dodshon Blake, manager of the yarn factory, is of opinion that machinery would have been introduced long ago, and with great advantage, but for the mis-

Causes affecting  
demand for labour.  
IV. Combinations.

taken views of the operative weavers. He is of opinion that, to machinery, the city must in future look for its prosperity.

"Mr. James Spalding, an operative, states, 'One great cause of the distress in Norwich is the folly of the people in objecting to machinery. I know that capital has been driven out of our city by it which would have employed hundreds.'

"If the prejudices against machinery had been manifested by a disinclination to work in factories where machinery was employed, there would have been cause to deplore the fact, but no cause for imputing moral blame to the weavers of Norwich; but as the matter stands, their conduct cannot be otherwise viewed than as most highly to be condemned. The men of the union are not content with abstaining themselves from what work they choose, and with applying persuasion to others, they have employed physical force they have attempted to destroy life; they have inflicted the most grievous physical injury; they have brought men into terror for the safety of life, person, and property; they have denied to other men the right of judging for themselves, as to how they would employ their own industry; and all this because they hoped that it would be to themselves a benefit; and they cared not how much they might trample on the rights of others so be that they might obtain their own ends.

"The weavers manifest no tolerance towards any of their number who oppose their views; woe to the committee-man who advises counsel not in accordance with the opinion of the majority. 'I was turned out,' says Mr. Spalding, 'because I differed in opinion from them; there were five or six of us who firmly declared our sentiments; they said we were free traders, and plumped us right out.'

"By being a 'free trader' is understood in Norwich to be a person opposed to a fixed rate of wages, and desirous of leaving employer and employed in freedom to make their own arrangements.

"That the conduct of the union has prevented the introduction of capital is the opinion of many of the witnesses who have been examined. Indeed, what capitalist would wish to settle in a place where his life, his person, his property were insecure; where he was not at liberty to employ persons who were desirous of getting employment, unless on terms which he could not afford; where he was liable to the indignities and insults in defiance of law, to which the Norwich manufacturers are obliged to submit.

"Of the manner in which fabrics are driven from the city we have already had several instances. The following is a striking case stated by Mr. Hastings: Being asked whether of his own knowledge he knew of any fabric having been lost by the conduct of the union, he replies—

"The lastings is one fabric, being that of which the upper part of ladies' shoes is made. When I was at Mr. Theobald's, I wanted to introduce lastings, and to give the same price as paid in Yorkshire; and we wrote to Yorkshire to know what was paid there; it was only 12s. 6d. a piece. We were willing to take 1s. off our profit, and add it to the wages, and we gave out the work at 13s. 6d., and more we could not afford to give. Mr. Fish told my master that the weavers should not work for any such money, and the men were deterred and brought the work back; the effect is, that no lastings are now made in Norwich; that is one branch lost to us. The fact is, that Halifax is carrying off some of the best of the Norwich trade. The goods are made there as well as with us, and are sent to Norwich to be dyed, and then sent abroad. They cannot equal us in dyeing. If we cannot manufacture at such a price as to meet them, the consequence necessarily follows that we lose the trade. I was threatened to be shot in the streets for giving out the lastings at the price which we offered.'"

—*Assistant Commissioners' Reports, Mitchell, Vol. I., p. 341*—2.

The following is Mr. Otway's statement of the effects of combination on the silk trade of Dublin:—

Mr. Otway,  
Dublin.

"It is evident that the silk trade in Dublin has decreased, and, whatever may be the exaggerations as to its former state, that it is now confined to the manufacture of one fabric, the tabinets. There can be no doubt that the trade in weaving whole silk is extinct, and that the manufactures of velvets, handkerchiefs, and ribbons, are reduced to a few looms. The decline of the trade is attributed by J. Kelly, both an operative and employer, more particularly to the effects of combinations on the part of the weavers. This, he states, is the great cause of the decline of the trade. The effect of combinations is one of the great causes of the downfall of the trade and consequent distress. A man of the name of M'Connell, a silk manufacturer, who carried on the trade to a great extent, had a quantity of work going on, and made an agreement with his men, in one branch of the business, to get it done for less than the standard price. The body of the trade got information of it, and stopped his works; would not allow the men to fulfil their engagements; called a meeting, and ordered all his work home (*i. e.* the work he had out in the looms), unfinished, and fined him 10*l.* for committing that crime against their will. They would not suffer him to proceed with his business until he agreed to pay the fine, and the full price in future for all the work out. He paid the fine, and got his work finished, and when it was finished, quitted the trade. So disgusted was he with the conduct of the men, and the fearful effects of such a system of combination. 'I myself,' said he, 'about nine months ago, made an agreement with men (who solicited me) to give them work under the usual price, trade being remarkably low. The body got information, and called a general meeting on that business, and came to the unanimous resolution at the meeting that no person, for the future, should work for me. These resolutions were passed, and in a few nights after, my works were consumed by vitriol thrown in through the windows, by unknown persons, and no person connected with the trade would work for me

for fear of the body. Informations were lodged against 11 persons, by men who worked with me at the time, and they were tried in about five months after for combination; but in consequence of the terror exercised by the body over the persons who lodged the informations before the magistrate, the witnesses, on the trial, swore the direct contrary of the very informations they had given before the magistrate. They were then indicted for perjury. The effect of all this was to drive me from the business. The unions in my trade have regular officers, meetings, and collections to support their combinations. They would not allow me, though having served my full time to the ribbon trade, to work at the broad silk, though in every respect the same, except one being broad and the other narrow; a great hardship this; and as a manufacturer they would not allow me to take an apprentice at it. I look upon the system of combination which exists as one of the great causes of the decline of the trade. A few individuals frame a system of rules and laws, and call themselves "a common committee," tax the whole trade for their purposes, and enforce their laws and their system of taxation on the trade, the majority of whom are totally ignorant of their proceedings, and have no voice in the framing of their laws, but are obliged, from fear, to submit to the laws of this committee. The committee men are generally composed of leading undertakers of work, who give it out as well as weave it; and so they have the less forward and more humble workmen in their power by these means. The principal leaders of this body are generally great spokesmen, and are always sure of getting themselves in the first instance appointed on the committee by self-election. Part of the combination committee of each trade is in connexion with a general combination committee or body of all trades. To this each trade that has formed a body or a union sends its delegates; and generally, when any of their laws are to be enforced against any one who has come under their displeasure, the person to punish and the punishment is pronounced and awarded by persons connected with totally different pursuits and trades. This connexion with a general body of all trades is denied by the silk weavers; but though I cannot speak of it from personal knowledge, as I can of their own system of combination and its fearful effects, still I am fully persuaded and convinced of the truth of it.

"Alderman Abbott, for many years one of the most extensive silk manufacturers and mercers in Dublin, states: 'I am acquainted with the state of the silk trade for the last 50 years. When I remember it first it was flourishing, and gave employment to a large number of individuals, consisting of silk throwsters, dyers, winders, warpers, weavers, and dressers; even as far back as I can remember, considerable fluctuations took place in the trade, but were merely temporary, occasioned by the wear of muslins and other fabrics. Up to 1829 I was engaged in the wholesale silk trade, employing a large number of looms; imported my own silk, and had it manufactured here. I left the trade in consequence of the combinations amongst the workmen. I called my weavers together, and they agreed to make a considerable reduction in the price of weaving; when they got the work out for the winter's trade, the committee of the combinators took the shuttles from them, and would not allow them to finish their work in the looms until I agreed to give the full London prices; in consequence of which, I did not think it safe any longer to continue in the trade, and I retired from business. This occurred in the year 1826. The weavers were accustomed to fix the prices of weaving; and, as I stated before, I called them together and told them, as the facility was so great for getting goods from England, and the protecting duty being taken off, that I could not with safety give them the London prices. I manufactured everything that could be made, from silk velvets, ribbons, &c. &c. &c. I believe there are very few silk weavers here now, except the tabinet weavers. I attribute the withdrawal of the trade in whole silks to the combinations of the men, who would not work at Manchester prices, but insisted on London prices, which the manufacturer here could not afford to give.'

"The day or two previous to my leaving Ireland, I called on a manufacturer of high respectability, and the head of one of the oldest houses in the trade, who had previously (last May) given me evidence. He told me that since I had examined him, he had set up a hand-loom weaving factory for broad silks; had gone to England and expended a sum of 700*l.* in purchasing Jacquard-loom of the best construction, and a machine for winding silk. He took me to see his factory. I found it the best arranged, and the most healthy and convenient factory I had ever seen; but out of upwards of 30 looms, only 12 were at work, and the winding-machine appeared never to have been used. I asked the reason of this; he told me, when he had finished his arrangements there was a meeting of the body of the trade called, and that they had passed a resolution not to allow more than 12 weavers to work for him, and he was directed not, on any account, to use the winding-machine: 'The consequence is, sir, that although I give the same rate of wages as that fixed by the union, if I was to give 100*l.* as an inducement, I could not get a thirteenth weaver to work for me. But this is not all; they passed another resolution forbidding the 12 weavers to pay me more than 1*s.* 6*d.* each for the use of the looms, though 2*s.* 6*d.* is the fixed price, when the manufacturer supplies a Jacquard-loom; and to-morrow there is to be a meeting of the trade to limit the number of weavers that they will permit to work for me to six. The other manufacturers are either afraid or unwilling to assist me to put down this combination. The consequence is, that after sustaining immense loss, I must withdraw from the trade. The silk-winders are so exasperated at my introducing a winding-machine, though I never used it, that I dare not, even in the open day, walk through the liberty, the very women would pelt me with stones or mud.'

"The combinations of the operatives have not only driven the most extensive and wealthy manufacturers out of the trade, but, by the unjust and illegal control which they assume over the industry of their fellow workmen, they have compelled them to emigrate to some place where they can exercise their judgment as regards the disposal of their own labour. The consequence has been, that many of the best Irish silk weavers, sooner than submit to such a

Causes affecting  
demand for labour  
IV. Combinations

Causes affecting  
demand for labour.  
IV. Combinations.

tyranny, have from time to time migrated to Manchester and other silk-weaving districts of England, where they have been glad to get employment at a much lower rate than that fixed by the trade in Dublin. There are in fact more Irish workmen now in Macclesfield than English. Mr. Curran, the secretary of the Manchester silk-weavers, in his evidence, stated: 'After the Spitalfields Act was repealed, the silk weavers in Dublin combined not to take lower wages from their employers than they had previously received; and numbers came over here, where in many instances they were obliged to take a lower rate of wages than the rules of their trade in Dublin would permit. This had the effect of withdrawing a large portion of the trade from Dublin.'—*Assistant Commissioners' Reports, Otway, Vol. I., p. 608—611.*

While such have been the effects on the condition of the hand-loom weavers of combination among themselves, they have been still more injured by the combinations among other trades. The great cause of distress in the depressed branches of their business is the number of persons employed in it, or seeking employment, in proportion to the demand for their labour. The remedy of course must be that a portion of them should transfer their own labour, or at least that of their children, to better paid occupations; but from these they are repelled by combination.

Mr. Symons.

"The combinations in other trades," says Mr. Symons, "and the fees exacted by the unions for entrance, are, in most cases, insurmountable barriers to the weaver in his exertions to put his children to other trades. On this subject I have not been able to elicit much evidence from the weavers, beyond, in many instances, their avowal that such was the fact. But at Glasgow, where these impediments are chiefly felt, the terror was far too great to allow of freedom of speech on a point on which it were perilous to be communicative. The weavers, however, undoubtedly suffer from the tyranny of these conspiracies, which not only exclude them and their children from participation in the comparative prosperity of other trades, but are continually driving fresh hands to have resort to the loom, as being well nigh the only employment open and accessible. The military were, in one instance, I was informed by the sheriff of Lanarkshire, employed to protect weavers whilst working during a strike in a colliery."—*Assistant Commissioners' Reports, Symons, Vol. I., p. 54—55.*

We have dwelt at some length on combinations, partly because we believe that they influence materially the condition of the hand-loom weavers, and partly because we think that their influence, so far as it is productive of mischief, is more susceptible of immediate diminution by legislation, than any other cause of evil affecting the weavers.

Causes affecting  
supply of labour.

We now proceed to consider the principal causes which influence the supply of labour in hand-loom weaving. These causes are—first, the attractiveness of the business; secondly, the facility of engaging in it, and thirdly, the employment which it affords, either in the main labour itself, or in occupations subsidiary to it, to the wife and children of the workman. We will first consider the attractiveness of the business. On this subject the evidence collected by us is full. We extract the following passages from Mr. Muggeridge's and Dr. Mitchell's Reports, merely as samples of the numerous statements, to the same effect, scattered through our Appendix.

I. Attractiveness  
of hand-loom  
weaving.  
Mr. Muggeridge.

I. "The weaver," says Mr. Muggeridge, "will stand by his loom while it will enable him to exist, however miserably; and many, induced temporarily to quit it, have returned to it again, when work was to be had. A variety of causes tend, I think satisfactorily, to account for, if not extenuate, the pertinacity with which an employment is clung to, yielding, as has been shown, such scanty and inadequate remuneration,

"1st.—It gratifies that innate love of independence which all more or less feel, by leaving the workman entirely the master of his own time, and the sole guide of his actions. He can play or idle, as feeling or inclination leads him; rise early or late; apply himself assiduously, or carelessly, as he pleases; and work up at any time, by increased exertion, hours previously sacrificed to indulgence or recreation. Beyond the necessity imposed upon him of yielding a given quantity of labour to produce a given amount of earnings, he has little, if any, control. In the proportion he is willing to sacrifice the one, he can dispense with the other, and idleness carries with it no punishment, beyond the restrictions of enjoyment which arise from its being unremunerated. There is scarcely another condition of any portion of our working population thus free from external control. The factory operative is not only mulct his wages for absence, but, if of frequent occurrence, discharged altogether from his employment. The bricklayer, the carpenter, the painter, the joiner, the stonemason, the out-door labourer, have each their appointed daily hours of labour, a disregard of which would lead to the same result. Similar restraint is carried throughout all our commercial and trading establishments. Another cause of the attachment of the weaver to his precarious occupation arises, I am persuaded, in many cases, from better, and more commendable feelings. It concentrates the family under one roof; gives to each member of it a common interest; leaves the children under the watchful eye of the parent; and, the fate of one being the fate of all, it is borne, be it harsh or otherwise, without repining. 'Home is home be it ever so homely,' is a trite but an apposite proverb, the truth of which cannot be more practically evinced, than it has been by hundreds



of families of hand-loom weavers. A third cause, and an influentially operating one, is the remembrance of by-gone days. Few weavers but recollect the 'good old times,' when their labours were four-fold remunerated, compared with their present rates of earnings; and it is hard to cast off altogether the cherished, though it may be but a delusive hope, that such days are past never to return. Many, who, if interrogated on the subject, would perhaps deny being actuated by such feelings, would nevertheless admit that an influence is exercised over them by such reminiscences; and that some latent prospect of an ulterior change for the better induces them to continue in an employment at present so ill requited. 'It is a long lane that has no turning' has been more than once offered me as a significant apology for the weaver's continuance at his loom.—*Vol. II. p. 601.*

Causes affecting supply of labour.  
I. Attractiveness of hand-loom weaving.

"There is," says Dr. Mitchell, "a considerable portion of lottery, fortune, and chance in the weaver's occupation. This produces a fond delusion on the mind, and multitudes cling to a trade which they would not abandon, even for one more productive than their own, which had not this attraction."

*Dr. Mitchell.*

"Too great attachment to the occupation is the bane of the trade. The cause just last mentioned would of itself retain many, even against their better judgment; but there are other attractions. There is a sort of independence about the work. A weaver is not tied to hours like the carpenter, bricklayer, and most artisans. He may begin his work when he pleases. He is not confined within the walls like men in a spinning factory. He may go out when he thinks fit. He may work to 10 and 11 o'clock, or later, to make up for lost time. The weaver also enjoys the society of his family. He feels strongly the domestic attachments, even beyond what cool reason would approve. Hence he will not find any other employment for his children, and easily believes that he cannot."

"From all these causes it is, that many are drawn into the trade, and afterwards bring up their children to it, and cling to the trade under every disadvantage. There is at the best of times a full supply of hands, equal to the work, and at other times a great superabundance. At the best of times the weaver can never be very highly paid, and at other times, even if the same price be paid for the work done, the work to be done is so little in comparison of the number willing and anxious to do it, that the wages distributed amongst so many, make but a very poor and wretched income, and from which a comfortable existence cannot be supported."—*Vol. I. p. 376*

II. The attractiveness of the business is common to all branches of hand-loom weaving, with the exception of the comparatively small one of factory weaving. The facility with which it may be engaged in differs of course in its different branches; but the general impression produced in our minds by comparing the testimony that has been submitted to us is, that it is the business offering the most numerous and the easiest avenues.

II. Accessibility of hand-loom weaving.

Mr. Muggeridge, in a passage immediately following that which we have already extracted, speaking of linen weavers, adds that—

Apart from these influences, which may be regarded as of a personal nature, there are others which greatly tend to keep up, if not to augment, the number of hand-loom weavers. The trade, if it may be so called, particularly in its inferior branches, is one, of all others, the most easily acquired and understood. I have had abundant testimony, as well as direct personal proof, that a young person of either sex, of from 13 to 17 years of age, possesses the requisite physical capacity, and will, with a few weeks' practice, acquire the requisite skill, to weave an ordinary cotton fabric, as well as the most robust and most expert adult weaver of the same description of goods. The peculiar facilities moreover afforded the destitute and unemployed of engaging in this occupation, will also account, in a great degree, for the keeping up the numbers in an employment so scantily remunerated. It was proved to me that a young person may, in the neighbourhood of Burnley, Colne, &c., hire a lodging, with the use of a loom, for one shilling a-week. *For this small sum, acquired in some instances by a day, or half a day's mendicancy, a person enters on a home, and on a trade. The weaver with whom he lodges, who possesses usually a fixed connexion with some employer, will supply his lodger with materials to enable him to go to work, and afford him the necessary instruction to perform it, receiving in return a stipulated proportion of the earnings: with such probationary assistance, continued for a few weeks, the scholar becomes an adept, and is fairly launched into the community of hand-loom weavers.*

*Mr. Muggeridge.*

"The class of 'journeymen,' as they are termed, is one conducive to the same result. The practice, in their case, is to give their labour to their employer, who is an operative weaver. The latter finds loom, warp, and weft (materials), receiving in return one-fourth part of the earnings of the journeyman; the remaining three-fourths form the fund of maintenance."—*Vol. II. p. 601.*

The evidence of J. Harper, a working linen weaver, taken by Mr. Keyser, states as one of the principal causes which depress hand-loom weaving—

*Mr. Keyser*

"The facility with which a man can become a weaver. 'I was working,' says the witness, 'at Barnsley two years ago, when the trade was brisk. One morning 30 Irishmen came into the town, each proposed to become a weaver. They got friends and got work. They had never worked as weavers before.'—*Assistant Commissioners' Reports, Vol. I., p. 485.*

He adds, indeed, that they did their work badly; but in what other business, entitling a man to the name of artisan, could they have done it at all?



Causes affecting  
supply of labour.  
II. Accessibility  
of hand-loom  
weaving.

Mr. Austin.

The facility of engaging in woollen weaving seems nearly equal. Mr. Austin says :—

“ I have found great difficulty in getting any one to assign a reason why weavers are so numerous, and, consequently, worse paid than other classes. The weavers are unwilling to admit that weaving requires little skill, and yet, on the other hand, they inadvertently say that ‘ colts’ (persons who are not children of weavers, and have not been brought up to the trade) are taken in by some master weavers, to the great injury of the rest: this seems to prove that no great skill is needful. Industry and attention, with six months’ close practice, are, I believe, the chief requisites; and the facility with which the art is learned may account for the number of those who are initiated in it.

“ On the subject of the qualifications necessary to make a good weaver, and the time required for learning, we have the following evidence, which is somewhat contradictory; but, if carefully considered, will bear me out in the conclusion I have made above. *A very extensive manufacturer states, that ‘supposing a young man (whose age and strength were sufficient for the labour) had not seen a loom before, he might (if an apt person) be left to himself in an hour, and at the end of a week would be a perfect workman as a journeyman. The preparing the chain, the sizing, and the turning it on, are the operations requiring skill: some men would never acquire it, but an apt person would acquire it in six months.’* A weaver examined on this subject states that ‘weaving is not very difficult to learn; but to become a weaver, competent in all its branches, requires a considerable deal of practice. There is a great difference in the skill of different weavers. Many good weavers are out of employment.’

“ A master weaver, possessed of several looms worked by journeymen, says, ‘that, to make a good weaver, a boy must be put to quilling at eight years old, and by the time he is 21 he will make a good workman; but if a lad (who is not a weaver’s son) be taken at 14, he will require to serve seven years’ apprenticeship, and unless he had done so he would not employ him. Does not employ any others.’

“ A manufacturer of blankets states, that ‘all his weavers, except one, were husbandmen, whom he has taught to weave.’”—*Assistant Commissioners’ Reports, Vol. I., p. 437.*

The following extracts from the Report of Mr. Chapman show the accessibility of the woollen trade in the north of England :—

Mr. Chapman.

“ If we examine the whole period over which the evidence extends, we shall find that, with the exception of a short period, the hand-loom weavers have been at all times subject to numerous causes of undue increase, which, without machinery as well as with machinery, without corn-laws as well as with them, have kept their condition low.

“ Besides the mere increase of their own numbers from procreation, hand-loom weaving has been the refuge of the surplus numbers from nearly all other trades. Whilst all, or nearly all, other trades have regulations to protect themselves from an undue increase of numbers *from external causes*, hand-loom weaving has been open to all comers. Many trades have regulations or customs which have the effect of limiting the number of apprentices, among which, charging a premium is conspicuous; not only have the hand-loom weavers no such regulations, not only do they never dream of a premium, but they have all along held out, and to a certain extent do still hold out, a bribe in the shape of wages to children who will come amongst them.\*

“ In the case of the cloth manufacturer, the mode of paying lads, and the division of the profit between the small manufacturer and the parent, so as to afford an inducement to both, has been already explained. In the case of the worsted trade, the custom formerly prevailed to a most vicious extent, and it was greatly facilitated by the lightness of the labour, and the short time requisite for acquiring it. During the short period of high wages, every man who was provident enough to save a few pounds, purchased an extra loom, and set a child, or a man, or woman, from some other employment, in which work was not to be had at the time, to work upon it; in this way the number of hand-loom weavers was increased beyond the natural increase of their own numbers. Hand-loom weaving, in short, has been, and is, a receptacle for the destitute from all other classes; and the great, the really appalling evil is, that the labour of the parent once transferred to the child, what is found to be child’s work, comes to be rewarded with child’s wages.

“ The great facility of acquiring the art of weaving, the encouragement given to parents to have their children taught, and the self-protecting rules adopted by most other trades, have tended to keep the weaving business over-stocked with hands. This will account for the fact, that wages were low and declining at a time when all the other assigned causes of depression were absent. To this cause must we also attribute the fact, that wages began to decline before any machinery was introduced. This undue increase of numbers, and its effect on wages, will be found to be admitted by several of the witnesses, especially when endeavouring to account for the fact just mentioned, relative to the decline of wages previous to the introduction of machinery.

“ Joseph Best, alluding to the practice of taking apprentices, said, ‘We are compelled to bring up our children to our trade, because we cannot afford the premiums demanded in other

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\* “ In trades requiring considerable skill, the skill itself has the effect of limiting numbers. Even in skilled trades, not one man in ten is a good workman, not one in twenty a really clever workman. The necessity of acquiring skill keeps more out of a trade than all schemes of exclusion; skill requires time for its acquisition, and that is a powerful cause of limitation.”

trades. I myself was asked 70*l.* premium by a wool-sorter, to take one of my sons; all other trades are over-stocked; we have no other resource but our own trade, and *we breed sadly too many* on that ground.'—*Assistant Commissioners' Reports, Vol. I., p. 581.*

Causes affecting supply of labour.  
II. Accessibility of hand-loom weaving.

Mr. Miles.

Mr. Miles shows that the Welch flannel weaving is still more easily acquired and practised:—

“Male adult weavers are now only in the proportion of 62 per cent.

“Richard Evans, weaver at Newtown, in reply to this question—

“Can women and girls weave as well as men, and do they receive the same rate of wages?—answered, Yes.

“In how long a time would an apt person be enabled to earn per week a given sum for subsistence?—Some would learn in a year or two; some in three years; a lad could weave, but he would require an experienced hand to size and fettle the loom.

“The Rev. Morgan Davies, of Machynlleth, observes, that

“‘The weavers’ terms of apprenticeship are neither long nor expensive; the time for which they are bound varies considerably in duration, depending of course upon the pecuniary consideration; and I am informed, by a very intelligent operative, that a child of 13 years of age can learn the weaving trade in three-quarters of a year, so as to be able to work under the eye of a master.’

“Richard Evans, a weaver at Newtown, states,

“‘That the chief work for the weaver is four months in the year; that the weaver’s is the most depressed of all trades. Children get into the loom, and take the weaver’s work from him at under price. Wages are nominally stationary, but few work at these prices; the men are underselling one another. There are too many on the ground, and young persons, boys and girls, are working and underselling male and older weavers.’—*Assistant Commissioners' Reports, Vol. II., p. 557.*

Mr. Otway states as part of the evidence of J. Maloney and W. Tod, themselves working woollen weavers, that a youth of intelligence from fifteen to seventeen could, after a year’s practice, weave as well as *any* adult.—*Vol. I. p. 664.*

Mr. Otway.

The following is Dr. Mitchell’s statement as to the facility of engaging in the business of silk weaving, ascertained in its principal seats, Spitalfields and Norwich.

Dr. Mitchell.

*Of the facility of Introduction to the Art of Weaving.*

“The best mode of showing how men are introduced into the trade will be by an abstract of the personal history of some of the witnesses.

“Mr. Joseph Hoyles is the son of a weaver, and grandson of a weaver. He was accustomed to wind quills at the period of life when he was at school. At 11 he went to fancy trimming, and worked at that trade till 18, when he left that employment in consequence of slackness of trade. He says, ‘I took to the silk-weaving, and have now been 18 years at it; I had been familiar with the trade, and I began weaving at once, my father showing me the way. I did my first web so as not to get blame for it, but I took a great deal of time to it, and had my father’s superintendence; in 12 months I was master of my business.’

“He was asked, ‘Do not many learn sooner?’ To which he replied, ‘When once the silk is put into the loom, and it is all ready, the weaving plain silk is easy; but the preparatory part is difficult to learn, and some will not do it for years.’

“Mr. Thomas Heath, one of the best weavers of Spitalfields, at 12 years of age went to sea, and was a sailor for 12 years; he returned in 1816, and took to weaving. He says, ‘I had been accustomed to the winding of quills and drawing when a boy, and accordingly after coming from sea I took to weaving. I worked at plain satin for 12 months, until I got well acquainted with the loom, and then I took to figured work, and have been at it ever since, excepting that I have occasionally done a plain piece of work when no figured work was to be had.’

“Mr. John Duce gives the following account of his introduction to weaving:—

“My father had been a manufacturer of woollen cloth, but I was never taught weaving by anybody, and in 1802, being then 16, I was obliged to take to some employment, and I tried silk-weaving and succeeded. I began with the easiest kind of work at first, but I have made myself master of almost every branch, and when any kind of work which pays well falls off, I can take another kind of work which pays well, and by so doing I have been able to keep myself better than many others.

“Q. Could most men acquire a knowledge of the art as you did?—A. There is the greatest difference amongst men; some have a far greater aptitude to learn weaving than others, and pay more attention; it is certain, however, that many men never can get beyond the plainest work, and which pays them the lowest wages.’”

“Of the manner in which the trade is overwhelmed by the introduction of new hands, he gives the following evidence.

“Q. Have many men taken to the weaving trade lately?—A. Not many lately; there would not have been employment given to them; but whenever the trade is brisk men come to it from other employments, and begin at the simplest work, and such as have ability gradually get to the other branches of weaving, and thus the number of weavers is kept too great.”—*Assistant Commissioners' Reports, Vol. I., p. 236.*

“The trade of engine weaving seems rather more difficult to learn than the plainest fabrics of broad silk. Mr. Leago, an engine weaver, was a month before he could get on weaving by

Causes affecting  
supply of labour.  
II. Accessibility  
of hand-loom  
weaving.

himself. He says that a lad may work well at the end of a twelvemonth. Mr Joseph Pillar states, that "the whole art and mystery may be learnt in a year, and a weaver may be quite perfect in two years, although there is always something to learn from changes taking place in the business."—*Assistant Commissioners' Reports, Vol. I., p. 276.*

"The art of weaving the fabrics made at Norwich is not more difficult to acquire than that of weaving the fabrics of Spitalfields. 'If weavers are wanted,' says Mr. Hastings, 'they may be struck into existence in a month; some branches may be done by boys and girls, and what may be done by a boy can never reach above a boy's wages.'

"Mr. Spalding gives the following evidence:—

"Q. What, in your opinion, are the causes of so many people being weavers?—A. Our trade is too easily learnt. A girl in good health at 16, can do as well as a man at all our light fabrics. Another cause is the carelessness of the parents to the ultimate good of their children; when they put them to the loom, they gain by them the first two or three years. I have a girl of 14, who can earn at some fabrics as much as I can; I have a boy of 12 also weaving. Such earnings are a great inducement to parents, but it is injurious in the long run.

"When there is a great demand for goods, the men who have been working at less difficult fabrics are set to do the finer goods; and for the lower and coarser fabrics, men and women from any other employment can be put to the loom, and soon manage to do their work passably well.

"Hence it is, that at times when there is a great demand for goods, if agricultural labourers be unemployed, there is a great influx into the weavers' trade in the villages of Norfolk, by persons of whom the regular weavers of Norwich make great complaints. These persons, it is true, are not completely master of all parts of their trade, and Mr. Athow calls them shuttle-throwers, and not weavers; still, such parts as they cannot do themselves they get others to do for them, and they manage to do all the rest of their work."—*Assistant Commissioners' Reports, Vol. I., p. 316.*

We now proceed to cotton weaving, the branch of the whole trade which is the most accessible, and consequently the most depressed.

Mr. Symons.

"Among the causes," says Mr. Symons, "which increase the number of labourers, I believe the chief to be, the extreme and peculiar facility with which weaving is learnt, and the almost total absence of all the other obstacles which usually beset the entrance of other trades.

"The time which it takes to make a boy of 12 years old, of average cleverness, a thorough weaver, so that he may be able to beam, twist, and dress his own web, and require no further superintendence, has been so variously estimated by different witnesses, that I feel reluctant to name any period with positiveness, but, to the best of my judgment, it will be from 18 months to 2 years on any plain work. As to the time required to teach a boy to throw the shuttle, so that he may weave on any of the less fine reeds, to the amount of 3s. or 4s. per week, I should say two months were ample, supposing the boy to apply and profit by his instructions.

I saw a lad, named Archibald Duncan, in the Bridewell of Glasgow, who had never been taught to weave before he entered the prison, and who had been there six weeks only, and was then weaving a 10<sup>00</sup> gingham (blue and white). The lad's own statement (corroborated by Mr. Brebner, the master) was, that he could finish the piece of 51 ells, in ten working days, at 13 hours per diem, the web being beamed, twisted and dressed, ready for him: it was paid 1½ per ell by the manufacturer who furnished it; so that this lad had been able in 6 weeks to earn at the rate of 3s. 9d.<sup>10</sup> per week gross wages.

"It must, however, be always recollected, that to the parent who instructs the child, and superintends him, there is a loss of time.

"No apprentice fees are charged for entering the weaving trade, nor is the indenture, if written at all, except in very rare cases, ever stamped; neither is there the least capital required to commence with; looms, with all their apparatus complete, being let at 1s., and often 10d. per week."

Mr. Symons proceeds, in a passage which we have already extracted, to state the influence of combination, in not only excluding the Scotch weaver from other trades, but in "continually driving fresh hands to the loom, as being well nigh the only employment open and accessible." "Thus has weaving," he adds, "become as it were the common sewer of all unemployed labour."—*Vol. I. p. 55.*

The following extracts from the evidence given before the Committee of the House of Commons on hand-loom weavers, which sat in 1834 and 1835, afford valuable testimony as to the influence on the condition of the hand-loom weavers of both the attractiveness and the accessibility of the trade.

Mr. Kingan.

Mr. Kingan:—

"162. You were formerly in the habit of employing muslin weavers?—Yes.

"163. You are aware there is a great depression of price among that class of people?—Perfectly.

"164. You are aware also that they are more depressed than the other description of weavers?—Yes.

"165. Can you state why the wages for hand-loom weaving are lower than in other trades?—I think it arises from a variety of causes, but there are four which occur to me. In the first place, or rather the general result is, that a great deal too many persons go to that

trade; and the reasons why they go are four, that occur to me. *In the first place, it is the easiest learnt of all trades; a lad of 14 may acquire a sufficient knowledge of it in six weeks. He can be taught it generally in his father's house, he is freed from the necessity of an apprenticeship and all its disagreeable things, of being under a master seven years, the common term of other trades; when in the course of a few months he becomes a very good weaver.* Then he has another advantage over all other artisans, because he is perfectly master of his own time and of his own conduct. He works in his own house, and his contract with his master is made to-day, and not inquired into for two months or even three; his web cannot be finished in less than six weeks, and if it is two or three months there is not much said about it, so that during that time he is his own master, it is open to him to take any other job, if it offers. That is an inducement to a person to enter into that occupation of hand-loom weaving. Those are two of the reasons. There is another reason, that the wages of that trade, at one time, rose to very near treble or quadruple what they were in any other trade; it was early in the cotton manufacture. That arose from a discovery which some of the gentleman may know, I mean by the fly shuttle, a very simple improvement, but it enabled a man to do three times as much work as he did before with his hand, therefore that may be said to have trebled his wages.

Causes affecting supply of labour.  
II. Accessibility of hand-loom weaving.

"166. In what year was that?—Very early. The cotton manufacture began about 1783, about the time of the peace; this was about 1788 or 1789 it was introduced that fly shuttle, and in the year 1790 or 1791 it was almost universal. That increased the wages of a man beyond all proportion to any other trade. I had weavers myself at that time could have earned 100*l.* a-year very easily. Before the introduction of that very simple machine, perhaps they could not have got above 30*l.* or 35*l.* a-year. There is yet recollection of those high prices; of course there are many men yet alive who received them, and all their descendants have heard of them, and that is a third inducement to young persons to enter into that trade under a hope that they may return. There is another reason; there have been more persons risen to wealth and eminence of hand-loom weavers than of all other trades put together in Scotland. I could name 40 or 50 people who were hand-loom weavers who are now men of capital and character, filling high situations. Two late Lord Provosts of Glasgow (Monteith and Dalgleish) were hand-loom weavers in my remembrance. It is owing to that a vast number of people have got forward in life; all that is known to young people, and is a fourth inducement to enter. So that the result of low wages is the effect of that prodigious influx of people into this trade rather than into any other. A fifth reason is the influx of Irish weavers on the decline of the linen manufacture.

"185. You think a good deal of the extreme depression of the wages of the weavers may perhaps be ascribed to their being in great abundance, and to the power which the manufacturers have in consequence of beating down the wages?—Yes, and likewise underbidding each other. I have remembered in the severe years of 1799, the great dearth, and in 1810, a year of great calamity in the money market, and 1817 also, in those periods the men used to beg to have work at any price they chose; we said, 'We will not give it out of the regular price;' they said, 'Give it us at any.'

"186. Do you think they find great difficulty in finding employment in other trades?—No, I do not think so; there has no other trade ever been so depressed as the hand-loom weavers.

"189. If the other trades are not struck, and these people are so miserable, how comes it they stick to this hand-loom weaving?—There is a dislike in mankind to go to a new trade; they have got habits of living at home, and among their neighbours, and they do not like to go among lads and young people to learn a new trade, such as a carpenter; that trade is never overdone, but a man who has been a weaver would not like to go and begin where probably a lad of 14 or 15 years is beginning to learn the trade of a carpenter; he will rather struggle on.

"190. But the evidence goes to establish that these hand-loom weavers have been in a declining condition for many years?—I think you may say so.

"191. How comes it, that exposed as they must be to so much misery, the parents do not bring up their children to other employments?—I have endeavoured, in the first answer I gave, to explain that; there are several things so seducing in the trade of a hand-loom weaver that I think it must account for that very extraordinary determination, so to speak, of the population to that thriftless occupation.

"192. In point of fact, you consider those four or five reasons such inducements to a hand loom weaver more than counterbalance the misery felt when in the trade?—If we were to look at the fact, the fact would prove that; I cannot imagine any other reason why a man should go to a trade that is ruinous, and has been so for more than 20 years; the present low state of wages is no novelty, it has been for 24 years, and I may say that the wages have been less than in other trades."—*Evidence of 1834.*

Mr. Kingan's evidence relates to Scotland; that of Mr. Gardner, a Manchester manufacturer, delivered in 1835, is to the same effect:—

"1853. Do you not conceive that there are many circumstances attending the nature of the hand-loom occupation which tend to make it a low-priced description of labour?—It always will be so; the first is the facility in making weavers; the next is, there are a great many little farmers that fill up their vacant time with weaving; another thing is, there is a great importation of Irish; and another thing, a great many of the handicrafts or mechanics that are brought up in the neighbourhood learn to weave before they go to be apprenticed, and some of those will even fall back on weaving when it is paid pretty well, and mechanical trades are flat."

Mr. Gardner

Causes affecting  
supply of labour.  
II. Accessibility  
of hand-loom  
weaving.

Mr. Stewart.

Mr. Stewart, a witness examined before the same committee, and who had himself been a cotton weaver, states that—

“A great part of the hand-loom weavers are sent to the trade at a very early age. I was sent myself at ten years of age; but I believe the more general age is about eleven.”—Q. 3,704.

He is then asked, “At what age can a weaver maintain himself?” And answers, “As soon as his apprenticeship is done, it is supposed he will be as good a workman as ever he will be; he can produce as much cloth.”—Q. 3,713.

Equally striking is the evidence of J. Brennan, also a Manchester cotton weaver. He is asked—

J. Brennan.

“6559. Can you tell the reason why competition in other articles does not cause the same reduction in price as in cotton goods; for instance, why shoemakers, who are small capitalists, and carpenters, and tailors, do not compete against each other as much as the manufacturers do, so as to knock down the price of your shoes and other things?—So they do partially; but they have not the facilities of getting those things worked as the hand-loom or power-loom manufacturers have, and there is not so much labour in the market.

“6560. There being, in proportion to the work to be done, fewer hands, the master cannot force them down as they do weavers?—No, they cannot. I will just illustrate it in this way: if 50,000 people were to come from any part to Manchester to weave those bafts and sheetings, if they were to come and engage to do it for 1s., and we get 1s. 6d., the masters would give it to them; which they could do by two or three days’ trouble, in the way that the masters have their looms adapted now. *But it would take a man some time to learn the business of a tailor, or shoemaker, or any other trade.*

“6570. If there is more work to be done than there are hands to do it, will not the wages rise?—Yes.

“6571. In that case the competition of the masters will not be to lower wages, but to get hands to do the work?—Yes; but *the hands are so easy taught it now, the hands have no means of obtaining a rise.*”

III. Employment  
of wife and children  
of weaver.

We do not think it necessary to multiply quotations as to the accessibility of the trade of weaving, and shall proceed to the third of the principal causes that tend to increase the supply of weavers; namely, the employment which it affords either in the main labour itself, or in occupations subsidiary to it, to the wife and children of the workman.

It may be laid down as a general rule, that occupations in which the labour of women and children bears a large proportion in value to that of able bodied men, are in peculiar danger of being incumbered by a supply of labour, increasing in a greater proportion than the demand for it. In most of these employments, perhaps we might say in all of them, it will be found that about the age of 19 or 20 the workman’s wages are as high as they can ever be expected to be. If the earnings of a girl of the same age are nearly equal, and that is often the case, marriage is to both of them an immediate pecuniary gain, as their united income will go further than the separate income of each. Under such circumstances it is vain to hope that it will be deferred, unless under the influence of prudence, produced by very considerable moral cultivation, or of long established traditional rules of conduct. During the interval between the birth of the first child and its being able to earn a subsistence, the income of the family is reduced by the interruption of the wife’s work, while the expenses increase; and unless the business afford high wages (a rare and never a permanent state of things), distress, greater or less in proportion to the good or bad management of the parties, the prosperity of the trade, and the number of children, must ensue. But as each child becomes successively capable of profitable employment, it is so employed,—in many branches of hand-loom weaving at the age of six years, or even younger. Of course this precocious employment is injurious to the intellectual and moral education of the child; in many cases altogether prevents it; and the family grows up a set of human machines, with no futurity but that of treading in their parents’ steps, marrying before they are adult, and giving birth to an equally degraded progeny. Such a state of things produces a rapidly increasing population, confined by ignorance, by habit, and generally by poverty—chains as strong as those of caste in Hindostan—to their own occupation. If that occupation be sufficiently expansive to receive the crowds that are pressing into it, the proportion between the supply of labour and the demand for it may be preserved. Such appears to have been for many years, and (though with occasional interruptions) still continues to be the case with the cotton spinning trade in Great Britain. Notwithstanding the early marriages, the large families, and the consequently great internal increase of the work-people employed in it; notwithstanding the great addition to their numbers from the immigration of the Irish, and of those who have quitted other businesses.

the great extension of the trade has kept the demand for labour equal to this vast supply; and no permanent fall of wages has as yet taken place. But this is a rare, perhaps a solitary case; and we entertain fears, anxious in proportion to the importance of the danger, as to its continuance. In every other business admitting the labour of women and children on nearly equal terms with that of men, although the demand for labour has often progressively increased, it has failed to keep pace with the still more rapidly augmenting supply.

Causes affecting supply of labour.  
III. Employment of wife and children of weaver.

With a few exceptions, almost every branch of hand-loom weaving is exposed to this depressing influence. In weaving all the fabrics in which little strength and no great skill are required, boys and women, and even girls, are nearly on a par with adult men; and in those which require for the actual weaving a degree of strength or skill possessed only by men, the subsidiary processes, in the preparation both of the warp and the weft are a source of considerable profit to the wife and children of the weaver. "A weaver's children," says Mr. Symons, vol. i. p. 54, "are more valuable to him at the loom at an early age than they could possibly be at any other trade." We proceed to illustrate these views by some extracts from the Reports of our Assistant Commissioners.

The following extract from Mr. Chapman's Report applies to the woollen trade:—

"The young weaver just out of his apprenticeship is, perhaps, as well able to earn as he will be at any future period. Setting aside the domestic comforts incidental to the married state, his pecuniary condition is in the first instance improved by uniting himself with a woman capable of earning, perhaps, nearly as much as himself, and performing for him various offices involving an actual pecuniary saving. A married man with an income, the result of the earnings of himself and wife, of 20*s.*, will enjoy more substantial comfort in every way than he alone would enjoy with an income of 15*s.* per week. This is alone an inducement to early marriage, an inducement which we shall hereafter see increased.

*Mr. Chapman.*

"In obedience to this primary inducement, the weaver almost invariably marries soon after he is out of his apprenticeship. But the improvement of comfort which marriage brings is of short duration; at the end of the first year, the birth of a child deprives him of his wife's earnings, and at the same time adds to his expenses. During several years his condition is impaired by his increasing family, but he is sustained by the hope, that the labour of his children will in time become productive. There is scarcely any period of the weaver's life where his difficulties are so great as about the ninth or tenth year after his marriage, with a family of four, five, or six children, too young to labour; the care of the family occupies the whole of his wife's attention, she cannot possibly contribute a shilling to the income of the family, so that the whole must be fed by his hand alone.

"In the evidence submitted to me, many cases of the kind were described; to cite them, however, is wholly unnecessary.

"About the tenth year the labour of the eldest child becomes available; it is sent, perhaps, to some factory, and, as a 'half-timer,' will bring home from 1*s.* 6*d.* to 2*s.* a-week; even if retained at home, there is a similar profit. A girl will perform many domestic offices, and so liberate the more productive labour of the mother: a boy will afford such aid to the father in winding the weft on bobbins for the shuttle, or in such other little jobs, as will either save the hire of labour, or render the father's time more exclusively applicable to the loom, and therefore more productive. From this time forward, there is a yearly improvement; at the same time that a younger child becomes a 'bobbin winder,' or a 'half timer,' or a domestic helper to the mother, the eldest begins to learn to weave. At first the boy gets into his father's loom, when a light job happens to be in it, and weaves a bobbin; in a few months he is able to get into the loom, if tolerably light work be in it, whenever the father is called off. Soon the father thinks it worth while to obtain a second loom, and, under his supervision, the son becomes a weaver. For some years this process goes on, and even if the weaver's family be increased by new births, the increasing productiveness of the labour of the elder children more than feeds the new mouths. This improving condition lasts, perhaps, for ten, twelve, or fourteen years, and is at its maximum just so long as the eldest children abstain from marrying. Many cases of large families of workers occur in the course of the evidence, chiefly in the country villages.

"Joseph Best, who estimated his own earnings at 14*s.*, stated the earnings of his two sons at 13*s.*, making 27*s.* for the gross income of the family."

"James Whitaker, of Armley, gave evidence as to the earnings of his family as follows:—

"4. 'Have you a family?—I am a widower, with five children; my eldest is 19, and weaves in the same chamber as myself; he is as good a man as I am. The next is a daughter, but my house and the care of my family is enough for her. The next is a boy of 14, and he can earn 5*s.* a-week; but for half the year, perhaps, he has not work for more than four days a-week. My next is a boy, he is 11; he works short time with the other boy at Mr. Gott's, and when his schooling is paid, which is 2*d.*, he brings me 2*s.* 9*d.* My youngest is seven, and goes to school. All my children can read, and all can write but the youngest.' This would make the gross income of the family of five persons, when fully employed, about 32*s.*

"Jonathan Grimshawe, of Calverley, gave the following testimony on the same point:—

"3. 'What kind of goods are you making now?—Petershams of 40 porteths, 10 quarters, and 20 strings in length. We are paid £1 for weaving and spinning a lump job.'



Causes affecting supply of labour.  
III. Employment of wife and children of weaver.

"4. 'How long will it take you to weave, say two pieces?—I have three looms and two jennies, and it will take us seven days to complete two pieces; that is, employing myself, my wife, and four children.' This would make the income of the family about 34s. 6d. per week. But now as to the number depending on this little fund for subsistence.

"5. 'How many have you in family?—A wife and eight children.'

"6. 'How many work at home?—Four: none work from home.'

"The period of a weaver's maximum condition is, so long as one child becomes a worker for every one that marries off; not that the one gained is equal to the one lost; but as all are becoming more skilful, as all are pushed one stage forward, the aggregate gain is about equal to the loss. When, however, all the younger children have become workers, and the loss of a son or daughter who marries is not supplied, gradual deterioration commences, until at length the parents are left, with decaying physical powers, to their own unaided resources.

"Benjamin Kirk is a strong case in point. I visited his house, among many others, at Holbeck, where I found his aged mother lying on a bed of sickness. He himself was a widower; all his children were grown up and were doing for themselves; and even if he were fortunate enough to get full employment, his earnings would not exceed 10s. or 11s. to support two persons with all the expenses of sickness."—*Assistant Commissioners' Reports, Vol. I., p. 340.*

The facts collected by Mr. Miles, in the west of England, are to the same effect.

Mr. Miles.

The weavers marry younger, I think, than any other class of people. Their children are employed to quill and attend about a loom till they imperceptibly obtain a sufficient knowledge to begin weaving. The weavers assert that a person cannot learn the 'art and mystery' of weaving under four years, and I believe they are correct, if it is requisite for a man to take the raw chain and return it as cloth without assistance, because there is judgment required to size and tie on; but, by the present improved system of working in the factories, there is a division of labour, and the weaver is not required to size, and he has assistance in tying on, therefore the 'art and mystery' is not required, as weaving can be learned in a short time sufficiently to earn slight wages. Mr. Samuel Marling, a manufacturer, states that a girl of 16 or 17 years of age, to his knowledge, after she had been about six months in a loom, earned 5s. or 6s. a week with occasional assistance, but she had been previously quilling and attending to the loom for about six months. Mr. Charles Staunton states that it is astonishing with what facility a child or young person may learn to weave. Mr. Smart, a manufacturer at Chalford, states that a stout girl can weave stripes as well as any man in the county, and women likewise at broad cloth. This is confirmed by Mr. N. Jones and many others.

"As the master out-door weavers introduced young labour into the loom, they proved that female labour and young persons at lower wages could perform the work.—*Assistant Commissioners' Reports, Vol. II., p. 402.*

"The Rev. H. Jeffreys, of Bisley, has furnished me with a minute account of the distressed state of the poor in his parish. He states, however, that the prudence and foresight of the people may be questioned. Many men have depended on their wives and their children to support themselves by their own earnings, independent of his wages. The wives and children consequently took to the loom, or sought work in the factories; and, now that there is little or no work in the district, the evil is felt, and the husband is obliged to maintain them out of his wages.

"This facility which once existed for a mother and her children to procure sufficient money to support herself and the family without assistance from the father, was naturally productive of early marriages. It was a certain income to the husband; and his own wages he employed for his own immediate purposes, be they good or be they dissolute. On this subject I am confirmed by the Rev. Mr. Jeffreys, who observes,

"'They marry very young, and without that care for a provision for their families which restrains agriculturists oftentimes from marrying; for they think they have no need for a sum to begin with if both husband and wife have work; and then, as the children grow up, they suppose that they, the children, may easily support themselves in the mills. Again—the young people accustomed to work in the mills are very unwilling to exchange that mode of life for any other, and it has always hitherto been a matter of the greatest difficulty to persuade boys or girls to go out to service; the consequence is, the young people all stay at home, meet constantly at the mills, and early connexions are formed, sometimes ending in marriages before the parties are scarce out of their teens, and sometimes ending in a worse way. But though persons married young, if they had their health they ran no risk of being unable to support themselves and families, however large, so long as work was plentiful. The last few years of extreme distress seemed to have caused an alteration in this respect, and many of the young people now go out to service, though not before they were clean starved out.'

"In further explanation, Mr. Jeffrey observes,

"'Another point I would speak about, in conclusion, is the *improvidence* of the people, which, in the beginning of my letter, I think I treated rather obscurely; what I would say is simply this—

"'That if work were going on well, and plenty of it, persons in this place might marry young without the particular charge of *improvidence*, inasmuch as when man and wife can both work, and the children find employ as soon as they are capable of doing anything, there is not apparently the same need to lay by a little money previously, as there would be in an agricultural district. But work has not gone on well for many years past. Beggary Bisley has long been a proverb, and the *improvidence* of the people has been as conspicuous in the way in which they have married young in spite of this, and also in the way in which

they have kept their children at home hanging on a miserable and uncertain pittance, in preference to sending them out to work for their bread elsewhere. The way in which parents will keep their grown-up children at home to this day is quite vexatious, considering that every year's experience furnishes an additional proof of the folly of it.'—*Assistant Commissioners' Reports, Vol. II., p. 415.*

Causes affecting supply of labour.  
III. Employment of wife and children of weaver.

These statements may be compared with Mr. Fletcher's account of the ribbon weavers.

"A weaver would scorn to marry a servant girl, although she is perhaps the only one qualified to make him a comfortable home, but chooses a weaver, who earns as much or half as much as himself. And upon this fact, simple as it appears, I doubt not hinge many of the disadvantages of the ribbon weaver's condition as compared with that of other artisans. It is an *effect* of the character of the occupation by which they live. And as a *cause* it obviously opens the door to thoughtless multiplication and a low domestic and moral condition, rapidly reacting upon each other, and debasing the whole body, which loses its self-respect and the respect of its superiors, the maintenance and enforcement of which are the sole protection of lowly skilled labourers from sinking to the minimum of animal subsistence. The early emancipation of the young by the half-pay apprentice and the journeywork systems from the domestic control, imperfect as that control is, allows them under these circumstances to make greedy seizure of a mere subsistence by the loom, though at the sacrifice of moral advantages which they are unable to appreciate; and improvident marriages are as frequent as ever, even at Bedworth.

*Mr. Fletcher.*

"Such are the inducements presented by the employment which the trade offers for women and children to improvident marriage, which is much more common than in years past, that an usual age of marriage with the young men is about 20 years, and sometimes earlier. Throughout the weaving population improvident marriages are prevalent, but more especially in the single-hand branch. The saving enough beforehand to buy a single loom is too commonly neglected among all classes of journey-hands; and the effect upon the engine trade of the almost Irish condition of the contiguous population in the single-hand branch, is immediately felt through the hand-factories of the Bedworth and other masters, and even through the shops of the 'first-hand journeymen themselves,' where hands from the more depressed branch get employment if possible."—*Assistant Commissioners' Reports, Vol. II., p. 8.*

Mr. Fletcher has stated the causes tending to an undue increase in the numbers of the Coventry ribbon weavers; the evidence of Mr. Jenkins, a witness examined by the House of Commons Committee in 1835, shows the result.

"4085. Are there more people engaged in the Coventry trade compared with the population than there used to be?—I think there must be; but I cannot answer positively.

*Mr. Jenkins.*

"4086. The absolute number of weavers is increased?—Yes, the actual number; and I have reason for thinking that they are increased in comparison with the population, on this account, that almost every weaver brings up his child to his own trade, and takes many apprentices from other trades.

"4087. If the reduction in wages is disapproved of by manufacturers, and the reduction only becomes general when there is an absence of demand, if there has been a gradual reduction since 1819, does not that argue a general absence of demand for the fabric you work up?—No; there is a large portion of the trade of Coventry that has gone to Derby and Congleton; the very considerable branch of demand that exists in other places is a demand upon us also, and it would be supplied by us if we could do it as well.

"4088. Has the number of weavers in Coventry increased as the trade has departed to Congleton and Derby?—Yes, the number has increased.

"A numerous family,'

*Mr. Keyser.*

Says Mr. Keyser, speaking of the Macclesfield silk weavers, 'which to a man otherwise employed would be considered an incumbrance and increasing his difficulties, is rather a source of consolation to the poor weaver, whose children, even about eight or nine years of age, are capable of earning nearly sufficient to pay for their maintenance. This consideration induces early marriages, and generally large families.'

"Weavers will remain weavers, increasing in numbers from generation to generation, striving to obtain a scanty subsistence by a trade, the knowledge of which is easily acquired, and to which children at an early age are from necessity devoted, improving only by the influence of increased facilities for education, and the consequent general advance of intellect.

"It is only by the effect of pressing want, as exemplified in the case of the Darlington weavers, that those physically capable of doing any other work will gradually abandon the loom and improve their condition, by seeking and obtaining more profitable employment.—*Keyser, Vol. I. p. 493.*

We will conclude this branch of the subject by the following extract from Mr. Otway's Report on the hand-loom weavers in Ireland.

"In taking a general view of the hand-loom weavers as a body, and noticing such general circumstances as may require to be taken into consideration before entering on the subject of their peculiar condition or the more minute divisions into which their business is divided, the consideration of the nature of the labour employed must not fail to be noticed; the degree

*Mr. Otway.*

Causes affecting  
supply of labour.  
III. Employment  
of wife and children  
of weaver.

of strength, skill, time, and capital required to learn and conduct it. From the evidence laid before the Commissioners, it appears that one half of the labour employed on hand-loom is that of young persons of both sexes, of the ages of from 12 to 20. Females are now generally employed in hand-loom weaving, a new feature in the history of Irish weaving; and except in the heavier and coarsest fabrics, they are equal to any, if not the best workers. The introduction of mill-spun yarn has permitted, by the greater ease with which it is wove, the application of female labour to the most successful operations of the loom; not only female, but almost infant labour; and whatever effect this may have on the condition of the hand-loom female weaving population, both in a moral and physical point of view, it must still be taken into account in forming a proper estimate of the nature of the remuneration obtainable for hand-loom labour.

“Owing to the redundancy of able-bodied men in all departments of the labour market, the application of female labour is, generally speaking, in Ireland (for hire), but very partially employed, and even compared with the low wages of the Irish labourer most poorly remunerated; and hand-loom weaving presents almost alone the important feature of affording anything like constant employment to the female portion of the population. It will also be perceived that children of both sexes, from the ages of 12 to 20, are amongst the best and most productive labourers of the loom, and that the period for acquiring a knowledge of the trade, so as, in ordinary cases, to attain the average proficiency, varies from six months to three years; and that at all periods, even from the very time the child is put on the loom, it is capable of affording assistance. Accustomed from its earliest infancy to witness the operations, to assist the winding and the incidental repairs, by almost imperceptible degrees it acquires that habit, knowledge—that language of the loom, which smoothes and lessens the difficulties of the learner. In the hand-loom weaving factories, where the most difficult and intricate fabrics are woven, the apprentices are merely at first put on as draw-boys, and in a great degree left to learn the business by observation of the process. This circumstance, though it affords a temptation to the indigent parent dangerous to the health and education of the child, and tends to induce an ill-divided number into a participation of the business, must nevertheless be taken into account.

“It is true that there are branches of the trade which require all the strength of man’s labour, all the skill of intellect, and all the practice acquired by length of time; but on the Commissioners referring to the evidence, they will perceive that on those fabrics requiring this combination of qualities, the rates of wages are proportionably high. In respect to capital, with the exception of those who work on their own account for the market, and require a floating capital to procure a supply of the raw material, the necessary capital is confined to a few pounds; two to three pounds being the average price for a loom, reeds, heddles, and brushes, or from 10s. to 20s. per annum for the hire, and the small sums required for procuring in the first instance the necessary supply of light, dressing and tallow, with the wages of a winder, which labour is almost universally performed by a member of the weaver’s family, who would otherwise be out of employment.

“As the trade is scattered over the country, not confined to districts and towns, and also as there are many causes in operation, of which I shall treat more fully hereafter, the weavers do not divide their labour according to the demand for it. The absence of a law of settlement, and the annual migration of the Irish agricultural labourers to England, have induced many to believe that Irish industry is of a migratory character. There can be no greater error. The Irish operatives of every class, from the highest to the lowest, are remarkable for their attachment to localities. The cottier labourer brings back his earnings in the English harvest to pay the rent of his wretched cabin and overcharged potatoe ground; the weaver, witnessing the gradual decline of trade in his district, clings to the hope of improvement in his own locality with desperate fidelity.”—*Otway, Vol. I. p. 594.*

General result.

The general result of our inquiries as to the condition of the hand-loom weavers and its causes may be thus summed up. We have shown, that though there are many differences in the respective conditions of different branches of hand-loom weavers, yet, as a body, they are in a state of distress; and that the great cause of this distress is a disproportion between the supply of hand-loom labour, and the demand for it: the demand being in many cases deficient, in some cases decreasing, and in still more irregular, while the supply is in many branches excessive, in almost all has a tendency to increase, and does not appear in any to have a tendency to adapt itself to the irregularities of the demand.

We now come to the most important, and the most difficult task imposed on us by Your Majesty’s Commission, namely, the reporting whether any, and, if so, what measures may be devised for the relief of the hand-loom weavers.

Remedies.

If we are right in believing that the low rate of the wages of the hand-loom weavers arises principally from a disproportion between the supply of their labour, and the demand for it, it must follow, that no measures can effectually raise their wages, except by getting rid of that disproportion, or even improve them, except by diminishing it: still, however, while this low rate of wages continues, the condition of the weaver would be improved by any cause which should render the demand for his labour more steady, or should diminish the price, or improve the quality of the commodities on which his wages are expended. These three appear

to us to be the only modes by which the distress of the hand-loom weavers can be removed or palliated, and they will therefore form the heads of the subsequent portion of this Report. In treating of the different plans which have been suggested to us, we shall consider first those which aim at increasing or rendering more steady the demand for the labour of the hand-loom weavers; secondly, those which seek to cheapen or improve the commodities on which their wages are expended, a class of remedies so intimately connected with the first class, that they cannot be separately considered; and, thirdly, those which aim at diminishing their numbers, or preventing their undue increase. It is to be observed, that with one exception, each of these classes of remedies might have some beneficial effect, even if unaccompanied by any of the others. The condition of the weaver would be improved if his employment were more steady, or if his bread were cheaper, or if the number of weavers were diminished, although every other element in his condition remained unaltered. But a mere increase in the demand for the labour, unaccompanied by measures for diminishing the number of hand-loom weavers, or, at least, for preventing its increase, could produce merely a temporary benefit, to be followed by distress, differing from that which now exists only by being more widely diffused.

Remedies.

“Even an aggregate increase of the silk trade,”

Says Dr. Mitchell, and his remark applies with equal or nearly equal force to the other branches of hand-loom weavers,

Dr. Mitchell.

“can afford only temporary relief. Many persons, looking at the official returns of the silks imported, and also taken out for consumption, are lost in wonder that there should be a complaint of the want of employment; but this is easily accounted for, as the average number of weavers is now far greater than before. As the demand for goods goes on increasing, the number of operatives goes on increasing, and fully in proportion. Every greater and extraordinary demand brings a greater number into the trade, and hence, a greater number are to suffer from want of employment, when the extraordinary demand ceases. With a small silk trade, there would be alternations of prosperity and distress; and with a great silk trade, there are the same alternations, but on a larger scale.

“Hence also we may see that if every ounce of foreign manufactured silk goods were to be excluded from the kingdom, and if the British public, in lieu of such goods, were to purchase our own manufactures, it would not put an end to the alternations of prosperity and distress. There would be employment for an increased number of hands, no doubt, and so far it would be a relief for a time, but it would not put an end to those fluctuations which bring distress, and would affect a greater number of individuals in proportion to the magnitude of the trade.”—*Assistant Commissioners' Reports, Vol. I., p. 317,*

We must state, however, that there is one remedy which has been frequently proposed by the weavers, and by those who believe themselves to be the weavers' friends, which falls under none of these heads, and that is, the creating tribunals, generally called Boards of Trade, whose office it shall be by direct penal legislation, to raise the weavers' wages, or to prevent their fall. It is obvious that laws for such a purpose, supposing for an instant that they could be enforced, must have a tendency by raising the price of the weavers' labour to diminish the demand for it, while, by holding out the expectation of a higher reward, they would increase the supply.

Boards of Trade.

Without dwelling, therefore, on the tendency of such measures, if they were practicable, to render hand-loom weaving still more a lottery, and a still more unfavourable lottery than it is now, a lottery in which the blanks, instead of low wages, would be actual destitution; without more than adverting to the oppression of fixing any general rate of wages, without reference to peculiar and local advantages and disadvantages, and the impossibility of adjusting them by law to those peculiarities; without referring to the ruin of our foreign trade, already struggling hard with the tariffs of the continent, and the local advantages of America; without dwelling even on the impracticability of the proposed measures, on the impossibility of preventing, by any proceedings which the Legislature could sanction, contracts between the manufacturer anxious to purchase labour at an under price, and the weaver anxious to sell it, or on the systematic fraud by which such laws would be evaded by the majority, or on the misery to be encountered by the few, who were forced by power or by conscience to submit to them; without dwelling, we repeat, on these objections, every one of which taken separately, is fatal, we dismiss this proposal by repeating that its tendency is to aggravate the evil which it aims at removing, to increase instead of diminishing the supply of hand-loom weavers, and to diminish instead of increasing the demand for their labour.

The principal measures for increasing the demand for the labour of the hand-loom weavers, and cheapening or improving the commodities on which their earnings

Remedies.  
Measures for  
increasing the  
demand for hand-  
loom labour.

are expended, which have been suggested to us during the course of this inquiry are six.

1. Measures directed against their competitors at home and abroad. For this purpose, many of the weavers propose the imposition of duties on power looms, and the increase of the duties on the products of foreign looms.

2. Measures for rendering the trade of the country both internally and externally more steady, for increasing the exportation of the products of our own looms, and for cheapening and improving the commodities which are consumed by our labouring population. Alterations in the corn laws and timber laws and general diminution of taxation on the other necessities of life, are the specific measures for these purposes which have been most pressed upon us.

3. The improvement of patterns by the establishment or promotion of schools of design and an extension of the copyright for patters.

4. More effectual repression of the embezzlement of manufactured goods and of materials of manufacture.

5 and 6. Measures for removing obstacles to the free use and circulation of labour. Of these obstacles, by far the greatest in their immediate, and the most formidable in their ultimate, effects, are those created by combinations. Objections have also been stated by Mr. Otway and Mr. Muggeridge to the statutes regulating the Irish linen trade, and the repeal or modification of those statutes has been recommended.

We shall consider these six different proposals or classes of proposals in their order.

I. Restriction of  
competition.  
Duties on power-  
looms.

1. The proposals for increasing the demand for hand-loom weaving by means of duties on power-looms and on foreign fabrics, are each open to the same objections. Each of them proposes to benefit a single portion of the community at the expense of all the rest. Each of them proposes to sacrifice the permanent interest of the whole body of consumers to the temporary interest of a single class of producers. In addition to the evil inflicted on the whole body of consumers, each of these plans proposes to benefit one body of producers by injuring another.

In order to increase the demand for the labour of the hand-loom weavers, the demand for the labour of power-loom weavers is proposed to be diminished. Even if the two trades were equally conducive to the welfare of the operative, this would be a gratuitous injustice. But they are not so. Hand-loom weaving is, as we have seen, even in those branches in which the power-loom has not yet competed with it, an irregular and generally an ill paid occupation. The power-loom, on the other hand, is, of the trades that do not require much strength or skill, that which affords the highest wages and the most regular employment. The regularity of employment in power-loom weaving will continue, since it arises from circumstances essential to the trade, namely, that the fixed capital engaged in it far exceeds in value the circulating capital, and belongs exclusively to the master manufacturer. If he stops the action of his machinery he loses the interest of all that it has cost him, and the machinery itself is impaired. He keeps it working, therefore, as long as the price of the finished product exceeds, or even does not fall below, the value of the raw material and the workman's wages. The high wages, indeed, cannot be expected to continue after the period when the supply of power-loom weavers has increased in a greater proportion than the demand for their labour. In time that event will occur. We cannot hope for such a continually and largely increasing demand for power-loom cloth, as to absorb, at wages above the average rate, all those whom the ease and the agreeableness of the occupation will allure. But this evil, which, if things are left to their natural course, is distant, would of course be accelerated if we were insane enough to legislate against power-looms; and the consequence would be not to raise the wages of the hand-loom weaver, but to depress those of the power-loom weaver to his level.

*Mr. Chapman.*

The following extract from Mr. Chapman's report shows, in fuller detail, the mode in which the proposed measure would operate.

"If the power-loom weavers were stopped by a tax, all the power-loom weavers would be thrown upon the world. What are they to resort to? Evidently to the hand-loom. But to give up the good tool, and return to the bad, would be to enhance the price of the goods produced. The inevitable consequence would be, a diminished demand; in consequence of the diminished demand, some of the power-loom weavers would not find work at the hand-loom: compete, however, they would, and so depress wages below the present low scale. If the employment of women and girls were confined to the power-loom, the above argument would be untenable; but the fact that the practice extends to the hand-loom, demands the most serious consideration of all who propose to tax the power-loom. The power-loom weavers would at once be cast upon the hand-loom, and the question is, for every hundred so com-



peting, would there be work? The answer must be in the negative. The demand for hand-loom weavers would certainly be greater than at present, but it would not be equal to the new supply, that is, to the hand and power-loom weavers taken together, and the result would be, a depression below the present wages of the hand-loom weaver. If the depression were merely down to the earnings of hand-loom weavers, it would be bad enough, inasmuch as the power-loom affords 11s. 2½d. where the hand-loom affords only 7s.\*

“ But there is another point of view in which the proposed tax should be placed. All that we can do is to prohibit the setting up of power-looms, or mules, wherever the British Parliament has jurisdiction. It has already been shown, by the evidence of several of the very witnesses who ask for a tax, that our manufacturers have much to fear from foreign competition. The argument was good in the case of the corn-laws; so also is it good in the case of machinery. A tax, would, in fact, be a premium to the setting up of manufacturing machinery abroad; and, when too late, we should become sensible of our error, we should find foreign manufacturers too firmly established to be dislodged. America, Prussia, and Russia, might then safely repeal their tariffs; our machine tax would take their place.†

“ The evil arising from the setting up of foreign manufactures was apprehended by many of the witnesses who regarded machinery as fraught with unmixed, uncompensated evil.”—*Assistant Commissioners' Reports, Vol. I., p. 587.*

Results the same in kind, though not in degree, would follow any attempt to benefit the hand-loom weavers by increased duties on foreign products. As every regular trade is a trade of barter, all the silks and linens that we import are in fact received in exchange for British manufactures which we export, and every obstacle to importation is, therefore to a corresponding degree, an obstacle to exportation. Every diminution of demand for foreign commodities is a diminution of demand for the British commodities with which the foreign commodities would have been purchased. It is only the diffusion of the evil which prevents our perceiving it. We can seldom point out the individual workman, we cannot often even point out the class of workmen, the demand for whose labour is diminished by any given duties or prohibitions. But it is probable that no class is more affected by them than the hand-loom weavers. Woollen cloths alone, almost exclusively the produce of the hand-loom, form even now one tenth of our exports. To diminish then the importation of foreign silks for the benefit of the silk weavers would not merely be a sacrifice of the interest of the millions who consume to that of the thousands who produce, but would also be a sacrifice of the interest of the general body of producers; and among those producers, of the general body whose condition we are proposing to ameliorate.

2. We now come to a very different class of remedies, namely, those which propose to render the trade of the country, both internally and externally, more steady, to increase the exportation of the products of our own looms, and to cheapen and improve the commodities which are consumed by our labouring population. We have already stated that alterations in the corn laws and timber duties are the specific measures for these purposes which have been most pressed upon us. The importance of the subject induces us to extract at some length the most important portions of the evidence respecting corn laws contained in our Appendix.

It will be seen that, with the exception of Dr. Mitchell, to whom Spitalfields and the eastern silk districts were confided, all our Assistant Commissioners found the corn laws denounced as the great causes of the existing distress, and their repeal or modification demanded as its first and most effectual remedy. We will extract their statements *seriatim* :—

Mr. Symons—(Assistant Commissioner for the South of Scotland :)—

“ By the manufacturers and weavers, as with one voice, the duties on the importation of foreign corn are alleged to be the chief cause of depression in all the departments of manufacturing industry, but more especially that of hand-loom weaving, as being the weakest, and therefore the first to go to the wall.

“ It is represented by both parties as the great incubus on the commerce of the country; the pernicious influence of which, the mighty progress of machinery and the energy and skill of our artisans have hitherto alone and wonderfully enabled us to withstand.

“ They state, moreover, that the same vantage ground which these elements of superiority have hitherto afforded to us in the commercial relations of the world, can no longer be retained; that the corn-laws prevent our receiving the chief wealth which the continental merchants have to give in repayment for our goods. By accumulated evidence they show that, in consequence, we are forcing corn growing countries, less adapted for manufactures, to erect factories of their own, whilst the low price of provisions enables them to work at low money wages with comfort to the operative.

Remedies.  
Measures for increasing the demand for hand-loom labour.  
I. Restriction of competition.  
Duties on power-looms.

Duties on foreign fabrics.

II. Promotion of exportation and importation.  
Alteration of corn laws.

Mr. Symons.

\* “ 8s. 1½d. with deductions.”

† “ It is sometimes said, ‘ Our foreign trade is trifling, let us look to our home trade.’ In 1835, we exported to all countries woollen goods valued at 6,635,376*l.*—a trade too important to jeopardize.”



Remedies.  
Measures for  
increasing the  
demand for hand-  
loom labour.

II. Promotion of  
exportation and  
importation.  
Alteration of corn  
laws.

“That the high price of corn here renders competition with the produce of their looms and machinery (erected by British engineers, and worked with cheap labour) daily more difficult. That the combined effect of the corn laws, in thus compelling foreigners to manufacture for themselves what they formerly purchased of us, and at lower prices than we can manufacture it ourselves, is not only to debar us of the custom of those countries, but is rapidly driving us out of their markets. In short, that a continuation of the laws which prevent us from exchanging with other countries that which each can best produce and spare, must, under the pressure of a population increasing at the rate of nearly 1,100 per day, rapidly induce a diminished increase of the capital of the country, and consequently of the means of maintenance for the people; accompanied by the struggle of the operative to maintain, and the necessity of the employer to reduce, wages, together with the manifold misery, protracted strife, and final destitution, incidental to the progress of national impoverishment.

“The only measure desired by the weavers, or advocated by the manufacturers, as a sufficient remedy for the existing depression, is the repeal of the corn laws. They view the continuance of a tax which increases the price of food, and diminishes the amount of employment, as grievous and intolerable, irreconcilable with sound policy, and obnoxious to every principle of justice. Such, though expressed in terms less mild, was the feeling I found unanimous among the weaving body of Scotland south of the Forth, and I may safely say that their opinions on this point are the same as those held by nine tenths of the population comprising a large majority of the manufacturers.

“They consider that a greater injury would accrue to the farmer by the maintenance of a tax detrimental to the community than by its removal; and in this opinion they are supported by the testimony of more than one intelligent and extensive agriculturist; among others, Mr. Smith, of Dumfries.

“They believe that the greater consumption of the produce of dairy farms, and pasture and building lands, and barley, would amply compensate to the farmer for the fall in the price of one grain; but that if it did not, no justifiable plea could be thereupon founded for the continuation of a monopoly beneficial to the individual interests of a minority, but hurtful to the national interests of the community.

“Anxious, nevertheless, that no injury should accrue to any class, the majority of the weavers desire a gradual, but still a total repeal of the corn tax, on the principle of a fall of one or two shillings per year, which will give time to the landlords and their tenants to re-adjust their leases, and to lay down tillage-lands in pasture.

“There are, however, many who contend, that if the injury of the corn laws be great, their removal cannot be too immediate. Mr. Smith, of Deanston, near Doune, (celebrated alike as an agriculturist and a manufacturer), told me, he considered that if the corn laws could not be maintained (and he reluctantly assented to the probable necessity of a repeal), the true interest of the farmer was, that such repeal should be immediate, and *not gradual*. He believed that the same mutual agreement which after a time re-adjusted existing contracts between landlords and tenants, would take place as after the war, and that the inconveniences of a sudden change would be less than the evil to the farmer of feeling his protective duty gradually and insidiously, as it were, sinking beneath him, the effects of which he could less easily calculate and act upon than those of immediate repeal.”—*Symons, Vol. I. p. 69.*

*Dr. Harding.*

Dr. Harding—(Assistant Commissioner for the East of Scotland:)—

“The operation of the laws affecting the importation of corn was stated by the witnesses of all classes, with scarcely an exception, to be the most injurious to the hand-loom weavers, as well as to their immediate employers. To this cause the gradual deterioration of their condition was generally, and in many cases exclusively, attributed. It would be impossible to describe too strongly the unanimity and strength of the feeling on this point which pervades the district. It was so constantly reiterated by weavers, agents, manufacturers, both of large and of small capital, and merchants, that I should ill discharge my duty if I did not thus state the fact as distinctly and strongly as the nature of this Report will admit. Their operation was said to have a peculiarly injurious effect upon the hand-loom weavers in several ways; viz.—

“1st. By pressing with greatest severity upon them, as the poorest class of operatives, since they require nearly the same quantity of farinaceous food as those whose earnings are much larger than their own.

“2dly. By preventing those countries whose staple produce is corn, from exporting it to Great Britain, and taking our textile manufactures in return, and by affording them a pretext for subjecting such manufactures to heavy import duties, as a measure of commercial retaliation.

“3dly. By encouraging foreign countries to commence and support textile manufactures, in order to supply themselves with those articles which the exclusion of their corn prevents them from purchasing from Great Britain.

“4thly. By contributing to keep the price of food so much lower in these countries than it is in Great Britain, as to enable foreign weavers to undersell our own.”—*Dr. Harding, Vol. I. p. 192.*

[*Mr. Muggeridge.*

Mr. Muggeridge—(Assistant Commissioner for the North of England:)—

“The influence of the corn laws was universally dwelt upon throughout the district assigned to me. It was contended that the effect of these laws was —

" 1. To cause the people of England to pay a high and unnecessarily exorbitant price for their bread, whereby their physical condition was deteriorated.

" 2. To prevent the interchange of British manufactured goods for foreign grain, whereby the employment of our manufacturing population was decreased.

" 3. To drive foreign nations to manufacture for themselves, through our refusing to receive their corn in exchange; whereby the British hand-loom weaver had been thrown altogether out of employment, or compelled to work at a scale of wages as low as that paid to the Continental labourer, in the cheap corn-growing countries.

" 4. In many cases to supersede the British manufacturer in foreign markets, which are now supplied by the cheaper wrought fabrics of other countries.'—*Assistant Commissioners' Reports, Vol. II., p. 589.*

Remedies.  
Measures for increasing the demand for hand-loom labour.

II. Promotion of exportation and importation.  
Alteration of the corn laws.

Mr. Miles—(Assistant Commissioner for the Gloucestershire District:)—

Mr. Miles

" The corn laws are almost unanimously allowed to be the cause of distress. I have a table of wages from 1820 to 1838, in periods of different years, with the average prices of corn. I find wages have been reduced 30 per cent., and corn is dearer."—*Assistant Commissioners' Reports, Vol. II., p. 360.*

Mr. Chapman—(Assistant Commissioner for the West Riding:)—

Mr. Chapman.

" Nearly every witness I examined considered the corn laws as exercising a pernicious influence on the condition of the labouring population, and especially upon that of the hand-loom weavers, and therefore demanded their repeal. A few extracts will show the mode in which they themselves believe the restriction of the importation of food to be injurious.

" Charles Fletcher, of Horsforth, thus stated his impressions as to the effects of the corn laws upon the condition of the hand-loom weavers:—

" ' 17. Have you given any consideration as to the cause?—I have. I attribute the decline, in a considerable degree, to the operation of the corn laws.

" ' 18. In what way do you consider they have operated?—By preventing the free exchange of our commodities with other countries. They operate peculiarly on the woollen trade in some of the countries on the continent, which have raised up manufactures for themselves.

" ' 19. Is there any other way in which the weaver is affected?—I think the weaver is peculiarly affected, because *the smaller a man's income, the greater the proportion he must spend in bread.* Flour is now (August) 3s. 4d. per stone of 16 lbs.; a man, with a wife and three or four children, must have two stone, or two stone and a half. Now flour has occasionally been at 2s. a stone, and ought not to be higher—[a voice in the crowd, " It ought to be 18d. if we had no corn laws"]—so that you may easily judge of the effect of taxed bread on our condition."

" James Cromack, of Armley, gave a similar view as to the operation of the corn laws:—

" ' 30. What do you think are the most prominent causes of the depressed condition of the weavers?—I think it proceeds from more causes than one. First, I should say the corn laws, because the duty on foreign grain has a tendency to cramp our commerce; and by our not taking foreign produce, it is impossible for them (foreign nations) to take our manufactures. They also cause us to eat our bread dearer than we ought to eat it, and dearer than the people of any other country eat it. In consequence of this, it takes *more of our small earnings to buy food, and leaves so little remaining, that we can purchase but little else.\** So that while it depresses our own condition, it makes us depress the condition of all others; it makes us bad customers of all others.'

" James Whitaker gave his opinion respecting the operation of the corn laws; as follows:—

" ' 18. Have you anything to state respecting the cause of the decline of wages beyond what you have already stated?—I think the *corn laws are the first cause.* My opinion is the same with respect to their effects on commerce as Cromack stated. I think they are productive of one thing, which he did not mention; I think they have been the means of causing foreign nations to manufacture, who would not otherwise have begun, and thus they have created for us rivals in the market. I think they have been the cause of a great part of the machinery at present in operation. It is acknowledged that our goods can be manufactured by machinery cheaper than by manual labour. In consequence of the introduction of manufactures by foreign nations, our manufacturers were compelled to introduce a system of manufacturing which enabled them to compete with foreigners. I cannot see that the manufacturer could do otherwise; I am stating what many of my fellow-workmen do not agree to, but I come here honestly to state my views. My reasons for stating that the manufacturer could not do in any other way, are these: it is well known that we labour under a debt that no other nation in the world labours under. The interest of this must be paid out of taxation; besides that, we have upwards of twenty millions for the expenses of the Government, which must be met by taxation. Now, operatives in Germany and France *can afford to work for less wages, and still live better.* Taking all these things into consideration, I cannot see that our manufacturers could compete with foreigners without introducing a system of manufacturing like the present.'

" I need not occupy a large space by quoting the opinions of other witnesses on the subject of the corn laws alone. Nearly all the witnesses considered them injurious, though all were not able to state their views with equal clearness and precision. The above quotations show that the weavers are in the habit of thinking deeply on the subject; and as they do not fail

\* " The effect of a high price of food in destroying the home market is too frequently overlooked. The manufacturing population are the great consumers of manufactured goods; an advance in the price of food utterly destroys their power of purchasing manufactures. They clothe themselves when bread is cheap."

Remedies.  
Measures for  
increasing the  
demand for hand-  
loom labour.  
II. Promotion of  
exportation and  
importation.  
Alteration of the  
corn laws.

to discuss among themselves all questions bearing upon their own condition, I found them generally very familiar with the leading arguments current upon the subject, and not unfrequently capable of putting their peculiar case in a new and striking point of view. Some of the witnesses taking a view of the corn laws not less clear than those above quoted, grouped them with taxes on raw produce, and on the raw materials of manufacture, and on the necessities consumed by the labourer. As a specimen of this larger view of the pressure of taxation upon manufacturing industry, take the following extract from the evidence of Thomas Fawcett, one of the witnesses examined at Bramley:—

“ 10. Have you anything you wish to state respecting the depressed condition of the weavers, and its causes?—Yes, I think there are two great monopolies which require revision.

“ 11. What are they?—The first is the corn law; I desire its repeal, because it compels us to eat bread 70, 80, 90, and, in some cases, 100 per cent. dearer\* than in France, Germany, and other countries. The corn laws force the cultivation of soils ill-adapted to the cultivation of wheat, whilst they throw land out of cultivation in other countries which could grow corn more advantageously than we can. By abolishing the corn laws, the Germans and other northern nations could supply us with cheaper bread than we can ourselves produce under present circumstances, whilst we could supply them with manufactured goods cheaper than they could make them; so that they could be better employed in growing corn for us, and we in manufacturing for them, and thus raise up a mutual interest in each others welfare by mutual intercourse.

“ Mr. Jonathan Hodgson, a cloth manufacturer, of the township of Idle, gave his opinion as follows:—

“ 4. Have you anything to suggest for the improvement of the weaving body?—I consider nothing can improve the condition but an increased demand for labour, and that I think would be brought about *by a repeal of the corn laws and all taxes on raw materials, and all the necessities of life.* I am a sincere friend to free trade, and I consider the duty on Baltic timber particularly oppressive and burthensome on trade generally. The duties on wool, indigo, and other dye-stuffs, oil, &c. press particularly on the woollen manufacture, and, by limiting demand, on the hand-loom weaver.”—*Assistant Commissioners' Reports, Vol. I., p. 576.*

Mr. Austin—(Assistant Commissioner for the South-West of England:)—

Mr. Austin.

“ The great and primary cause of distress is, the want of sufficient trade to give employment to all. If we can find a remedy for this, the consequent evils will at once be removed, competition will cease, wages will rise, and still the profits of the capitalist will increase.

“ The only resource generally suggested is a repeal, or, at least, a modification of the corn law. The opinion is, that the consequence of the repeal of this law would be, not the lowering of wages, nor even a reduction of the price of corn, in any great degree, below an average price of 60s., but that the demand for manufacturing labour would increase without lessening that for agricultural; that the same quantity of manufactured goods would be exchanged directly or indirectly for bread-corn grown at home, and consequently the same quantity be grown and consumed, and that, in addition (were the exchange allowed even at the price of 60s., by the repeal of the said law, or modification of it, by imposition of a fixed moderate duty), a larger quantity of manufactured articles would be exchanged for foreign corn, which would feed those who made them; the price of corn would rise in the countries which are our competitors in manufactures, and with it the price of labour. If we remained stationary, we should be better able to cope with them than we are now.”—*Vol. I. p. 454.*

Mr. Austin proceeds to give verbatim the following two communications from operative weavers, which he justly characterises as showing much reflection and intelligence:—

“ I, J. M., of Cullumpton, am a weaver. My own earning, as near as I can state, upon an average, amounts to from 7s., or from that to 7s. 6d. per week; I work in a broad lumb, of which there are about 70 in the town; and, in my opinion, the most skilful and best instructed part of the trade work in them. I have worked in a narrow lumb in years past. Wages both in broad and narrow lumbs, since the year 1816, has undergone many and serious changes, all of which has had a tendency to diminish wages; some by taking off a great part of the real price which usually used to be paid, and some by increasing and augmenting the quantity of material for the same or less price than aforetime paid. Many may be the evils which may be enumerated that has given cause to the many reductions which from time to time has followed in rapid succession; and my firm belief is, that the introduction of the corn law system has been highly injurious in fettering and restricting the woollen manufactory in finding vent in the foreign market. First, England, being a nation of artizans, we can in no shape require the vast quantity of manufactured goods which the operatives of our large manufacturing districts are constantly turning out; and secondly, the very limited space of country in which we live in, which consequently cannot produce a sufficient quantity of corn, which the superabundant quantity of our population stand in need of. Thirdly, and lastly, it is quite obvious that the foreigner, living in a more spacious and extensive tract of country, has from time immemorial ever been wont to direct their attention to the growth of corn, knowing, at the same time, that England could ever boast of the superiority and advantage which they possess in reference to their superior wools; it therefore necessarily follows, had not the legislator interfered, and enacted such measures in the year 1815, in restricting foreign

\* “ The witness over-estimates the evil, but this is no more than a common error. We must not expect a weaver to be *more* accurate than those who have better opportunities of learning the truth ”

grain finding its way to our English markets, we should now to this day more or less have enjoyed the privilege of bartering and exchanging the surplus of our manufactured fabrications for the over and above quantity of corn which the foreigner, by living in such an extensive tract of country, could in nowise consume. There may be other reasons stated, such as the exportation of our English wool, which, in my humble opinion, is nothing more or less but handing over to the foreigner a rod to inflict punishment upon our own backs."

"I, W. X., of Collumpton, weaver, have taken into consideration the principal causes of the depression of our trade, and we believe that it is owing to many and different causes, attributable to two legislative enactments.

"1st. To existing corn laws, in not allowing a trade for our manufactured goods, by a fair barter, being made between ourselves and other countries; enabling the English merchant to dispose of his articles in the foreign market, so as to be enabled to pay himself and those employed under him. Ever since the existence of those laws we find our foreign trade decreasing, and why? the foreigner, not being able to procure ready cash (or rather specie), cannot purchase at our markets, and they have in consequence of which attempted making the articles themselves. The second cause is the exportation of our grown wools, for it would be utterly impossible for the foreigner, considering every advantage they may possess, both as regards their machinery, their artists, and mechanics, to manufacture their goods without our long wools grown in England. When we were employed in foreign manufactures, we could earn a tolerably good livelihood; and we have reason also to believe our masters have, as well as ourselves, felt the baneful influence of the present legislative Acts now in operation. We may positively say our wages is reduced one-third from what we could earn at the period above referred to. Since now the baneful working of the corn-law bill, it has driven away the greater part of those rates by which we could earn a good livelihood.

"Collumpton, 27th September, 1838."

*Assistant Commissioners' Reports, Vol. I., p. 454.*

Mr. Keyser—(Assistant Commissioner for the linen district, Yorkshire:)—

"Manufacturers, as well as workmen, are universally opposed to the corn laws; and, with scarcely an exception, attribute much of the distress to their operation, as will appear by the evidence in almost every page. The corn laws are considered to increase the price of provision, to limit our exports, and to induce the foreign manufacturer, by the introduction of machinery, and the establishment of factories, to undersell us in every market. Opinions all tending to the same purport are variously given, one of which I cannot forbear to quote, viz.,

"If I make a piece of cloth, and meet a Frenchman with a sack of corn on his back, I should be glad to exchange, but up steps a custom-house officer and won't let me, and I may eat my cloth if I can."—*Assistant Commissioners' Reports, Vol. I. p. 490.*

*Mr. Keyser.*

Mr. Fletcher—(acting as Assistant Commissioner for the Midland District:)—

"If we cannot have prohibition,' say the Nuneaton weavers, 'we require the repeal of the corn-laws. The return to prohibition would increase our trade. The repeal of the corn-laws would cheapen bread, and increase trade, through ribbons, among other goods, being taken in exchange for corn.\*'

"The manufacturers themselves generally regard these laws as the great obstacle to their obtaining a foreign trade, which the language of Mr. Huskisson led them to hope from a free-trade system. 'Coventry,' they state, 'has no export trade worthy of mention. But a great many more ribbons have been exported during the last two years than previously. Messrs. Morrison are undoubtedly exporting Coventry ribbons to America. In looking for an export trade to counterbalance the loss of the highest class English market, the Coventry manufacturer finds that his ribbons have a limited proportion of the labour of fixed capital in proportion to the manual labour, and they cannot therefore so readily compete with the cheap labour of the continent. The cheap labour of the country is already in competition with that of the town, and, through the comparative cheapness of foreign labour, both are out-rivalled by the continent. We have now no foreign trade in ribbons which we know to be worth much. For if we enter a foreign market, we there feel the greater cost of living to which our workmen are subject, and find ourselves upon the same ground as the cotton manufacturer, who is also complaining of the existing corn-laws.†' The corn and provision laws appear certainly to be obnoxious to every charge which has been urged against a prohibitory system in manufactures; with the further disadvantage of imposing a denial, not of some particular articles of luxury, but of food itself. Their operation to the disadvantage of the Coventry trade, the Weavers' Committee endeavoured to trace; and although their views possess little of originality, they claim a full statement.—

"Such laws prevent the weaver having more employment; there are other countries which have corn, and little else, to give in exchange for manufactured goods. They are lost as customers, and the field for English labour is narrowed. This comes upon the weavers, in a great degree directly, but, in a much greater degree, indirectly. Were the restrictions removed, we might have a direct exchange of ribbons for corn with those parties, as well as an exchange of other goods; which exchange is prevented by the existing laws. Indirectly, the corn-laws restrict the trade in hardware and English manufactures generally; and, supposing those of our countrymen producing those goods had more labour and a better price for it, and their manufactures generally extended, they would purchase more freely of us the

*Mr. Fletcher.*

\* Nuneaton Committee

† Cope, Ratcliff, and Caldicott.

Remedies.  
Measures for  
increasing the  
demand for hand-  
loom labour.  
II. Promotion of  
exportation and  
importation.  
Alteration of the  
corn-laws.

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Measures for  
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II. Promotion of  
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corn-laws.

article of luxury we produce; in fact, not only should we get customers immediately abroad, but the number and wealth of our customers in Great Britain would be increased.

"A third effect of the maintenance of the corn-laws, besides preventing these advantages, is, that it renders bread dearer, because our own country does not grow sufficient for its own population, and the corn-laws, preventing the free importation of more of the article of bread which is thus wanted, inevitably keep up the price of the quantity internally produced. Consequently, with the same amount of wages we now receive, we should, but for these laws, obtain a greater proportion of comforts than we at present enjoy.

"Has no documents to prove the fact that Great Britain does not grow enough food for its own inhabitants, but he believes so, because the corn-laws themselves permit corn to be held in bond against cases of emergency; which proves that the governors of our own country are aware that our island does not at all times supply us. 1. Consider that these laws, therefore, deprive the workmen of some portion of the comforts which their wages ought to give the men. 2. They also prevent the English weaver meeting the foreign weaver on equal terms. The corn-laws form part of a system of which the part which protected our labour has been removed, while that which affects our subsistence from the fruits of our labour is maintained. That system is the anti-free-trade system, which we understand to be the denial of a free permission for the various manufactures and produce of other countries to enter into this. Consider that permitting the free introduction of foreign silks, without as free an introduction of foreign grain, is an injury to us. The throwing open the ports to ribbons, while we are bound to pay a certain large proportion of taxes, especially on corn, had the effect of lowering our wages, with which we had to purchase the corn which was still taxed, as well as other things." "It exposed the English weaver to an unfair competition with the foreign weaver. Is unprepared to say that the 25 or 30 per cent. duty now paid on ribbons is insufficient to counterbalance in the British market the greater price of bread; but thinks that, were it so, the corn-law would still prevent any chance of a foreign trade. Except in gauzes, we do not feel any apprehension of French competition in the British markets." "The man who produces the ribbons must first have had bread to eat in order to produce them, and the cheaper the man has that bread the cheaper he will be enabled to labour; and therefore thinks that, for a third market, under the restrictions imposed by the corn-laws, England cannot produce ribbons so cheap, of the same quality, as a country where bread is cheaper. Supposes, therefore, that foreign countries may be now prevented from purchasing English ribbons on that account.....Although France might still supply the world with gauzes, the Coventry weavers think they would stand a better chance in the competition of the world, if they were under a system of taxation not so severe, and of which system the corn-laws are the portion which press upon them most severely.....Would not be in the same position as now when *working cheaper* with *cheaper bread*, because employment would be more regular. The trade and prosperity of the country being generally increased the demand for a luxury like ribbons would be more extensive and more constant. Supposes that a repeal of the corn-laws would benefit the master by extension of his business, and the weaver by greater regularity of employment."—*Assistant Commissioners' Reports, Vol. II., p. 24.*

Mr. Otway—(Assistant Commissioner for Ireland:)—

Mr. Otway.

"The laws affecting the importation of foreign corn, according to all the witnesses, act most injuriously on hand-loom labour and the manufactures of the country in general. Mr. Malone and Mr. White, at considerable length, state their opinion on this important question. Mr. Whitworth says, 'The operation of the corn laws I look upon as the cause of the stoppage of foreign orders; it has operated in this way, when we would not take the corn they had to spare, they would not take the fabrics we had to spare. Corn and timber being the only article of exchange they had to give us for our manufactures, more especially in the Baltic, our corn laws have given an unnatural impetus to the manufactures of America and the Continent. They operate in this way also, that while the corn is kept at a high price in this country it is kept at an unnaturally low price on the Continent for a want of demand for it. While corn continues at a high price either in this or any country, it enhances the price of every other article of food in the same proportion; while on the other hand, the low price of corn in any country reduces the price of every other kind of provision, so that the whole effect seems to be this, that while the corn laws in England are supported, we have to manufacture, with food at a very high price, against the manufacturers of the Continent, with food at a very low price. As a proof that this view is correct, I would just instance one example:—It is well known that at Barnsley they have had a very extensive export trade in linen drills, for weaving which the weavers there have been able to earn 25s. to 30s. a-week; while in France, the same article, to my knowledge, was manufactured last year, the weaver receiving only 5s. a-week. The natural consequence is, that the French are lowering the trade at Barnsley. This is further confirmed by the large export of linen yarn both from England and Ireland, which has been so great of late that the French have applied to their government to lay on an almost prohibitory duty.' Mr. Ennis states, 'The effects of the corn laws are injurious; they injure us in this way:—I had an American gentleman at my house; he looked over the different descriptions of goods in this town; he said they were goods that would answer the New York market very well, but that he thought they were much dearer than the German goods. The cause of the difference is obvious; the German weavers eat untaxed bread, the English taxed. If we rely on the home trade we can never give fair wages; the weavers are so numerous that they would soon overstock the home market; and they have a right to take away any bar that may be in the way of their trade, or their being able to earn at their trade



sufficient wages. When the home market is overstocked, they have nothing to look to but the foreign trade; they are met by the corn laws there, and are forced into competition with men, as I said before, who eat untaxed bread. The conclusion I would draw from this is, that the corn laws are the great obstacle now to the prosperity of the trade.”—*Assistant Commissioners’ Reports, Vol. I., p. 631.*

Remedies.  
Measures for  
increasing the  
demand for hand-  
loom labour.  
II. Promotion of  
exportation and  
importation.  
Alteration of the  
corn-laws.

Dr. Mitchell, to whom Spitalfields and the eastern silk district were assigned, is the only one of our Assistant Commissioners who appears to have encountered much difference of opinion on the subject of corn laws. We extract the following outline of the statements in his Report:—

#### REPEAL OF THE CORN LAWS.

“Very much less evidence has been offered on this subject in the course of the inquiry than could have been anticipated. *Dr. Mitchell.*

“There are two modes of accounting for this fact: either the manufacturers and weavers attach little importance to the subject, or they consider the policy of the Government and Legislature so fixed, that it is useless to offer any opinion respecting it: some, however, have entered on the subject.

“Some of the manufacturers of Norwich, and the weavers of Braintree, Colchester, and Reading, are for the repeal of the laws which lay restrictions on the importation of foreign corn.

“The manufacturers anticipate that the free importation of foreign corn would lower the price of provisions, and, as a consequence, lower the price of labour. If the price of labour were lowered, they consider that they could manufacture their goods at a cheaper rate, and consequently be able to come into the market in competition with foreigners in fabrics in which they feel they cannot do so at present. They consider that this is more particularly the case with shawls and other goods which require a great deal of labour to be bestowed upon them. They think that they at present suffer not only by the foreigner being enabled to obtain cheaper labour, and thereby to make some goods cheaper, but they also suppose that the foreign manufacturers are making progress, so that in time they will come into competition with the British manufacturers on more goods than they now do, not only in foreign markets, but also even in this country. They thence infer, that the corn laws should be repealed, and should be repealed as soon as possible, as every year of delay enables the foreigners to make progress; and they consider that the time may arrive when the foreigners will be so perfect in their manufactures, that the repeal of the corn laws may come too late.

“The repeal of the corn laws would, therefore, cause the extension of the sale of the British manufactures, and preserve the markets which we now enjoy.

“The weavers of Norwich, according to the evidence of Mr. Samuel Dayne, himself a manufacturer, and opposed to the corn laws, do not desire the repeal of these laws. They see that the manufacturers desire the repeal of the corn laws, in order to obtain cheaper labour, that is, that they may have men to work for less wages than they get at present. But they say, of what use would cheaper bread be to them, if their wages with which they buy it were to be reduced at the same time.

“Mr. Samuel Dayne has endeavoured to represent to them, that if cheap provisions caused lower wages, still there would be an increase of trade, and a more constant demand for their labour, and therefore their condition would be much improved.

“This argument, however, has no effect upon them. The idea of lower wages is sufficient to decide their minds, and they have no desire to touch the corn laws.

“The Norwich weavers are not unanimous on this subject.”—*Assistant Commissioners’ Reports, Vol. I., p. 382.*

Dr. Mitchell has copied into his report the resolutions of the Braintree silk weavers’ Committee. As we agree with him in thinking, that much consideration is due to these resolutions, we have extracted the material portions of them.

“We have hitherto spoken of the more immediate causes that depress the hand-loom weaver; but they are rather the effects of one common cause, and are among the fruitful evils arising from the corn laws. The real object of this unnatural law is to limit the supply of food, in order to obtain certain high prices for it, which could not be maintained by fair competition. It has not the redeeming quality of most other taxes, that of creating a revenue for the maintenance of Government, but aims at the entire exclusion of all foreign corn. It appears to us, that in proportion as the price of food increases, it being the great object for which all are striving, there must be a proportionate increase of labour given in exchange for it, and this increase of labour as naturally produces an increase of manufactured goods, which increase of goods is not demanded by a greater consumption, because the means of the great body of the consumers are not increased; hence arises those occasional gluts which spread poverty and misery among the people, and ruin among the small manufacturers. At such a time the goods cannot be disposed of but at a loss to the master, and he therefore shuts up his manufactory, or at best keeps his hands with not half employ; and these being unable to maintain themselves during such a time, are driven up and down to seek for employment elsewhere, their houses broken up, and themselves reduced to wander in a country where

*Resolutions of the  
Braintree Silk  
Weavers.*



Remedies.  
Measures for  
increasing the  
demand for hand-  
loom labour.  
II. Promotion of  
exportation and  
importation.  
Alteration of the  
corn-laws.

riches are spread around them, which they have created, but are forbidden to touch. Hence arises an increase of crime, frequently ending in banishment for life or a violent death.

"Another effect of the corn laws on the hand-loom weaver has been, that while they have increased the price of food by 30 per cent., they have decreased the demand for his labour, by shutting out those customers who would gladly have taken our manufactures, if we could have taken corn in exchange; but this not being permitted, the artisan has been, as it were, shut up to starve, while their foreign neighbours have been obliged to obtain goods from other countries, far inferior to this in mechanical resources; and in this way do we see our continental neighbours fast rivalling us in this respect, and cutting us off from the commerce of the world. Expediency dictated the enactment of other laws for the prevention of the exportation of our machinery, and for keeping our own men of genius starving, lest foreign nations should make use of those talents which were rusting under the corroding effects of the corn laws. But this was only another link in this chain of injustice, and a direct violation of the liberty of the subject; but like all other laws that run in opposition to the community, it was evaded by all who had the power to do so, and our best artisans were daily exported under false pretences, until our neighbours in France and other states can rival us in the texture and rapidity of production of most articles on which we are employed.

"This competition has driven the manufacturer to a further reduction of wages, and the hands to combination among themselves to prevent them from so doing, and created an unnatural enmity between the classes mutually dependant on each other.

"These combinations have now been formed to such an extent, that, unless the manufacturer is relieved, either from them or the corn laws, he must ultimately be driven to transport his capital to other countries not so encumbered, and leave a degraded, starving, and infuriated population, increased to nearly double in number, to settle the account as they best may with the self-made lords of the soil, for whose benefit all this misery is entailed upon them.

"We think we have now shown some of the evils arising from the corn-laws, evils which affect, in a great degree, all classes of the community, but more especially those engaged in weaving. Were a repeal of these laws to take place, an immediate exchange of the surplus manufactures of this country for corn would be the consequence, and an immediate demand for the operatives, and, as the exports from Britain consist chiefly of wove goods and yarns, all engaged in these branches of trade would be particularly benefited, while the general supply of corn would reduce the price of all provisions, so that the whole of the working community would be better off; the demand for labour among the manufacturers would enhance the price of it, and wages must rise to a fair level, and every one having less to pay for bread, would have more to spend in the purchase of other goods, which would give a stimulus to other departments of trade.

"We have thus, in a short space, given our opinion on the operation of these laws, hoping that the Commissioners will give them that consideration which the importance of the subject deserves. We have neither time nor ability to devote to the formation of any plan of repeal on which a law may be founded, but must leave it to others whose education and experience have rendered them capable of such an undertaking.

"The Commissioners will, we are confident, pardon any expressions in the foregoing resolutions which may appear harsh or uncharitable, when they reflect that they come from men who must feel keenly whether they will or no, and who therefore may be expected to give expression to their feelings in a natural and unsophisticated manner.

(Signed by the Committee) "JAMES LINDELL, and nine others."

"Such," says Dr. Mitchell, "are the remedies of the weavers themselves, after careful attention to the subject, and communicated by them in writing. I have felt it due to them, and to the central board, and to the Government and Legislature, to report in their own words the statements of the weavers of their own case."—*Assistant Commissioners' Reports, Vol. I., p. 399.*

On looking through the arguments used to support this almost universal reprobation of the present corn laws, it will be found that one of its motives, and, as far as the manufacturers are concerned, one of its principal motives, is a belief in the following three propositions:—

1. That the wages of labour are lower on the continent of Europe than in Great Britain.
2. That this difference gives an advantage to the foreign manufacturer; and
3. That the difference in wages is owing to the different price of provisions in the two countries.

We shall examine these propositions in some detail.

We must begin, however, by explaining an ambiguity in the use of the term *wages of labour*, which has exercised and continues to exercise much influence on the opinions and even on the conduct of large bodies of persons. The most obvious and the most usual meaning of that term is *the amount of money earned by the labourer in a given time*; in a day, a week, or a year. This is the signification in which we employ it in this report. But it is often used to signify *the price given for producing a given result*, for weaving for instance a given quantity of cloth. It is obvious that these two things are perfectly distinct. In the one the

attention is directed solely to the workman, and its only subject is the amount of his income. In the other the attention is directed solely to the employer, and its only subject is the amount of his expenditure. And it will often happen that wages are highest when the price given for producing a given result is lowest. A striking example is to be found in the Third Report of the Commissioners for Inquiring into the Condition of the Poorer Classes in Ireland. The commissioners state, that the wages of the agricultural labourers in Ireland average from 2s. to 2s. 6d. a-week, while those in England average from 8s. to 10s. a-week. But they also state, that there are in Ireland five agricultural labourers for every two in England, and that those five labourers produce only one-fourth of what is produced by the two in England; and they infer, therefore, that the Irish labourer at 2s. 6d. a-week obtains a larger share of the value of what he produces than the English labourer at 10s.; or, in other words, that the price given for producing a given effect in Ireland, where the wages are 2s. 6d. a-week, is higher than that given in England, where wages are 10s. a-week. And yet the statement that an Irish farmer has an advantage over an English one because he pays lower wages, though perfectly false, would be plausible. Using the words "lower wages," to signify that he pays less to each of his labourers, it is true that he does pay lower wages; but using those words to signify the price paid for the production of a given effect, the truth is that he pays higher wages than the English farmer.

Remedies.  
Measures for  
increasing the  
demand for hand-  
loom labour.  
II. Promotion of  
exportation and  
importation.  
Alteration of the  
corn-laws.

We have said that this ambiguity has influenced and continues to influence the conduct of large bodies of persons. We alluded to the work people in combination. In those trades in which the labourers are paid by the piece, that is to say by a given price for a given effect produced, it has become habitual to apply the term wages, not to the amount earned by the workman in a given time, but to the price paid for producing the result. And consequently, to call a reduction of that price a reduction of wages, without reference to the amount earned by the workman in a given time. The consequence has been that, acting under the influence of mere names, workmen have turned out to resist, under the name of a reduction of wages, plans of operation by which the total amount of their earnings would have been augmented, though the price paid for the result of their labour would have been diminished. One of the principal objects of all combinations among workmen who are paid by the piece is, to fix one invariable rate of payment per piece. If the productive power of the workman were also invariable, this would effect its professed object—a uniform amount of earnings. But with every improvement in machinery the productive power of the workman is increased. With the same, or nearly the same labour, and in the same time, he can produce a greater result. These improvements are expensive to the manufacturer, and he proposes to indemnify himself by a reduction of the payment per piece for the work done. Almost universally the proposal of the manufacturer would be beneficial to the workman; almost universally he proposes to divide between himself and his workpeople the benefit of the improvement, allowing them to earn within a given time a larger amount, while he obtains a given result at a less price. But this is called, as we have said before, a reduction of wages, a deviation from the list of prices, and is opposed with as much vehemence as if it deteriorated instead of improving the workman's condition. The great strike of the Manchester spinners in 1829, a strike which reduced thousands to destitution, was directed against a proposal of the masters, who had increased the power of their machinery, to diminish, though not in proportion to that increase, the price paid for spinning a given quantity of yarn. After inflicting great pecuniary loss on the masters, and far greater loss on the workpeople, after three months of idleness, misery, and violence, that contest ended in the submission of the spinners. The result is thus stated by Mr. Cowell, in his admirable paper in the Appendix to the Second Report of the Factories Inquiry Commission:—

"In 1829 the spinner turned off 312lbs. of yarn in the same time that he now takes to turn off 648. He was paid at the rate of 4s. 1d. per lb. in 1829; he is now paid at the rate of 2s. 5d. But 312lbs. at 4s. 1d. amount to 1,274 shillings, and 648lbs. at 2s. 5d. to 1,566 shillings. He receives, therefore, 292 shillings more than he did in 1829 for equal times of work. It is perfectly true that he does 'more work for less wages than in 1829' but this is nothing to the purpose, when the proposition to be proved is, that 'wages are lower than formerly.' I mean to say, that a spinner earns a shilling, or a pound, or a hundred pounds, in less time at present than he would have consumed in earning a shilling, or a pound, or a hundred pounds, ten years ago."—*D. I.* 119, *m.*

And yet this was the change which the workpeople resisted as an injury, and continue, indeed, to treat as an oppression.

Remedies.  
Measures for  
increasing the  
demand for hand-  
loom labour.  
II. Promotion of  
exportation and  
importation.  
Alteration of the  
corn-laws.

To recur to the first of the propositions under consideration, namely, that the wages of labour are lower on the Continent than in Great Britain, we are quite ready to admit that they are lower, if the term wages is used to signify the money earned by the workman within a given time. We believe that there are few districts on the Continent, and few employments in those districts, in which the money earned by any workman within a given time much exceeds one-half of the earnings of a workman similarly employed in England. But the difference between the sums earned by the Continental and by the British labourer does not necessarily give any greater advantage to the Continental over the British manufacturer, than is given to the Irish over the British farmer by the lower earnings of the Irish agriculturist. The really important question to the manufacturer is, not the amount of wages earned by his workpeople, but the price which he must pay in order to obtain a given result. That price being given, their wages will be high in proportion as the number of persons employed in producing the result is small, and the time in which it is produced is short. And it is unquestionably the interest of the manufacturer that, *cæteris paribus*, any given result should be effected by as few workpeople and in as short a time as possible. The interest, therefore, of the workman and the manufacturer coincide; and it is notorious that the most prosperous establishments are those which afford the highest wages. We admit, of course, that between sets of workmen, *equally efficient*, the difference in wages is a precise index to the difference in the price of the results of their respective labour; but though our information as to the wages of the continental workpeople is full, we know very little as to their efficiency. Some of the most valuable evidence on the subject is that given before Mr. Cowell by Edwin Rose, a very intelligent mechanic, who had spent a considerable time in France, Switzerland, and Germany. He is asked, "Are wages lower in France, as far as you have seen, than in England?" and, his mind instantly turning to the distinction which we have explained between wages and the price of a given result, answers—

Edwin Rose.

"If I have a shop of men in England for anything, then I have to see how much I have got to pay them for the work they turn out of any kind; but if I have the same shop in France, then I must have twice the number of hands to do the same amount of work. It is true, I pay them less a-piece there; but I have seen that you must have twice as large a building to contain the hands, twice as many clerks and book-keepers, and overlookers to look after them, and twice as many tools to do the same quantity of work as is done here in England; and the master there must have twice as much interest of money on all this; and their minds seem to me to get more bewildered with stress of work there than here. It seems to me that you should have double the number of people there to do the same amount of work, whatever it may be; but their wages are lower in money.

"But do you consider their wages higher in reality?—I really do; they are better paid, in proportion to the work they turn out, than what the English are.

"Do you judge this of the spinners and cotton-printers, as well as of other workmen with whom you met in France and Switzerland?—Certainly; I mean it in general; but I should say that the Swiss are better workmen than the French. They are more ingenious, and lay closer to their work a great deal,

"Have you, as a working man, and having been in a large manufactory at Mulhausen, and being in one at Manchester, any doubt whatever that the rate of wages is really higher in France than it is in England?—I have no doubt at all; not a bit.

"What do you think of French workmen, as workmen?—I don't think they have that perseverance that English have. I often have noticed them trying a thing, and then if it don't answer at first they seem terrified, and shrug up their shoulders, and throw it aside; but an English workman keeps trying and trying, and won't give up near so soon as the Frenchman.

"A house joiner or carpenter's wages are from 35 to 40 sous a-day. His work, compared with English work, is very rough, and but little of it, in comparison. A stonemason's wages are from three francs to four francs. They are inferior to our masons in laying foundations. Then, as to time of work, I think two English masons, in the same time, do more work, upon an average than three of theirs.

"In short, do you know any single species of labour that stands a master in cheaper in France than in England, quality and quantity of work being considered?—I don't know any, unless it be tailors' and shoemakers' wages; but I am not sure about them. Clothes are dearer in France than in England; but shoes are cheaper, the duty being off leather."—*Appendix to First Report of Factories Inquiry Commission, D. I. 122.*

Mr. Withers.

A communication from Mr. Withers, of Marchienne au Pont, near Charleroi, inserted as an appendix to Mr. Symons's Foreign Report (Vol. I., p. 161), contains some further particulars deserving attention, from the extensive experience of the informant and the care with which he appears to have collected his materials. With respect to woollen cloth, he says, "Labour is much cheaper here than in Yorkshire, but then they employ more hands to do the same quantity of work; and

cloth is decidedly cheaper and better, in point of finish, in Yorkshire than in Veviers." With respect to cotton spinning, Mr. Withers reckons the greater ability of the British workpeople as one of the elements which, together, give us an advantage over the Belgian spinners, which he computes at 40 per cent. Proceeding to hosiery, he mentions the prices of labour per day, and in some articles per piece, and adds, as to the latter, "These prices of weaving are higher than are paid at Leicester for the same quality and size; and the other prices of labour, though they are low, as paid for a day's labour, are nevertheless higher than are paid in England, calculating the *quantity of work done* for the money,"—(p. 163.) The following is his statement as to the workpeople in the linen manufacture:—

Remedies.  
Measures for  
increasing the  
demand for hand-  
loom labour.  
II. Promotion of  
exportation and  
importation.  
Alteration of the  
corn-laws.

"The average rate of wages, as far as I can depend upon my information, is as follows:—

	f.	c.	s.	d.	
" Girls under 14 years old . . .	0	40	=	0	3 $\frac{3}{4}$ per day.
Women . . . . .	0	70	=	0	6 $\frac{1}{2}$ „
Men . . . . .	1	40	=	1	1 $\frac{1}{2}$ „
Combing or hickling 1½lb. of flax . .	0	0	=	0	0 $\frac{1}{2}$ „

"As I have before observed, it is not the price paid for a day's labour, nor the price paid for making one pound, or one yard, or one piece; but it is the quantity, and the quality, and the waste, and many other things which must be considered, and which determine the cost price of any and every article of manufacture.

"Suppose a man be paid 2*d.* for doing a quantity of work, and it be badly done, and too much waste be made in doing it, and another man does the same quantity of work much better, and with less waste, for which he receives 4*d.*, then I say that the higher price is the cheaper; and I say this from long experience and having had frequently to calculate the difference. I will give another example from my own experience. You shall employ two men to forge each of them a machine from the same model or drawing; one of them shall do his work with half the coal, in half the time, without burning the iron, and the machine shall be fitted up with half the labour of filing. Here is an enormous difference, a much greater difference than you can make in paying these workmen. You must give to the worst of the two 3*f.* 50 *c.*, and to the other 7*f.*, and yet you will have double the profit from the latter. Now this is the case between English workmen and workmen out of England; and if you make your calculations without taking this into consideration, you will come to false conclusions, and be led into error. No man in Europe has been engaged in so many branches of trade and large undertakings on the continent as I have; continually calculating, comparing, and examining into the circumstances of each case; and I am convinced that labour is done much cheaper in England than in France or Belgium."—*Vol. I, p. 165.*

On the whole, therefore, although we are satisfied that wages on the continent are much lower than in Great Britain, and although that circumstance, if the efficiency of the labourers in each country were equal, would certainly place the British manufacturer under a great disadvantage, yet with our imperfect knowledge of their comparative efficiency we feel it impossible to decide in what branches of manufacture, and to what extent, a disadvantage arising from that cause actually exists.

But this conclusion leaves undiminished the importance of the question whether the rate of wages depends in any degree on the price of provisions. If we agreed on the doctrine that the rate of wages depends on the price of provisions—rises as that price increases and falls as that price diminishes—we should be forced to admit the inference drawn from it by the Norwich weavers, "that cheaper bread would be of no use to them, if the wages with which they buy it were to be reduced at the same time." We should feel that the corn law question was one in which the bulk of the people had little direct interest; and however we might reprobate the existing corn laws as unjust and unwise, as injurious to the revenue, to the commerce, and to the general wealth of the country, we should not feel that they necessarily pressed with peculiar force on the class for whose relief we are directed to devise measures. But if that doctrine be false—if a rise in the price of provisions have no tendency to raise wages and a fall in the price of provisions have no tendency to sink wages—it follows that no class in the community is so much interested in obtaining cheap provisions as the class whose wages are lowest, since, as one of their number has remarked, "the lower a man's income is, the greater the proportion he must spend on bread."

Without recurring to the different circumstances which decide what shall be at a given time and place the rate of wages earned in different employments, it may be laid down as a general rule that, whatever the rate be, nothing will alter it but an alteration in the proportion between the supply of labour in that employment and the demand for it.

Now what reason is there for supposing that an increased supply of food would

Remedies.  
Measures for  
increasing the  
demand for hand-  
loom labour.  
II. Promotion of  
exportation and  
importation.  
Alteration of the  
corn-laws.

increase the supply of labour, or diminish the demand for it, or that a diminished supply of food would diminish the supply of labour or increase the demand for it? It appears to us that the results would be precisely the reverse. An increased supply of food would enable the weaver to subsist with rather less exertion on his own part and to enforce rather less labour from his family. He might shorten his long hours of labour, allow his wife to devote more time to her domestic concerns, and delay the age at which his children would have been sent to the factory. The tendency, therefore, of the change would be rather to diminish the supply of labour. On the other hand the whole labouring population, being enabled to spend less on food, would be able to spend more on clothing. Mr. Chapman has remarked with truth, that "the effect of a high price of food in destroying the home market is frequently overlooked. The manufacturing population are the great consumers of manufactured goods; an advance in the price of food utterly destroys their power of purchasing manufactures. They clothe themselves when bread is cheap." Precisely the converse takes place when provisions become dear; the weaver and his family must work harder and purchase less. The supply of labour is increased, and the demand for it is, at the same time, diminished. When bread is dear, therefore, the calamity is aggravated by a consequent fall of wages; when it is cheap, the blessing is augmented by their rise. Mr. Kingan, to whose evidence before the House of Commons Committee on hand-loom weavers we have already adverted, confirms this theory by his own experience.

Mr. Kingan.

"277. Have you considered what would be the effect upon the operatives of a total abolition of the duty on corn?—I think it is perfectly obvious that if the removal of the restriction on corn lessened its price, it would be the same thing as increasing the wages of all the workmen.

"278. If the price of corn were lowered, would not the manufacturer immediately lower the rate of wages?—I think quite the reverse.

"279. Explain the grounds upon which you form that opinion, would you?—Because, practically, you always find wages fall as corn rises. In the great dearth of 1799, wages fell more than they had ever done formerly, owing chiefly to the circumstance of two men doing the work of three. If you will give very cheap corn, the men will only labour three, or four, or five days in the week, if they can get enough to support themselves, which will of course decrease the quantity of labour in the market.

"280. Would not diminishing the ability of the agricultural classes to purchase be injurious to the manufacturers and operatives, by diminishing their market?—I do not think it would be of much importance; it could only affect the landlords; all the other agricultural classes, or those dependent on them, could buy more.

"281. Do you consider, then, that the high price of food and clothing, and high prices arising from taxes, and upon the necessities of life, requiring the working man to toil for a greater number of hours, necessitate him to over-supply the market with his commodity?—Surely.

"282. Then the statement, that whenever corn is high that wages fall, arises from this, that it tends to the over-working on the part of the labouring classes?—No doubt, *at least as to hand-loom weavers.*

"283. Then any increase of taxation, or any other cause which renders subsistence more costly to the workman, has a tendency to force him continually to increase and augment that over-supply of commodity in the market?—Undoubtedly.

"284. Have you ever been led to consider why, under a dearth and scarcity of corn, there is a tendency to fall in the wages of the labourer?—One of the reasons has been put, namely, that two men do as much as three, in consequence of the high price of provisions; but more than that, all other classes are also impoverished, trade becomes bad, money scarce, and bankruptcies take place."\*

It may be said, however, that though these would be the immediate, they would not be the ultimate, effects of an alteration in the price of provisions; that a diminished price of provisions would afford a stimulus to population, which would raise the supply of labour to its former proportion; and that, on the other hand, an increased price of provisions would diminish population, and reduce the supply of labour to its former level.

In a community so situated as the hand-loom weavers, engaged, as has been shown, in an occupation peculiarly favourable to an undue increase of numbers, and with habits which aggravate the natural disadvantages of their business, we certainly fear that a mere increased cheapness of food, *unaccompanied by any other change*, would, after an interval of some years, cease to afford relief. As far as they are concerned, therefore, we believe that no alteration in the corn laws would confer permanent benefit (except indeed by rendering their employment less irregular), unless it were accompanied by measures for improving their moral and intellectual

\* See on this subject the evidence of Mr. Milne, the Earl of Mansfield, and Lord Lauderdale, delivered before the House of Lords' Committee respecting Grain and the Corn Laws of 1814, pp. 50, 56, and 83.



habits. But the general proposition that such is the overwhelming influence of the principle of population, that no increase in the supply of provisions can permanently benefit the labouring classes, we believe to be absolutely false. That proposition owed its origin to some expressions of Mr. Malthus, not sufficiently qualified by him, and repeated in a still more unqualified form by many of his followers. It owed its currency to the relief which it afforded to the indolence and to the selfishness of the superior classes. But it is contradicted by the evidence of all experience. The history of every civilized nation shows that, in the absence of disturbing causes, every increase of the means of subsistence is followed by an increase of population, but not in the same proportion. It is thus, in fact, and thus only, that civilization can advance. Its advance may be stopped by foreign or civil war, or by partial or foolish legislation, and it may be retarded by an increase of population, which may prevent the labouring classes from enjoying the full benefit of an increase of the means of subsistence; but that, under any institutions which the present state of knowledge would sanction, an increase of the supply of food would be followed in Great Britain by such an increase of population as to destroy its whole benefit, we believe to be totally impossible.

Remedies.  
Measures for  
increasing the  
demand for hand-  
loom labour.  
II. Promotion of  
exportation and  
importation.  
Alteration of the  
corn-laws.

On the other hand the natural tendency of a diminished supply of provisions, or of a supply not increasing with the wants of the population, is not to raise their wages, but to deteriorate their habits. The price of wheat is nearly the same in Ireland as in England, but the consequence is, not that the Irishman's wages rise, but that he is clothed in rags and subsists upon potatoes. Where provisions are cheap and wages high, as in the United States of America, the labourer eats meat; where both are high, as in England, he eats wheaten bread; where wages are low and the inefficiency of labour renders the better sorts of food comparatively dear, as in Ireland and in a great part of the Continent of Europe, he lives on the lower cerealia or on potatoes.

We believe that this generally diffused opinion that the rate of wages depends on the price of provisions owes its origin to the fact, that the price of provisions mainly depends on the rate of wages. The labourers constitute in all countries a large majority of the people, and, in all poor countries, an overwhelming majority. Their wages form the great fund out of which the price of provisions must come, and their wages also form the principal element in the cost of producing provisions. Every change in their wages, therefore, has a double effect on the price of provisions. A rise of wages raises the price of provisions by increasing the cost of producing them, and raises it again by increasing the fund for purchasing them. A fall of wages diminishes the fund for the purchase of provisions, and at the same instant diminishes the cost of their production. In countries where there is a stationary low rate of wages, both these circumstances concurring, the price of provisions must generally be low. Where there is a stationary high rate of wages, the price must generally be high. It is true, indeed, that in a country of low wages, some of the more expensive sorts of provisions may be dear, but that can be only when they are raised for exportation, or for the use of a more opulent minority. Such is the case with respect to wheat in Ireland, and, when our ports are open, in Poland. Again, in a country of high wages, where the fertility of the soil in proportion to the population is great, and there is no market for the surplus produce, provisions may be cheap, as is the case in the Far West of America. And it is true also, that an opulent and highly productive commercial community by importing the provisions raised by the lowly paid labour of poorer countries might obtain them at a low price, supposing its demand not to be so great as materially to raise their price in all the exporting countries. Such appears to have been the case with respect to Holland during the last century. Subject, however, to these exceptions, it may be laid down as a general rule that wherever wages are high provisions will likewise and consequently be high, and that wherever wages are low provisions will likewise and consequently be low. But in the former case the labourers will be fed on superior, in the latter, on inferior food.

The administration of the old poor laws facilitated the error which we have been exposing. Under the unhappy system prevalent during the forty years immediately preceding the Poor Law Amendment Act, a large portion of the labourers of England were treated not as freemen but as slaves or domestic animals, and received not strictly speaking wages regulated by the value of their labour, but rations proportioned to their supposed wants. Under the scale system the value of a fixed quantity of bread per head was allotted to every family, to be made up by the parish, so far as their earnings were deficient. Under such circumstances, wages, if we can apply



Remedies.  
Measures for  
increasing the  
demand for hand-  
loom labour.  
II. Promotion of  
exportation and  
importation.  
Alteration of the  
corn-laws.

the term to payments so regulated, rose and fell with the price of bread, just as the keep of a horse rises or falls with the price of oats. Nor have the traces of those abuses yet been obliterated. The allowance system has burthened many parishes with a population exceeding the demand for their labour at good wages. Accustomed to consider fine wheaten bread as a necessary of life, and hardened by long practice against the disgrace of pauperism, when the price of bread is higher than their usual wages can meet they require the farmer either to raise their wages, or to support them in the workhouse. He generally chooses the former alternative, and fancies that it is the natural state of things that wages should depend on the price of bread.

We differ also from the weavers, both as to the degree in which their distress has been occasioned by the corn laws and as to the degree in which any alteration in those laws can relieve it. In those branches of weaving to which the power-loom is applicable, and it becomes more and more extensively applicable every day, the weaver who adheres, by choice or by compulsion, to the inferior tool is engaged in a contest which would have been equally hopeless, and must continue to be equally hopeless, under the present or the most unrestricted commercial policy. The same may be said of the South of England clothiers. Without corn laws or with corn laws, they must yield to the superior local advantages of the North. Again, it has been shown that there are intrinsic circumstances in a great majority of the branches of hand-loom weaving which tend to raise the number of weavers to an undue proportion to the demand for their labour. The low wages in these branches depend, not on the corn laws, but on the attractiveness and accessibility of the employment. Again, many branches of hand-loom weaving require only the powers of women and children. If men will submit to do the work of women and children, they must submit to receive their wages.

But although we do not believe that the corn laws have occasioned the low wages of the hand-loom weavers, or that any change of those laws will raise those among them who make the lower branches of hand-loom weaving their exclusive employment to the condition which we should wish any artizans in the British empire to occupy, we yet feel that many of the complaints which they have submitted to us on that subject are well founded; and, being well founded, deserve, and must receive, the serious attention of the Legislature.

Their first complaint is, that the existing corn laws rob them of a large portion of their earnings. If it be true, and we think we have shown that it is true, that a high price of provisions has no tendency to raise wages—in fact, that it has a tendency to lower them—it must follow that everything that enhances the price of what the labourer consumes operates as a direct tax on his wages. The question to what amount the corn laws raise the price of bread cannot be brought to the test of direct experience. Since 1792, when we ceased to be an exporting country, we have never enjoyed an approach to a free corn trade. As soon as war ceased to interrupt our supplies, its place was taken by legislation. The question, therefore, must be left to conjecture. But those who defend the present corn laws are placed in this inextricable dilemma. They must admit either that they materially raise the price of corn, or that they do not. If they do not, what becomes of the anticipations of ruin to the farmer and to the landlord from their removal? How can we defend laws which convert those who would be our customers into our rivals; which cramp our foreign trade, and disorganize our home trade by periodical panics; which fill one half of the community with hostility against the governing classes, and distrust in the institutions of the country,—if these laws after all produce no material effect on the price of the commodity which they are intended to protect? If this be the case, nothing can exceed their mischief, except their wantonness. But if the corn laws *do* materially raise the price of corn, what answer can be given to the complaint of James Cromack, that “the corn laws force the weaver to eat his bread dearer than he ought to eat it, and dearer than the people of any other country eat it, and that consequently it takes more of his small earnings to buy food, and leaves so little remaining that he can purchase but little else?” or to Charles Fletcher’s statement, that “the weaver is peculiarly affected by them, because the smaller a man’s income, the greater the proportion he must spend in bread?” We have said that the amount of the tax thus imposed must be matter of conjecture. We are inclined, however, to estimate it at about 20 per cent.; or, in other words, to conjecture that if, at the conclusion of the war, things had been left to take their natural course, and we had consequently enjoyed during the last 25 years a free trade in corn, the average price of corn during those years, would not have exceeded 50s., instead of exceeding, as it did, 60s. a quarter. In Jersey, where the corn trade is free, the average price of wheat per

quarter from the 5th January, 1820, to the 5th January, 1840, inclusive, was 51s. 9d.\* This price, however, is raised by the English demand. In Guernsey, the price during the same period has been 40s. 11d. per Winchester quarter, being a little more than 42s. per Imperial quarter.†

It is impossible, of course, to state, with any approach to accuracy, the average proportion of the income of any class of labourers which must be expended on bread; as it must depend partly on the number of the members of each family, partly on the price of bread, and partly on the income of the family. It is evident, however, that that proportion will be large in proportion as the family is numerous, as its income is small, and as the price of bread is high. If we estimate, however, the average income of each family in the poorer classes of weavers to be 10s. a-week, the average number of persons in each family as four, and corn to be at its average price of 60s. a quarter, we cannot estimate their expenditure on bread at less than 5s. a-week, or half their income. If, then, the corn laws raise the price of bread 20 per cent., they operate as an income tax on the poorest families of 10 per cent.

Such a tax, even if regular in its operation, would be very grievous. Such a tax, if imposed in time of peace on the classes in the community who can command attention to their complaints, would drive from power any minister who ventured to inflict or to maintain it. But to its severity it adds the further, and perhaps the greater, evil of irregularity. It does not, like an ordinary tax, impose an uniform burden, according to which the payer can regulate his expenses: it varies according to the accidents of the seasons. In plentiful years, when the low price of corn would prevent importation, or in dearths, when it rises to 73s. a quarter, and the low duty begins, the tax ceases. But in average seasons, that is with a price of corn between 50s. and 63s., its force is felt, and felt of course with greater and greater severity as the price increases, until it reaches the exorbitant price of 70s., the lowest price at which, under the existing law, any considerable importation can take place. Then, indeed, the corn which has been accumulating perhaps for years, which, if it had been admitted as it was wanted, would have kept prices moderate and steady, and afforded a sale for our manufactures, is thrown on the market to the relief of our necessities, but to the disorganization of our currency and our commerce. Experience has shown that when the price is under 63s. the duty is nearly prohibitory. Of the 9,301,941 quarters of foreign wheat which have been imported between the 15th of July, 1828 and the 5th of January, 1840,‡ only 284,893 quarters, about 25,000 quarters a-year, have been imported when the price was under 63s. a quarter; a rather less quantity, 250,661 quarters, were imported when the price varied between 63s. and 66s.; and when it varied between 66s. and 70s., 642,149 quarters. But the bulk of the importation, that is to say 8,124,248 quarters out of the whole 9,301,941, did not take place until the price had reached 70s.; and of that quantity nearly one half, or above 3,900,000 quarters was not imported until it had reached or exceeded 73s., the price at which the law deems restriction on importation unnecessary.

The effects which we have described were the direct and the intended consequences of the law. Its purpose was to raise the average price of wheat to 60s. a quarter, and it has succeeded in doing so. But it has produced other effects neither desired nor foreseen by its advocates. These are, irregularity in the price of wheat and disturbance of our internal and external trade.

During the 10 years, from 1829 to 1838 inclusive, for which the returns are furnished, the average annual difference between the highest and lowest weekly price has exceeded 31 per cent.; during four years out of the 10, that is in 1829, 1830, 1836, and 1838 it amounted to 47½ per cent.; in one it reached 68 per cent. The whole of this irregularity is not, of course, to be charged to the corn laws. No annual crop bears an ascertained ratio to the productive agents employed: the same field, cultivated in the same manner, may in some years produce 40 bushels an acre, and in others 10. But all combinations of chances have a tendency to compensate one another, a tendency which becomes stronger as the number of chances is increased, until all irregularity disappears. The annual produce of a farm is less irregular than that of a field, that of a county than that of a farm, that of England than that of any single county, and that of all Europe, than that of any single portion of Europe. And if we could ascertain the annual produce of the whole world, it is probable that it would

Remedies.  
Measures for  
increasing the  
demand for hand-  
loom labour.  
II. Promotion of  
exportation and  
importation.  
Alteration of the  
corn-laws.

\* House of Lords' Paper 174, 1840.

† House of Lords' Paper 192, 1840.

‡ House of Lords' Paper, 136, 1840.

Remedies.  
increasing the  
demand for hand-  
loom labour.  
II. Promotion of  
exportation and  
importation.  
Alteration of the  
corn-laws.

exhibit scarcely any alteration from year to year, except the gradually increased supply rendered necessary by the wants of a population increasing in number or wealth. The expenses of transport are therefore the only obstacles opposed by nature to regularity of supply. A country situated as the British islands are in the position most accessible to the commerce of both hemispheres, might reduce those expenses to the lowest amount compatible with the amount of importation. And we firmly believe that if legislation did not interfere to aggravate the accidents of the seasons, we might enjoy, not indeed an exemption from fluctuation of prices, but a price not more than half as irregular as that under which we now are suffering.

We do not think it necessary to dwell at much length on the interference of the corn laws with our external and internal trade. The evils of that interference may be divided into those which are permanent and those which are occasional. The *permanent* injury which the corn laws produce on our foreign trade by forcing those who would be our customers to be our rivals, by affording not merely a pretext but a justification, as far as we are concerned, for the tariffs by which nation after nation is endeavouring to exclude our products, formidable as it is to our welfare, and even to our existence as a manufacturing people, inflicts no peculiar evil on the hand-loom weavers. We have already shown that the nature of their employment has created their poverty, and it would keep them poor if the market of the whole world were open to them. The same remark applies to the permanent influence of the corn laws on the home trade. It is true that they injure that trade by diminishing the general wealth and prosperity of the country; but that fact is immaterial for the purposes of this report, if it be true, as we believe it to be, that no increase of the home trade would permanently raise the condition of the hand-loom weavers.

But the *occasional* effects of the corn laws, both on our foreign and on our domestic market, affect the hand-loom weavers severely. The irregularity of their employment is one of their bitterest complaints. It is dwelt upon by every witness, and by many considered as the worst of the evils under which they are suffering. The weavers, who are employed on those branches of the trade which are affected by the caprices of fashion, must submit to some irregularity of demand as an inconvenience incident to their business; and, if their numbers were in proportion to the average demand for their labour, and they were sufficiently educated to see their situation, they would provide, out of the wages of good employment, for the anticipated period of slackness. But they form a small class of the whole body of hand-loom weavers. A very large majority are employed on articles of which the consumption is steady, so far as the consumer has the means of purchasing. Fashion has nothing to do with the use of blankets or calicoes, and, in fact, influences almost exclusively the fancy trade: and yet the woollen, the finer linen, and the cotton trade, appear to be almost equally irregular.

The great sources of these irregularities are the disturbances which, at intervals uncertain, but unhappily more and more frequent, derange our commerce. As all commerce, though effected by the intervention of money, is really barter, its success depends on the accuracy with which the different producers, who are to be parties to each exchange, have calculated each other's wants and each other's means. Any error in the calculation will be mischievous, of course, in proportion to the number and to the magnitude of the exchanges, or proposed exchanges, which it affects, and to the degree in which it renders them unprofitable or impossible. In a society with little division of labour, consisting mainly of agriculturists, raising on their own farms their own food and that of their cattle, and the materials of their clothing, and working up those materials in their own families, commercial misfortunes, however calamitous to the persons immediately concerned, have little effect on the wealth of the community. But no considerable nation was ever further removed from this simple state than England is now. We have carried the division of labour, not perhaps to its utmost limits, but further than it has ever before been extended. The result has been to render our labour eminently productive, and to distribute among our population a larger proportional quantity of the comforts of life than any numerous community, with the exception of the Anglo-Americans, has ever enjoyed. But this advantage is obtained by rendering every individual dependent on many hundred or rather on many thousand others for almost all his wants. There never has existed a society so distinctly divided into capitalists and labourers, or in which each capitalist and each labourer produced so exclusively for the purpose, not of consumption but of exchange. Any serious accident to any class of pro-

ducers affects not only that class, and all those who have dealings with that class, but also all those who have dealings with the last-mentioned persons, until gradually, like the undulations produced by a stone thrown into a lake, the effect is diffused till it ceases to be perceptible. The expressions, “stagnation,” “bad state of trade,” “commercial distress,” and “panic,” describe merely the general embarrassment and suffering produced by the concurrent miscalculations of many individual producers and traders. To the higher classes of society, to those who enjoy fixed incomes from land or from money, or from the public service, and to those whose customers are among the higher classes, commercial distress is a mere name. They may regret its existence, but though they hear the storm it does not reach them. The general body of capitalists feel it but in a diminution rather of their powers of accumulation than of expenditure. But all these classes together, including those who are dependent on them, are only a minority of the population. The majority of the inhabitants of Great Britain, and perhaps there is no other nation of which this is true, are labourers working each for his employer, and relying for his weekly subsistence solely upon his weekly wages. In every other country the majority of the population own, or at least occupy, some portion of the soil; and even when it is not their main resource, can fall back on it to supply the deficiency of other employment. An English labourer has seldom any such resource, and we regret to add that he seldom has habits which supply the want of it. Very few even of our best paid workmen have the economy and providence which enable the high wages of one period to meet the low wages or the inactivity of another. With almost all of them low wages produce immediate distress, and want of employment immediate destitution. We do not believe that any one who has not mixed with the working classes, we do not believe that we ourselves, can adequately estimate how much mental and bodily suffering, how much anxiety and pain, how much despondency and disease, are implied in the vague terms, “a fall of wages,” or “a slack demand for labour.”

Absolutely to prevent, in a great commercial and manufacturing country, the occurrence of periods of commercial distress is impossible; but it is at least the duty of the legislature not to make or to maintain laws which increase their frequency. That the existing corn laws have that effect is now, we believe, after 12 years’ experience, admitted. It seems to follow, indeed, from the following account of our imports since its enactment.

Remedies.  
Measures for increasing the demand for hand-loom labour.  
II. Promotion of exportation and importation.  
Alteration of the corn-laws.

Years.	Total Number of Quarters of Wheat and Wheat Flour imported.
	<i>Quarters.</i>
1828	741,114
1829	1,663,341
1830	1,661,847
1831	2,303,974
1832	447,101
1833	297,565
1834	176,321
1835	66,905
1836	241,742
1837	559,943
1838	1,371,957
1839	2,875,427

Inspector General’s Office, Custom House, London,  
5th May, 1840.

It appears from this table that in 1829, 1830, and 1831, the importation of wheat was considerable; amounting, in the last-mentioned year, to more than 2,300,000 quarters, which must have cost, including the expenses of transport, at least 50s. a-quarter, or more than 5,750,000*l*. But the whole importation of the years 1832, 1833, 1834, 1835, and 1836, was only 1,209,634, or about half the quantity imported in the single year 1831; the average yearly importation having been 241,926 quarters, about one-tenth of the importation of 1831. In 1837 the importation began again to increase, and in 1839 it amounted to the largest quantity that has ever been imported in one year, namely, 2,875,427 quarters, obtained at a cost, at least, of between seven and eight millions sterling. Changes so great and so violent must have been mischievous, even if the corn had been purchased with our manufactures. Under the most favourable circumstances, they must have altered the channels of commerce, have disappointed many apparently

Remedies.  
Measures for  
increasing the  
demand for hand-  
loom labour.  
II. Promotion of  
exportation and  
importation.  
Alteration of the  
corn-laws.

well-founded expectations, have rendered many undertakings unprofitable, and impeded or prevented many more. But the mode in which these purchases were made was an aggravation of the evil. As they did not occur in the regular course of trade, as we were forced to buy in a great measure from countries whose staple commodities we load with prohibitory duties, and whom we have forced therefore to cultivate an independence of British supplies, we had to make the direct payments for the bulk of the corn with the only commodity that no tariff excludes—the precious metals. Few countries can bear without inconvenience a sudden and large exportation of specie. Even under the favourable circumstances of a metallic currency, and a sparing use of credit, the value of money must be altered, contracts deranged, and the data on which men found their plans and engagements falsified. In Great Britain both the monetary and the commercial system render such an event peculiarly calamitous. Our circulation consists mainly of paper, convertible on demand. Our trade, both internal and external, is principally managed by means of credit. A sudden and great demand for gold necessarily produces all the mischiefs which we have described as the results of a sudden diminution of currency; and it adds to them a violent shock to credit. Every one distrusts his neighbour, and doubts the prudence of his own undertakings. The manufacturer is afraid to produce, and the warehouseman and exporter to purchase. Where there is expensive machinery that must be kept in use, the workpeople are put on short time; those who have not this protection are retained at low wages or discharged. To this class belong, as we have seen, the hand-loom weavers.

We need not repeat the statements which we have extracted from the Reports of our Assistant Commissioners\*, as to the frequent recurrence and long continuance of these periods of depression, or their description of the sufferings by which they are accompanied and followed. There are few situations more deserving commiseration than that of the workman who, under the influence of causes which he cannot control, or even foresee, finds suddenly that the labour, which is his only property, has become valueless, and may remain so for an indefinite period. “I wish to state,” says one of Mr. Chapman’s witnesses (and the statement is borne out by other evidence), “that we have had four panics in eight years; the first lasted half a year, the two next a quarter of a year each, and the last half a year†.” In addition to the bodily sufferings of destitution, to the want of sufficient or wholesome food, of fuel, and of clothing, and to the diseases which are their usual followers, comes the still greater evil of moral deterioration. Few among the higher classes, and still fewer among the less educated, can endure real want without moral degradation. “Distress,” says Robert Cantrill, an aged weaver, “makes a man hopeless; he becomes desperate, and preys upon society, and careless even of what little honest advantages are in his way, and then comes the last wretchedness.”‡ Such a man is not likely to be a good husband, or a good father, or a good neighbour, or even a good subject. Can we wonder if, while brooding in forced inactivity over his misfortunes, he listens to the agitators, who tell him that they are all owing to bad legislation? When we consider how much evil he really suffers from the corn laws, can we wonder that he exaggerates their influence, or that, finding all alteration in them steadily refused by the Legislature, he cherishes wild visions of organic changes?

We have not quoted the political theories of the weavers—their plans of division of waste lands, alteration of the standard, or universal suffrage. We trust that they are incapable of being effected; and we are sure that, if they could take place, they would multiply tenfold the evils they were meant to cure. But we feel that the state of mind which they indicate deserves serious attention. The Government of this country resides in a minority, and a narrow minority; the owners of land, a small portion of the community, constitute almost exclusively one House of Parliament, and form a large majority in the other. Such a Government can be safe only while it is popular, and popular only while it is believed to be impartial. Its first prudential duty is to avoid even the appearance of selfish legislation. We are aware that many of those who support the present corn laws believe that any alteration of them would be injurious to the whole community; and though we dissent from that opinion, we respect its sincerity. But no such respect is felt by the manufacturing population, who, from their concentration, their union, their present numbers, and the rate of their increase, are even now the most powerful portion of the labouring classes, and are becoming more and more powerful every

\* See pages, 18, 19, 20, 21.

† Ante page 20.

‡ Ante, page 7.

day. They find laws of which the direct effect is to raise the price of their food, and the indirect effect to lower their wages; and they will not listen to the reasoning which endeavours to prove that such legislation is impartial.

We have considered the corn laws only as they affect the hand-loom weavers, the only objects of Your Majesty's Commission. To that extent they were forced on our attention by the importance attached to them by the weavers. We trust that we do not exceed our duties when we add that we believe those laws to be also injurious to the permanent interests of every class of the community, including the class which they are intended especially to protect. But we do not think that we should be justified if we were to enter into a statement of the premises on which this conclusion is founded, or insert answers to the arguments which have been used in support of opposite opinions. So vast a discussion, even if our limits would allow it, ought not to be introduced incidentally.

For the same reason we shall abstain from dwelling at any length on the details of the alteration which we think advisable. Four plans have been proposed:—

1. Recurring to the lower scale of duties proposed by Mr. Canning in 1827, which passed the House of Commons, but was rejected by the House of Lords.
2. Immediate abolition of all duties.
3. A considerable duty, to be annually diminished.
4. A moderate permanent duty.

The first of these plans would certainly be a great improvement on the present law; but the corn trade would continue to oscillate between prohibition and freedom, with a less tendency indeed to reach the former extreme, but nearly as prone as it is now to the latter. Under Mr. Canning's Bill, when wheat was 60s. a quarter, the duty was to have been 20s., a duty of at least 50 per cent. on the average prices in the principal European shipping ports. From this point it was to rise or fall inversely, at the rate of 2s. per quarter, with every shilling by which corn should fall or rise, so that a rise of 10s. per quarter on the price of corn was to lower the duty from 20s. to 1s., and a fall in the price of corn from 60s. to 50s. was to raise the duty from 20s. to 40s. It is clear that this plan is affected by nearly all the vices of the present law. Like the present law, it endeavours to keep corn at an artificial price. Like the present law, it must prevent any steadiness in the corn trade. A duty rising as the price of the commodity falls, and falling as it rises, that is to say, diminishing as the value of the article increases, and increasing as the value of the article diminishes, is a monster of fiscal legislation reserved for the corn trade. Such a measure might have been supposed to be intended for the purpose of excluding from that trade all men of capital and prudence, and tempting into it the gamblers of commerce. The two great evils of average high price and fluctuation would probably continue if Mr. Canning's Bill, or any other measure founded on its principle, were adopted, though, of course, in proportion as the scale of duty were lowered, those evils would be diminished in degree.

The second plan, the immediate abolition of all duty, would be a great and sudden change. Every such change, even from a bad system to a good one, is productive of immediate mischief. The transition even from war to peace was followed by a long period of distress. Another objection to it is, the alarm which it would spread among our own cultivators. They have so long been told that, in the absence of the corn laws, wheat would not be worth cultivating, even on soils of average goodness, that they generally believe the statement, and to a great extent would act on it. First would probably come a diminution of cultivation, which importation could not compensate—the consequent high prices would probably produce, as such prices generally have produced, an excess in the contrary direction. And we might have to undergo years of fluctuation before the inestimable benefit of regular prices and a steady trade were obtained.

The third plan, that of a considerable duty, to be annually reduced, is the one which we should prefer. It would lead us, and, as we firmly believe, with little intermediate inconvenience, to the state most favourable to the permanent welfare of the whole community, a perfectly free trade. But if the state of political parties, and the ardent wishes and firm convictions which animate both those who demand immediate freedom, and those who maintain permanent restriction, render this compromise impracticable, and we fear that such is the case, we then recommend the 4th plan, that of a moderate permanent duty. Such a duty would allow us more regular prices, and a more regular trade than can be hoped under any other system,

Remedies.  
Measures for :  
increasing the  
demand for hand-  
loom labour.  
II. Promotion of  
exportation and  
importation.  
Alteration of the  
corn-laws.



Remedies.  
Measures for  
increasing the  
demand for hand  
loom labour and  
cheapening and im-  
proving the com-  
modities consumed  
by the labouring  
population.

except that of perfect freedom. It would also afford a revenue. But we must admit that the revenue so obtained would be dearly purchased. A duty, indeed, on any raw produce, which is obtained solely from abroad, falls always, in part, on the foreign producer, the price never rising to the amount of the duty. But an import duty on any raw produce, of which the principal supply is obtained from our own soil, always takes from the consumer more than it gives to the treasury. For though the price does not rise to the amount of the duty, it always must rise, in consequence of the diminution of supply, and this rise of price affects the whole aggregate supply, while the duty is paid on only a portion of it. We will suppose, for the sake of illustration, perfect freedom of trade, an annual consumption of 20,500,000 quarters, and 2,500,000 of these to be supplied by importation. We will now suppose a duty of 5s. a quarter to be imposed, and that it excludes from our consumption the 500,000 quarters imported at the greatest expense, and that this diminution of supply raises the price of wheat by 1s. a quarter. The consequence would be, that, as the rise in price would affect the whole 20 millions of quarters, and the duty only the 2 millions, we should have to pay a million a year in additional price, and obtain only 500,000*l.* a year of revenue. Still there would be a revenue. Under the present system, the price is higher than it would be under a moderate fixed duty, and the revenue is much smaller.

#### *Habitation.*

Habitation.

Next to food and clothing, the most material necessary of life in this climate is habitation; as an index of the condition of the labouring classes, and as a means of improvement and civilization, its importance can scarcely be overrated. It differs from the other elements constituting the condition of the people in the extent of the gradations which may be interposed between the worst habitation in which life can be supported, and that which is most conducive to health and morality. As respects food and clothing, the interval between the provision which is sufficient for all the purposes of health and decency, and that which will not maintain existence is not great. But it is difficult to assign any limits to the extent and excellence of habitation which are conducive simply to health. A house is wholesome in nearly the same proportion in which it is well drained, well built, and its apartments are large. And where there are children of both sexes, mere decency requires four rooms, three for sleeping, and one for daily use. Four well built, well drained, well ventilated apartments, (and to be well ventilated they must be large), are therefore the least that are sufficient to afford to an average family the house-room necessary for decency, and sufficient to give them the best means of health.

On the other hand there appears to be scarcely any badness of habitation in which life cannot be endured. That a whole family should occupy one small room by day and by night is miserable. But there are whole districts in which a family occupies not one room, but one corner of a room. Such is the result of the evidence, taken by Mr. Lewis, in his inquiry as to the state of the Irish poor in England, with respect to the worst portions of Liverpool, Birmingham, and Manchester. "The Irish," says Dr. Duncan, of Liverpool, "live chiefly in lodging-houses and cellars, sometimes two or more families in the same cellar. They are frequently liable to rheumatism, fever, and chronic diseases of the lungs; arising from the badness of the dwellings."\* "I once searched," says Mr. Walther, of Birmingham, "all the Irish lodging-houses in Birmingham. In several houses 12 or 14 were sleeping in a small room, not 13 feet square. They sleep four, five, or six in a bed."† "Many families," says Dr. Kay, speaking of Manchester, "often herd together in one small habitation. In these latter houses one room frequently contains all the inhabitants at night without distinction of age or sex, and often in one or two beds. In some cellars I have known 18 people, adults and children, sleep in one room, about four yards square, without window or other means of ventilation, excepting through the door, which opened into an adjoining apartment."‡

As far, therefore, as mere space is concerned, the interval between the accommodation necessary for health and decency, and that which can be endured, is enormous; equally great is the interval between the goodness of the habitation, (without reference to the number of persons whom it contains,) that is necessary for health, and that which can be submitted to.

The following description of the houses erected for the use of the Bethnal Green

\* Poor Inquiry Ireland, Appendix 9, p. 18.

† Ibid. p. 5.

‡ Ibid. p. 57.

weavers during the present century, cited by Dr. Mitchell, from Mr. Reed's evidence, is, as will appear hereafter, not an exaggerated picture.

"Many of them are the worst that can be imagined, having no common sewers. The houses generally are of two stories, ground floor and one story above; the foundations of which were often laid upon the turf, or vegetable mould, and have no ventilation between the floors of the principal living rooms and the worst description of undrained soil immediately under such floors. The consequence is, that the exhalation arising from the garden-ground (for so it may be called) produces a dampness, from which the houses are exempt only during very dry weather. The roadway of the streets is of the most wretched kind, often composed of earthy and soft rubbish, and brick-dust saturated with moisture, and in many cases cut up by carts into a mass of mud, without any escape for the water but by soaking into the ground, from whence it makes its way under the houses, and, joined by the ooings from the cesspools, frequently passes off in noxious vapour, and that through the sitting-rooms of the houses I have just described. The walls are of the thickness required by the Building Act, but are in many cases constructed of bad material, half-burnt bricks, and mortar of very inferior description. The timbers are of the cheapest kind, and of course the least durable; and the scantlings the smallest that could be used. The roofs are covered with pantiles, and but few of them pointed, the pitch very bad, scarcely enough to keep them water-tight."—*Assistant Commissioners' Reports, Vol. I. p. 239.*

It is impossible that a population thus lodged should be in a good condition, either physically or morally. The same, indeed, may be said with respect to a population in absolute want of any of the other necessities of life; in the latter case, however, the instant that want is adequately supplied, all further provision is, strictly speaking, a superfluity. The man who dines for 6*d.*, and clothes himself during the year for 5*l.*, is probably as healthily fed, and as healthily clad, as if his dinner cost two guineas a-day, and his dress 200*l.* a-year. But this is not the case with respect to habitation. Every increase of accommodation, from the corner of a cellar to a mansion, renders the dwelling more healthy, and, to a considerable extent, the size and goodness of the dwelling tends to render its inmates more civilized. It is unnecessary to dwell on the demoralization that must accompany the extreme degree of crowding that we have described, or the more tolerable but still degraded state of a family occupying a single room. Even when there are a sufficient number of apartments to enable a separation of sexes, still, if those apartments are ill built, or ill ventilated, they must be unhealthy and disagreeable. In all classes of society, but particularly in the lower, many of the domestic virtues depend mainly on a comfortable home. Where that does not exist, the husband and father is almost irresistibly impelled to seek his pleasures abroad, and gradually acquires habits under which the earnings that ought to have clothed and educated, and perhaps, even fed his wife and children, are wasted by the fireside of the public-house. Of the modes in which the labourer can expend his income, the legislature ought most to encourage those which contribute to the general welfare of his family: and of these, one of the principal is the improvement, and even the adornment of his habitation. Where that is miserable, nothing else that is for the common benefit is likely to be attended to.

On these grounds we agree with those among the weavers who have denounced the timber duties as one of their grievances. A subject which the magnitude of the abuse, and the long period during which it has existed, have made so unhappily trite, requires little exposition. We may be allowed, however, to state shortly that the timber duties impose on Baltic timber, in favour of Canadian timber, differential duties varying from 500 to 100 per cent. That the favoured timber is far inferior in quality, dearer at its place of shipment, and less accessible. That the increased price, however, occasioned by the duty, excludes Baltic timber from the houses built for the use of the labouring classes, while the badness of Canada timber excludes it from houses built for the opulent classes. The differential duty, therefore, affects different classes of society in different ways. It forces the more opulent to pay an extravagant price for a good material; it forces the poorer to pay for a bad material a price higher than, in the absence of regulation, they would have to pay for the good one. Like the corn laws, these differential duties are injurious to the revenue, and to the commerce of the country, and are injurious even to the shipping interest which they assume to favour. They do favour, indeed, the owners of some old ships which are unfit for any use except the American timber trade, but by augmenting by about 15 per cent the expense of ship-building, they form perhaps the heaviest burthen against which our marine has to contend. We are of course aware of the political difficulties which our present relations with our North American provinces oppose to any change. The instant, however, that an opportunity offers, we

#### Remedies.

Measures for increasing the demand for hand loom labour, and cheapening and improving the commodities consumed by the labouring population.

#### Habitation.

Remedies.  
Measures for  
increasing the  
demand for hand  
loom labour, and  
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proving the commo-  
dities consumed by  
the labouring popu-  
lation.

Habitation.

earnestly recommend that these duties be reconsidered, and that the duties on Baltic timber be lowered to a rate which will again allow it to be used for the construction of the dwellings of the majority of the people.

But though this would be a great benefit, and a benefit which, as it would improve, instead of impairing, both the revenue and the commerce of the country, the public may justly demand, yet unconnected with other measures, it would do but little towards removing the evils which we are discussing. The First Annual Report of the Registrar-General, showed for the year 1838 a variation of the annual mortality in different districts of the metropolis, amounting to 100 per cent., a difference nearly equal to that which exists between the most healthy and the least healthy portions of the world. The inquiries instituted at the same time by the Poor Law Commissioners into the physical causes of fever in the metropolis, have traced the comparative mortality of the unhealthy districts principally to the presence of impurities, the want of ventilation, and the bad construction of houses.

The following extracts from Dr. Southwood Smith's Report on Bethnal Green and Whitechapel, show both the causes and the intensity of the evil.

"1. It appears," says Dr. Southwood Smith, "that in many parts of Bethnal Green and Whitechapel, fever of a malignant and fatal character is always more or less prevalent. In some streets it has recently prevailed in almost every house; in some courts in every house; and in some few instances in every room in every house. Cases are recorded in which every member of a family has been attacked in succession, of whom in every such case several have died; some whole families have been swept away. Instances are detailed in which there have been found in one small room six persons lying ill of fever together; I have myself seen this, four in one bed, and two in another. When fever once breaks out and becomes prevalent, under circumstances such as these, the poison acquires a virulence which not only proves unusually mortal to the persons immediately attacked, and to those who attend on the sick, but the evil is frightfully increased by the extension of the infection to neighbouring houses and districts. The exhalations given off from the living bodies of those who are affected with fever, especially when such exhalations are pent up in a close and confined apartment, constitute by far the most potent poison derived from an animal origin: The room of a fever patient in a small and heated apartment in London, with no perfusion of fresh air, is perfectly analogous to a standing pool in Ethiopia full of bodies of dead locusts. The poison generated in both cases is the same; the difference is merely in the degree of its potency. Nature with her burning sun, her stilled and pent up wind, her stagnant and teeming marsh, manufactures plague on a large and fearful scale. Poverty in her hut, covered with her rags, surrounded with her filth, striving with all her might to keep out the pure air and to increase the heat, imitates nature but too successfully; the process and the product are the same; the only difference is in the magnitude of the result.

"But the magnitude of the result in London, if that magnitude be estimated by the numbers attacked, is not slight. From returns received from the Bethnal Green and Whitechapel Unions it appears that during the last year there occurred of fever cases.

In the Bethnal Green Union	.	.	.	.	2,084
In the Whitechapel Union	.	.	.	.	2,557
Total	.	.	.	.	<u>4,641</u>

"Thus it appears that the medical officers attached to these two Unions alone have attended no less than 4,641 fever cases. But these returns include only the persons attacked with fever who applied to the parish for relief. Fever, it is notorious, has prevailed extensively in both these districts among people above the rank of paupers, among the people of the middle class, and in numerous instances, even in the families of the wealthy.

"2. It appears that the streets, courts, alleys, and houses in which fever first breaks out, and in which it becomes most prevalent and fatal, are invariably those in the immediate neighbourhood of uncovered sewers, stagnant ditches and ponds, gutters always full of putrefying matter, nightman's yards, and privies, the soil of which lies openly exposed, and is seldom or never removed. It is not possible for any language to convey an adequate conception of the poisonous condition in which large portions of both these districts always remain, winter and summer, in dry and in rainy seasons, from the masses of putrefying matter which are allowed to accumulate. There is no strength of constitution, no conservative power in wealth, capable of resisting constant exposure to the exhalations which are always arising from these collections of filth. But the people who are obliged evermore to breathe the largest doses of this poison are, for the most part, in a very wretched condition. In Bethnal Green they are almost universally hand-loom weavers, with the enfeebled constitutions of this class of people; not that if they had the constitutions of the inhabitants of Grosvenor-square, they could permanently resist the malaria which they must breathe night and day. Were they in robust health, and had they, in every other respect, the best means of continuing so, they must inevitably, sooner or later, by the mere residence in these places, either fall into fever, or suffer from some or other of the diseases indirectly produced by the febrile poison; but

under the wretched circumstances in which these people are actually placed, of course they become the victims of these maladies more easily and more generally.

"3. Moreover, these people are exposed to much additional evil from the dampness of their houses. A large portion of Bethnal Green is a swamp, hardly any part of which is drained. In rainy weather some entire streets are under water, and large collections of stagnant water cover, winter and summer, considerable spaces of ground in every part of the district. The dampness of the houses is an evil almost universally complained of by the inhabitants, as well as the wet and muddy condition of the streets during a considerable part of the year. In the less open parts of Bethnal Green, and in a considerable part of Whitechapel, the closeness of the streets, lanes, alleys, and courts is most oppressive. A fresh current of air can hardly ever reach them; and the evil is greatly aggravated by the very general custom of the people permanently to close the windows of their houses, partly for the sake of warmth, and partly to prevent the real or imaginary effects of the air on the silk used in their work."

—*Fourth Report of Poor Law Commissioners, App. p. 84.*

There is no ground for believing that this is a solitary or even an unusual state of things, or that the bad districts of London are worse than those of Glasgow or Manchester, or Leeds, or generally than the suburbs, which in the present state of the law rise round every manufacturing town of which the population is rapidly augmenting. What other result can be expected, when any man who can purchase or hire a plot of ground is allowed to cover it with such buildings as he may think fit, when there is no power to enforce drainage or sewerage, or to regulate the width of streets, or to prevent houses from being packed back to back, and separated in front by mere alleys and courts, or their being filled with as many inmates as their walls can contain, or the accumulation within and without, of all the impurities which arise in a crowded population?

With all our reverence for the principle of non-interference, we cannot doubt that in this matter it has been pushed too far. We believe that both the ground landlord and the speculating builder ought to be compelled by law, though it should cost them a per centage on their rent and profit, to take measures which shall prevent the towns which they create from being the centres of disease. That they have not been so forced, probably arises from the circumstance that the evils which we have described are not felt, or even known to exist, by those who principally influence our legislation—the higher and middle classes. As they are aware of the necessity of drainage and ventilation, and are able, to a certain extent, to choose their residences, no houses intended for their use, are grossly deficient in these respects; and they combine to prevent the creation or the continuance of nuisances. Those parts of our towns which are inhabited by the higher and middle classes are the healthiest in Europe. But the labouring classes have little choice of residence, they must in general live near their business or their employer, and they can seldom wait in the hope of finding better accommodation. The great cause, however, which forces them to reside in unhealthy habitations, is their general ignorance of the hazards to which it exposes them. If, like the higher classes, they were aware of the danger and refused to encounter it, better habitations would be provided for them. But when tenants are to be found for every hovel and cellar, when family after family occupy rooms which are vacant from the disease or death of the previous tenants, the builder has no pecuniary motive to provide better accommodation than his customers require. We repeat, therefore, our belief that this is not one of the matters which can be safely abandoned to the parties immediately concerned.

The following are the first recommendations of Dr. Arnott and Dr. Kay:—

"that to some authority should be confided power to cause the survey of land (in the vicinity of towns) likely to be built upon, and to enforce certain conditions on the owners and lessees of such property.

"Thus no building should be commenced until plans of the intended streets were prepared, describing the situation of every block of houses for such an extent of area as should be required by the Board intrusted with the regulation of the precautionary measures; duplicates of such plans should be deposited with the Board, and no building should afterwards be erected on the site otherwise than had been delineated in the plans.

"The Board should have authority to prevent the formation of streets of less than a certain number of feet in width, and to prevent the formation of courts having communication only by means of covered entries, or alleys of less than a definitive width, with thoroughfares and streets.

"It should also have power to prevent the habitation of cellars in any houses erected after the period of the enactment.

"Authority should be given to require that before any buildings are erected on any plot of ground now unoccupied, or only partially occupied with houses, such plot of ground shall be drained by such sewers as the Board shall deem sufficient; and if any owner or occupier of such land should proceed to build without having provided such sewers as the Board

Remedies.

Measures for increasing the demand for hand-loom labour, and cheapening and improving the commodities consumed by the labouring population.

Habitation.

*Dr. Arnott and Dr. Kay.*

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should direct, the Board should have authority to cause such sewers to be made at the cost of such owner, and should be empowered to recover the cost from him, and the Board should have authority to require that every habitation be provided with a drain communicating with the main sewer, with a proper receptacle for every kind of refuse.—*Ibid.* p. 83.

But these remedies are only prospective. They would prevent the erection of further sources of pestilence and vice, but they would not remove the mortality, disease, and demoralization under which hundreds of thousands are suffering from the existing state of their habitations. For this purpose Dr. Arnott and Dr. Kay propose that the Boards of Guardians of each Union should be authorized to direct at the public expense.

“ 1. That uncovered and stagnant drains and ditches, or open stagnant pools of water, from which foetid effluvia arise, should be emptied and cleansed.

“ 2. The drainage of any open common or waste land which appeared upon the report of two of the medical officers injuriously to affect the health of the inhabitants, or to cause ague.

“ 3. The removal of accumulations of refuse thrown from the houses, or otherwise collected in the streets, courts, lanes, and entries, and the cleansing of all surface drains of such streets, courts, lanes, and entries.

“ 4. To direct the removal of accumulations of filth from cesspools, privies, piggeries, cow-houses, stables, &c., yards of dwelling-houses, and houses, whenever two of their medical officers certified in writing that the state of such places was likely to prove injurious to the health of the neighbourhood.

“ 5. To cause from time to time an inspection of the lodging-houses at which paupers, vagrants, and mendicants are reported by their officers to lodge.

“ 6. To direct the whitewashing of the rooms of such houses at least twice every year, and if after notice to that effect from the clerk of the Board, dated 10 days previously, the inspector shall find the occupier has neglected to comply with such direction, to authorize the Board to cause the house to be whitewashed by such persons as they may appoint for that purpose and to recover the cost of such whitewashing and cleansing by application to the occupier or owner of such property, or by a summary mode upon refusal of either of them.

“ 7. When the inspector shall report that three or more families live under the same roof, the Board to cause such house to be whitewashed and cleansed in a similar manner at least twice annually, at the expense of the owner.

“ 8. The Board to direct two public surveyors to examine the state of any house which shall be reported to be so dilapidated or insecure as to threaten the safety of the inhabitants or the public, and upon receiving such report to remove the inhabitants from such house, and to direct the owner of such property, under penalties to be summarily recovered, to cause such habitation to be rendered safe, or to be removed, as may seem most expedient to the Board on the report of the surveyors.

“ 9. To prevent the habitation of houses which have for such causes been deserted, and from which no rent is on that account obtained by the landlord.—*Ibid.* p. 82.

Since the period when these recommendations were made by Dr. Arnott and Dr. Kay, indeed since the preceding pages of this Report were written, two important occurrences connected with the subject now before us have taken place. The one is the publication of the Report and Evidence of the Committee of the House of Commons on the Health of Towns;\* the other is the introduction into the House of Lords, by the Marquis of Normanby, of a bill “For the Better Drainage and Improvement of Buildings in Large Towns and Villages.”†

The evidence collected by the Committee is, of course, much more full and more precise than that on which our previous statements were founded. And we lament to say that it bears out the opinion which we have already expressed, that the bad districts of our great provincial towns are in a state as inconsistent with the bodily and mental health of their inhabitants as the alleys and swamps of Bethnal-green. In one respect, in the number of persons exposed to this physical and moral contamination, the truth far exceeds our worst suspicions.

Out of 175,000 persons, the estimated working population of Liverpool, it appears that 124,400 live in courts or cellars: 86,400 being the estimated population of the courts, and 38,000 that of the cellars.‡ The courts consist of ranges of houses built back to back, with an interval of from 15 to 9, or even only 6 feet between their fronts, absolutely closed at one end, and accessible at the other only by a covered passage, generally about 3 feet wide.§ One of these courts, 45 feet by 10, is mentioned as containing eight houses, with three rooms in each, and 118 inhabitants; one room, about 10 feet square, sometimes containing four families.|| They are all undrained; from their construction incapable of ventilation; unvisited by the scavenger, on the ground of their being private property; and the receptacles of

\* Ordered to be printed, 17th June, 1840. No. 384.

† Ordered to be printed, 29th January, 1841. No. 3.

‡ See Dr. Duncan's evidence, Q. 2374—2392, 2394.

§ *Ibid.* Q. 2381—2383, 2384, 2385.

|| *Ibid.* Q. 2402, 2403.



filth accumulating unremoved for many months.\* But the cellars are a step lower in wretchedness: their average dimensions are 12 feet by 10; their average population five inmates, or, according to another computation, four and three-quarters to one cellar.† They have, in general, no floor; very frequently there is no window, and the top of the door is on a level with the street, so that there is neither light nor air.‡ And in these cellars and these courts reside 124,000 persons in a single town, that is, more than two-thirds of the labouring population of that town. It may be supposed that Liverpool is an extreme case; but its state appears to be decidedly better than that of Glasgow, and, in fact, on a par with that of most of our rapidly increasing manufacturing towns.

Perhaps the most instructive conclusions are those drawn from the character of the towns in which these evils are greatest. If the places most exposed to them were decayed or decaying communities, the seats of abandoned manufactures or departed trade, we might with less responsibility leave them alone in the hope that the evil would wear out as the population subject to it dwindled away, and would, in time, disappear as the general wealth of the nation augments. But it is precisely in the places where wealth is greatest and most advancing—in the most prosperous communities and the most rapidly growing towns—that these calamities most prevail. Liverpool, Glasgow, Leeds, and Hull are among the most flourishing cities in Europe: they are places of large profits, high wages, and rapid accumulation. It seems to follow that the remedies to be applied are not general but topical; and that the evil is to be attacked, not by improving the income of those who inhabit these dwellings, since it is not merely from poverty that they crowd into them, but by remedies applied to the dwellings themselves; by improving those which exist, and by forbidding for the future the construction of similar centres of disease and degradation: and such are the remedies proposed by the Committee. Their principal recommendations are three:—a General Building Act, a General Sewerage Act, and the establishment of Boards of Health,—remedies corresponding in principle, though not in details, with those proposed by Dr. Arnott and Dr. Kay. The two first suggestions are intended to be carried out by Lord Normanby's Bill; the third, which is far less urgent, will probably follow.

One of the most painful parts of the evidence collected by the Committee is the ignorance or indifference which it shows among those who inhabit these unhealthy districts. "I found it," says Mr. Mosely, speaking of the bad portions of St. John's and St. Margaret's, Westminster, "the most difficult matter to convince the occupiers of these neighbourhoods of the injury it is doing them: they are ill, but they do not know why. The especial tendency of a contaminated atmosphere is to deaden the mental and bodily energies.§ "I do not know," says Dr. Duncan of Liverpool, "that they are at all aware of the noxious influence of the situations in which they live, and of the want of fresh air and light, and of the nuisances and filth collected round them. They seem to be utterly ignorant on all these points; they have no idea whatever of the prejudicial effects of these things."|| It is impossible to hope that persons so insensible to the evils in question will readily submit to any expense for its removal; and some of the expense must immediately fall on them, and, eventually, almost the whole. The towns and townlike villages, to which Lord Normanby's Act will principally apply, are the seats of a rapidly increasing population. In many of them it has doubled during the 40 years that have elapsed of the present century. An addition to the expense of constructing new habitations, and of maintaining those which exist must have a tendency to diminish the supply, while the demand for them will be increased, not only by the constant increase of the working population, but by the prohibition, under the 28th section of the Act, of letting, as dwelling places, after a future period, cellars and rooms which are now the abodes of thousands. Under existing circumstances, therefore, the Bill will necessarily raise the rents of the houses occupied by the labouring classes; not immediately to the full amount of the increased cost, but to an amount which, in their indifference to the consequent advantage, will excite discontent. Even many who can well afford it will grudge having to waste on drains or on windows money that might be expended on gin. On this ground we feel still further anxiety for the revision of the timber duties. Nearly half the expense of building is the cost of timber, and half the cost of Baltic timber consists of duty. The reduction of the duty from about 100 per cent. to 10 per cent. would enable its use in the dwellings of the poor; it would probably reduce the expense of their construction by nearly 25 per cent., and that of their repair much more. And in addition to the previous motives of justice and policy for the change, we believe that it would materially facilitate the accomplishment of the great objects to which Lord Normanby's Bill is directed.

Remedies.  
Measures for increasing the demand for hand-loom labour, and cheapening and improving the commodities consumed by the labouring population.

Habitation.

\* See Dr. Duncan's evidence, Q. 2396—2425, 2426—2451.

† Ibid. Q. 2412.

§ Ibid. Q. 954.

† Ibid. Q. 2147—2153, 2374.

|| Ibid. Q. 2500—2507



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lation.

Habitation.

Further alteration  
of import duties.

The Report of the Select Committee of the House of Commons on Hand-loom Weavers in 1835 enumerated, among the causes of the distress of the weavers, "heavy and oppressive taxation." The weavers, as might be expected, agree in this view, and urge, among the remedies for their distress, the repeal or diminution of the duties imposed on the articles used in their trade, or which form part of their consumption. As respects corn and timber, we have already expressed our concurrence; but we have felt ourselves at liberty to recommend an alteration of the duties on these commodities, because the modes in which the present duties are imposed, while oppressive to the consumer, are also injurious to the public income. They are duties for the purpose, not of revenue, but of what is called protection—for the purpose, that is, of misdirecting the capital and industry of the country, and benefitting a portion of the community at the expense of all the others. If those duties had been imposed simply for the purpose of revenue, or with whatever view imposed, if they had been beneficial to the revenue, we should have paused before we ventured to recommend an alteration in them. Until a considerable increase of our revenue or diminution of our expenditure shall occur, it is in vain to recommend the repeal or diminution of a tax without suggesting an adequate substitute. A proposal, however, for the reconstruction of our whole financial system or even of that portion of it, which most urgently requires reform, the duties on importation would be obviously out of place in this Report, even if we believed ourselves fit for such a task.

But the urgency of the case, arising from the presence of an opportunity which may not soon recur, induces us to venture two more suggestions respecting our foreign commercial relations. The two greatest markets for our woven manufactures must in a very short time be subjected to a great alteration for good or for evil. The tariff of the United States of America is to be reconsidered in 1842. Our commercial treaty with Brazil expires in the same year. We will not hazard an opinion as to the nature or the extent of the concessions which may be necessary in order to enable us to retain our present intercourse with those countries, or which may be expedient for the purpose of increasing that intercourse. But we cannot refrain from expressing our earnest wish that measures may immediately be taken, supposing them not to be already in progress, to ascertain the state of feeling in the two countries to which we have referred, the points on which they are likely to require from us further facilities, and those in which they are ready to make concessions on their side, and, as respects Brazil, the capabilities of the country for an extended commerce. We believe that the United States of America are quite prepared for the establishment of a joint commission by which these questions may be discussed. And we are particularly anxious that the discussion should take place at as early a period as possible of the new Presidency, and before a general election in the United States has returned men pledged on commercial questions.

Our other suggestion respects Northern Germany. The plenipotentiaries of Hanover, Oldenburg, and Brunswick, have, we understand, agreed to renew the North-Western German Commercial League, a league founded on a tariff far more liberal in almost every respect than that of the Prussian league, and particularly so as respects British manufactures, as will appear from the following Table, extracted from a valuable article in the British and Foreign Review, No. 22, p. 504.

	Prussian Tariff. per cwt.	N. W. German Tariff per cwt.
Cotton yarn . . . . .	3½ doll.	1 doll. 1 gg.
„ twist . . . . .	14 „	6 „ 6 „
„ stuffs . . . . .	50 „	12 „ 12 „
Iron, coarse cast wares . . . . .	1 „	„ „ 18 „
„ forged . . . . .	6 „	2 „ 2 „
„ fine articles . . . . .	10 „	6 „ 6 „
Linen yarn . . . . .	1 „	free.
„ „ twist . . . . .	2 „	thread 8 „ 8 „
„ bleached and coloured . . . . .	11 „	8 „ 8 „
„ tapes, cambrics, &c. . . . .	22 „	12 „ 12 „
Twist lace . . . . .	55 „	12 „ 12 „
Paper, coarse . . . . .	1 „	„ „ 12 „
„ fine . . . . .	5 „	1 „ 1 „
Paper-hangings . . . . .	10 „	4 „ 4 „
Silk, bleached and coloured . . . . .	8 „	6 „ 6 „
Silk and half silk wares . . . . .	110 „	12 „ 12 „
Woollen wares, coarse . . . . .	20 „	6 „ 6 „
„ „ fine . . . . .	30 „	12 „ 12 „

Note.—A dollar is worth, within a fraction, 3s., and contains 24 gute groschen—a gutes groschen, therefore, is worth three halfpence.

The treaty, however, 'is not yet complete, and we are strongly of opinion that a favourable opportunity now exists for an arrangement between Your Majesty's Government and the countries constituting the North-Western League, which would be beneficial in its immediate results, and still more so by the example which its benefits would in time hold out to the rest of Germany. A very few concessions on our part, and still fewer, if indeed any be required, on theirs, would produce an increase of commerce between the two countries, which would be useful to us, but of course much more so, from the proportion which it would bear to the rest of their commerce, to the countries constituting the North-Western League. To the influence of such an example we attach great importance. The questions whether freedom of commerce is or is not a public benefit, whether what is called protection is or not a public mischief, are no longer considered in Germany by those alone who make political science their study. They are canvassed by merchants, manufacturers, and, what is still more important, by consumers. In every part of Germany in which the individual interests of local manufacturers do not prevail, not merely a belief in the superior advantages of free trade, but an earnest desire for it is extending. This is particularly the case in the smaller states constituting the North-Western League, in the Hans Towns, and the Grand Duchies of Mecklenburg, and in the vast regions forming the Austrian empire. In general it will be found that the benefits of commerce are best understood in the smaller states: because the less the state the greater is the proportion which its foreign commerce is likely to bear to its home trade, and also because in a small community the effect of every institution is more obvious. Russia, France, and England, all without doubt suffer from their restrictive systems, and all would be benefited by a change: but among the many causes which affect the prosperity of such vast and complicated bodies, the effect of any single one is not easily ascertained or easily demonstrated. In the simply constituted communities of the Hans Towns, or the Duchies of Mecklenburg, or even of Hanover, the influence of a single change becomes immediately perceptible. On the other hand, in the greater part of the Austrian empire there is as yet no manufacturing interest which can ask for protection at the public expense. She cannot supply her own actual consumption of manufactured goods, much less could she supply those which she would be desirous and able to consume, if a more extensive export of the produce of her own fields, pastures, forests, and mines afforded to her the means of purchasing them.

"There is throughout Austria, says Mr. Keyser, a great want of English manufactured goods. Could some arrangement be made with the English Government, such as to cause a reduction in the duties now paid in Austria, very large quantities of British goods could be there disposed of, particularly hosiery, which is comparatively dearer than any other article of wearing apparel. Thread hosiery is more generally worn than cotton.

"Many years must elapse before Austria can manufacture in sufficient quantities to export. Being more an agricultural than a manufacturing country, few persons embark large sums in factories.

"The only foreign markets to which Austria sends goods are the Leipzig and Frankfurth fairs, and this trade is only in some articles of fancy goods. In shipping to foreign ports, very little business is done. Money wages are very low, provisions and living very cheap.

"That Austria should ever join the Customs League, I consider very improbable; but, on the contrary, it would be more to her interest to admit our manufactures at a low duty.\*

If the result of a negotiation with the North-Western League were a freer intercourse between the two countries, and if the benefits derived by the people constituting that league were, as we have no doubt they would be, obvious and notorious, we are firmly convinced that there would arise throughout the vast and productive dominions of Austria a desire for an increased intercourse with this country, which the Austrian Government would not be able, and we think would not be desirous, to oppose. The important questions respecting the State tolls might be arranged at the same time.

There is one duty, however, in which, as it belongs to the class which afford no revenue, we shall venture to suggest an immediate alteration—it is the duty on thrown silk. Silk, as imported, is either untwisted, and then termed raw, or twisted, and then termed *thrown*.

We extract from Dr. Mitchell the following statement of the different qualities of thrown silk, and the amount and operation of the duty:—

Remedies.  
Measures for increasing the demand for hand-loom labour, and cheapening and improving the commodities consumed by the labouring population. Further alteration of import duties.

Duties on thrown silk.

*"Duty on Thrown Silk.*

"The duty on organzine imported into the kingdom is 3s. 6d. per pound, on tram it is 2s. per pound, and on singles it is 1s. per pound.

*Dr. Mitchell.*

Remedies.  
Measures for  
increasing the  
demand for hand-  
loom labour, and  
cheapening and im-  
proving the commo-  
dities consumed by  
the labouring  
population.  
Taxation. Duties  
on thrown silk.

"Singles are the single fibres of the raw silk, twisted or twined on themselves.

"When the fibres are not twisted, the silk is called dumb single; but when singles are spoken of, the fibres twisted single or twined on themselves are always understood.

"Tram is two or more fibres of the raw silk put together, and slightly twisted. Tram is used as shute in weaving.

"Organzine is two singles twisted together, that is, two fibres of raw silk, each previously twisted on itself, now twisted together into one. Sometimes, but very seldom, three singles are twisted together to form organzine.

"It will be seen that the higher duties are levied on the silks on which the greater amount of labour has been bestowed.

"The whole, or almost the whole, of the thrown silk imported, comes from Italy.

"During the last eight years the import of organzine and tram, according to the evidence of Mr. Alderman White, has been,—

1830 . .	1,776	bales, at 250 lbs. per bale ; this would be	444,000 lbs
1831 . .	2,780	" "	695,000
1832 . .	749	" "	187,250
1833 . .	981	" "	245,250
1834 . .	783	" "	195,750
1835 . .	937	" "	234,250
1836 . .	1,654	" "	413,500
1837 . .	766	" "	191,500

"Of the above, the singles may not amount to above a bale or two per annum, the tram to about one-sixth of the whole, and the organzine will make the whole of the rest.

"The fine Italian organzine forms the warp for the best broad silk and Norwich goods; the coarser organzine is used for Coventry ribbons and ordinary goods.

"The import of silk from Italy, in a thrown state, according to the evidence of this most experienced and intelligent witness, does not arise either from superior skill, excellence of machinery, or cheapness of labour in Italy.

"These are not the reasons. The Italian throwster is not more skilful than the British throwster, and no machinery surpasses British machinery; and although wages per week may appear much less than British wages, yet, when we take into account the amount of labour done by a British workman within the same time, the difference in wages is far less than at first view appears. The cause of the import of Italian thrown silk is this: much of it is made from a superior description of raw silk, which is produced in the dominions of the King of Sardinia, and he will not allow that silk to be exported in a raw state. He considers that other countries must have this silk for their best manufactures, and he is resolved that his subjects shall have the employment and profit of first converting it into fine warp or organzine, before he will allow it to be exported. In time it may confidently be expected we shall have as good silk from China and Bengal, and then we shall be independent of Sardinia. The raw silk which we import from Italy is not of the same quality as that from which the people of Piedmont make their organzine. We, however, do have some raw silk from the kingdom of Sardinia, principally white, called novi, and is the product of the duchy of Genoa, which has the sole privilege of exporting raw.'

"It will be observed, that during the first four years of the preceding account the bales imported were 6,286, but in the second four years only 4,140, being less than two-thirds of the preceding quantity.

"The money raised by the duty on thrown silk is not applied for the purposes of public revenue, but forms a fund for a bounty on exportation of manufactured silk goods. The fact, however, is, that goods made from the Italian thrown silk are seldom exported, and accordingly the importers having paid the duty, and received debentures to the same amount, payable on the exportation of an equal weight of manufactured silk, sell those debentures to merchants who export silk goods. The goods exported are generally of a cheap description, and of a plain fabric. The debentures have varied much in price, but for some time past the average price of the 3s. 6d. debenture has been 2s. 3d."—*Assistant Commissioners' Reports, Vol. I., p. 366.*

It appears from this statement that the real duty on organzine is 1s. 3d. a-pound, that being the difference between the sum paid by the importer at the Custom-house and the price for which he sells his debenture. It appears also that this 1s. 3d. is purely lost; the revenue does not receive it, for it repays the whole 3s. 6d.; and the purchaser of the debenture does not get it, for the 2s. 3d. which he pays for the debenture is of course its full value. It is in fact wasted in the loss of time and trouble which the importer spends in getting a purchaser for his debenture, and the time and trouble spent by the purchaser before he has received from the Treasury the amount of the debenture. Under such circumstances, the obvious course seems to be to abolish at once a tax which is profitable to no one. The proprietors of English throwing-mills, however, may perhaps fear that the change would be injurious to them. We do not concur in this fear. If English skill or English machinery be inferior to the skill or machinery of Italy (which we do not believe), such an anomaly can be owing to nothing but to the benumbing effects which protection, where it is adequate, appears to produce. But, in fact, when it is recollected that the duty on organzine was in the year 1824 14s. 8d. a-pound, and that no loss appears to have been suffered by the throwsters by its gradual reduction to its present amount, it is difficult to believe that the abolition

of the remaining duty of 1s. 3d. a-pound would affect them. If, however, it be thought that their interests would be affected, and that they ought to be protected at the expense of the community, we recommend merely that the useless and expensive machinery of debentures and drawbacks be abolished, that the duty on organzine be reduced to 1s. 3d. a-pound, and that on tram and singles in proportion, and that the duty so levied be carried to the public account.

The third of the means proposed for increasing the demand for hand-loom labour is the improvement of patterns. The evidence collected by the Committee of the House of Commons on arts and manufactures, in 1835 and 1836, and that collected by the Committee on copyright of designs in 1840, have established both the low rank which England holds in the application of the fine arts to manufactures, and the loss occasioned by this deficiency. It appears that in figured silks, in ribbons, in printed cottons, in shawls, in short, in every woven fabric involving a design, we are far inferior in taste to France, and that the superiority of the French designs enables them to compete with us, even where their cost of production is greater, as in the finer cotton fabrics, and to exclude us from third markets, and in a great degree from our own, in the articles which they manufacture with equal advantages. So recognised and so decisive is their superiority, that some of the witnesses seem to bow before it as an irresistible law. "I consider," says Mr. Lockett, a commission-agent in the calico printing trade, that French designs are more copied than English, "because the French *naturally* bring out a superior quality of print to what we do."\* The witnesses however, who, like ourselves, believe that the superiority of French over English taste is neither natural nor necessary, have searched for its causes in the institutions of the two countries, and finding that in France the schools for instruction in the fine arts are numerous and have been long established, while in England they are few and recent,—that in France the copyright of designs is permanent and protected by a cheap and efficient tribunal, while in England it is in most branches of manufacture so temporary in its duration, and in others so expensive in its registration and tribunal, as to be nugatory,—and that in France a knowledge of art and a feeling for beauty is diffused by numerous and gratuitous exhibitions and by the general accessibility of public monuments, while in England almost all our monuments are locked up and our exhibitions few and generally expensive, and even when gratuitous, closed against the people on the only day when the labouring classes could enter them; finding, we repeat, these differences between the institutions of the two countries, they believe that the difference in their taste is accounted for.

In this view we thoroughly agree, and we agree on the inference drawn both by the witnesses examined by the Committees of 1835 and 1836, and by the Committee itself in its Report of 1836, that merely for economical purposes, merely in order to prevent our manufacturers from losing, by want of taste, a great part of the advantages which we derive from our natural resources, our industry, our skill, and our capital, it is necessary to adopt means for diffusing a knowledge of art, and facilitating its application to manufactures. The obvious means for these purposes are those which have been successfully used in France, and the suggestions, therefore, most usually made are—the establishment of schools of design, a better protection of copyright in designs, and more numerous and more accessible exhibitions of works of art.

After the Report of 1836 was made, indeed after this Commission was issued, the Government established a school of design, and gave up to it the higher story of the rooms formerly occupied by the Royal Academy. The following extract from the papers of the council of the school show its present state and the ulterior operations which are contemplated :—

"The instructions at present given are divided into two sections :—

"1. Elementary, embracing the usual branches of study, *viz.*, outline drawing of ornament, and of the figure, shadowing, drawing from plaster, modelling, and colouring.

"2. Instruction in design for special branches of industry, and under this head is included—1st, The study of fabrics and of such processes of industry as admit only of the application of design in a modified form; and 2nd, The study of the history of taste in manufacture, the distinction of styles of ornament, and such theoretical knowledge as is calculated to improve the tastes of the pupils, and to add to their general acquaintance with art.

"In the present condition of the school, the council have only thought it expedient to provide for the practical study of the silk manufacture; and for this a teacher is employed on two days every week; but as the operations of the school become extended, it will be necessary to afford

#### Remedies.

Measures for increasing the demand for hand-loom labour, and cheapening and improving the commodities consumed by the labouring population.

#### III. Improvement of Patterns.

#### Schools of design.

Remedies.  
Measures for  
increasing the  
demand for hand-  
loom labour.  
III. Improvement  
of Patterns.  
Schools of design.

similar opportunities to students of design for calico-printing, paper-staining, &c. For the second section of the classes of design for manufacture, the council have resolved that, besides the instructions of the kind referred to, given by the director to individual students, as the occasion calls for it, he shall also give a lecture once a month to the whole students; and, besides these, that qualified lecturers shall be appointed to give oral instruction on particular subjects connected with the main purpose of the institution; and thus that there shall be at the least 20 lectures during the session.

"The following table exhibits the attendance of students during each month, from the commencement up to the present time:—

<i>Morning School.</i>		<i>Evening School.</i>	
1837—June . . . . .	12	1837—June . . . . .	
July . . . . .	16	July . . . . .	
August . . . . .	17	August . . . . .	18
September . . . . .	12	September . . . . .	29
October . . . . .	12	October . . . . .	44
November . . . . .	12	November . . . . .	41
December . . . . .	15	December . . . . .	45
1838—January . . . . .	13	1838—January . . . . .	47
February . . . . .	13	February . . . . .	48
March . . . . .	20	March . . . . .	58
April . . . . .	20	April . . . . .	57
May . . . . .	21	May . . . . .	58
June . . . . .	25	June . . . . .	38
July . . . . .	19	July . . . . .	27
August . . . . .	8	August . . . . .	24
September . . . . .	11	September . . . . .	20
October . . . . .	12	October . . . . .	25
November . . . . .	13	November . . . . .	22
December (2 weeks) . . . . .	8	December (2 weeks) . . . . .	27
1839—January . . . . .	12	1839—January . . . . .	27
February . . . . .	17	February . . . . .	29
March . . . . .	21	March . . . . .	41
April . . . . .	32	April . . . . .	36
May . . . . .	27	May . . . . .	30
June . . . . .	26	June . . . . .	28
July . . . . .	28	July . . . . .	24
August . . . . .	31	August . . . . .	31
September (vacation) . . . . .		September (vacation) . . . . .	
October (2 weeks) . . . . .	21	October (2 weeks) . . . . .	34
November . . . . .	29	November . . . . .	42
December . . . . .	31	December . . . . .	41
1840—January . . . . .	36	1840—January . . . . .	37
February . . . . .	42	February . . . . .	41
March . . . . .	41	March . . . . .	55

"It is to be observed that the numbers stated as attending the evening school, include those only who are entered as evening students, and that a considerable number of the morning scholars also attend during the evening. The whole number of students who have entered since June, 1837, is 374.

"With respect to the attendance of the pupils, the council have to regret its irregularity and infrequency; but this is, perhaps, to be traced, on the one hand to the smallness of the number of those who, under the present discouraging prospect of employment, have come forward with the intention of devoting themselves exclusively to the pursuit of design for manufacture, and on the other to the circumstance that a great majority of the pupils are apprentices, or engaged in trade, who can only command a limited time at intervals for the purposes of study.

"At the commencement, the council decided on fixing the fees of admission to the school at the rates of 16s. per month for the morning school, and of 4s. per month for the evening school; but it having appeared, after the experience of two years, that these rates were too high, they, after mature deliberation, reduced them to 4s. for the morning and 2s. for the evening school. To this rate it does not seem that any objection is offered on the part of the students, and its payment affords, perhaps, the best guarantee for regularity of attendance.

"In providing materials of study, the council have endeavoured to procure the best examples, ancient and modern, of ornamental art, to the extent that the limited means at their disposal have permitted. The collection, however, consisting of books, prints, plaster casts, and specimens of manufacture, is, as yet, extremely meagre, and, in fact, can only be considered as the *nucleus* of such a collection as is absolutely necessary to carry out the intention of the establishment with due efficiency.

"The first care of the council thus having been to place the immediate business of the school on a safe footing, they are now enabled to turn their attention to the accomplishment of certain objects, which, though collateral, they conceive to have an important bearing on the success of the school itself. Of these, they may allude to the publication of a work of ornamental design, to serve as an elementary class-book for the Government school and for provincial institutions; as a hand-book of styles of ornament for the instruction of designers; and as a guide to the tastes of manufacturers in their several branches of industry. They have

also had under consideration the formation of a collection of moulds of the best examples of ornament in plaster, suited to the purposes of elementary study and of design for solid fabrics, which might be disposed of to country schools or to manufacturers at a cheap rate. It has also been proposed, when the progress of the school shall have rendered it practicable, to have a periodical exhibition of the works of the students, accompanied with the produce of manufacture executed from their designs."

Remedies.  
Measures for increasing the demand for hand-loom labour.  
III. Improvement of patterns.  
Schools of design.

The period which has elapsed since the school was founded, is so short that no decided opinions can yet be formed as to the extent to which its usefulness will be carried. There has in fact been scarcely time to educate a single set of pupils. It appears to us, however, that a single school, attended of course only by those who live in its immediate neighbourhood, can produce little direct effect in increasing the number of good designers actually engaged in the business of manufacturing. But as a model and normal school, as a school in which the best modes of instruction could be held up for imitation, and pupils be educated for the purpose of becoming not designers, but teachers of design in subordinate schools, we are convinced that it may be highly beneficial. These subordinate schools should be scattered throughout the manufacturing districts, and probably instead of embracing the whole of ornamental art, might in each place be confined to the portion of art most useful in that spot. In France there are more than 200 such schools. The British Islands, with a larger manufacturing population, can scarcely require fewer.

But we cannot conceal a fear that the advantages which have been derived in France, and in many parts of the continent of Europe from schools of design, are not to be expected in England until a change has taken place in the habits and opinions of the majority of our manufacturers.—

"I am quite persuaded,"

Mr. Dyce.

Says Mr. Dyce, in his valuable Report on Foreign Schools of Design,—

"That if there is one cause more powerful than another which has contributed to retard, or which now presents an obstacle to the progress of taste in British manufacture, it is the degraded position which pattern designers occupy,—a position in which their talents find no scope for development, and their taste and judgment as artists are set at naught.

"It may appear incredible, but I assert it without fear of contradiction, that there are very few if any instances in Great Britain of industrial artists who are employed as responsible persons; that is, to whose judgment manufacturers give the least deference; whose productions can be looked upon as original works; or who are allowed even to have a voice as to the mode in which the patterns they are employed to make should be executed. This state of things, it is true, in the first instance, originated in the deficiencies of designers themselves, and their inability to cope with the skill of continental artists; but the position they have lost cannot now be regained solely by the acquisition of any degree of excellence, since the expedients universally resorted to by manufacturers have done away the very necessity of other than mere draftsmen and copyists. As the case now stands, the manufacturer takes upon himself the onus of finding the pattern, and this is everyway attended with detriment to the interests of commerce. I do not suppose I am guilty of any libel on the character of a most valuable and important branch of the community, when I say that, generally speaking, manufacturers are practically unacquainted with art, for the same may be affirmed without offence of the majority of the members of other professions; but if this be the case, and they have taken upon themselves a responsibility, which, from their education, their occupations, or perhaps their natural powers of judgment in matters of taste, it is impossible they should be competent to discharge, we shall find no difficulty in discovering the source of the shortsighted expedients by which each has endeavoured to outstep the other in the race after commercial novelties.

"The mechanical business of copying, altering, or dove-tailing patterns, already in some shape in the British or foreign market (which is all that a draftsman is now called upon to do), is neither lucrative, nor does it hold out the very smallest prospect of that kind of reputation and applause which French designers individually enjoy, and which every one knows is the most powerful motive for exertion with young artists; the consequence is, that if a youth of natural ability thinks he has any prospect whatever of succeeding in the higher walks of art, he will rather take his chance in this than submit to the thankless drudgery to which he is exposed as a pattern draftsman. If this is not true, how comes it that we have no instances of men of high artistical powers devoting themselves to design for industry? That such is the case in France every one is aware; and why is it so? Because not only is the estimation in which they are held and deference which is paid to their opinion always proportioned to their skill and abilities, but the remuneration is such as to insure them a respectable position in society."

"In Lyons, the commercial value of taste is reckoned so high, that when a young man displays remarkable powers, a house will admit him to a partnership, in order completely to monopolize his services. Even in general employment a Lyonnese pattern designer in good practice, realizes as much as 10,000*fr.* per annum; which considering the comparative value of money in Lyons and any town in England, must be reckoned a sum much beyond the conceptions of remuneration on the part of English manufacturers. But why is this? For this obvious reason; the French manufacturer incurs little or no expense for the purchase of foreign designs; he does not employ agents to obtain *per fas et nefas*, a pattern of every new article



Remedies.  
Measures for  
increasing the  
demand for hand-  
loom labour.  
III. Improvement  
of patterns.  
School of design.

that appears in the London or Paris market; he never suffers the loss (so frequent in this country) arising from his having manufactured the same pirated design simultaneously with three or four other houses; and therefore it is that he can afford to pay his artist highly. Though the sum he thus expends may appear large, the outlay on patterns in France is not greater than it is in England, if indeed it be so great. But the difference is this, that the money which in France is paid directly to the artist, is in England frittered away on expedients for superseding the employment of original designers;—expedients which, if law and honesty are to be taken into account, cannot be reckoned other than illegitimate, and which, if prudent, must, I fear, be thought very short sighted, because the great bulk of patterns executed in England according to the present system, must inevitably want the stamp of novelty and originality, which is not only the great characteristic of the French, but is really the advantage which the French manufacturer gains by paying liberally for the assistance and judgment of highly educated artists.

“Another evil arising from the present system, is the want of artistical taste in the execution of fabrics, especially of the coloured kinds. It is the common practice to ring the changes (if I may use the expression) on a pattern, by varying the arrangement and quality of the colours. I need not say that to do this in a tasteful manner, the judgment of an artist is absolutely necessary. Now, unfortunately, this is never (so far as I have been able to learn) put in requisition. Nominally, it belongs to the manufacturer to direct the variations of colours and effect, but virtually it is left to ignorant workmen who having a certain established mode of proceeding, put it in practice in every case, whether in respect of taste it be right or wrong.

“A few years ago, a French manufacturer of paperhangings came to this country, with the intention of commencing business. To insure his success, he brought with him a skilful designer of patterns for paper, believing that with the advantages he should enjoy in other respects, he had only to superadd the quality of excellent design (in which English papers are lamentably deficient) to drive all competitors out of the market. He engaged English workmen, and commenced his operations. His designer, accustomed to the French method, was of course not content with having merely furnished the pattern; he considered that half of his vocation consisted in seeing that no injury was done to the character of his designs through the unskilfulness of the workmen; with this view, he insisted that the tints employed should exactly correspond to those in his design; and that if the colouring were to be changed, the alteration should be according to his judgment. Could anything be more reasonable? But what was the result? The workmen struck work; they had been accustomed to make up their tints in large quantities; they had never used but three greens, or two reds, or two yellows, and so on: there were only certain changes in the arrangement of the colours which they were in the habit of making, and it was absurd to suppose that they should submit to the caprice of a Frenchman, who seemed to think there were as many colours as days in the year, and who insisted upon many minute variations of tint of which they could see no use, and which were not employed in the trade. The concern was accordingly broken up.

“I have mentioned this little history, (which is purely matter of fact,) not only because it completely marks the difference between the French and the English system of *mise en fabrique*, but because the comparative results which might be expected from the difference are so fully borne out by the actual state, in the two countries, of the branch of industry to which it relates. Half a century ago, I am informed, France was supplied to a large amount with paper hanging, manufactured in England; and the names of the artists who at that period gave to it its high character have even been preserved. At the present time, by reference to the French Custom-house returns, it appears that the importation has dwindled down to almost nothing, (Ret. 1836-7, 14 kilogr. ;) while a visit to the shops of any of the English dealers in the metropolis will prove to what extent England is indebted to France for whatever is novel or tasteful in that branch of industry.

Copyright in  
designs.

It is impossible, however, to give importance to the profession of a pattern designer, unless the pattern which he is to design be made valuable. Nor can considerable temporary value be given to a pattern in which there is no property, or any permanent value to one in which there is no permanent property. This leads us to the consideration of the third of the remedies which have been suggested to us, namely, an extension of copyright in designs.

In 1838, the time at which Mr. Dyce's Report was written, and at which our Assistant Commissioners collected their evidence, the only copyright in patterns was that given by the 34th Geo. III. cap. 23. Under this Act, patterns for *printing* linens, cottons, calicoes, and muslins, have a copyright for three months. No means of registration is given, and the only evidence of originality is the date of the first publication, stamped at the bottom of each piece. Patterns printed on fabrics of silk, wool, or hair, or on fabrics into which these materials enter, or which are woven into or worked on the cloth, or painted on it, are unprotected by the Act. Nor does the Act extend to Ireland.

The only remedy given by the Act for infringement are such damages as a jury may award, to be obtained by the slow process of an action at law, with taxed costs, a remedy useless where the piratical defendant has no property, and always expensive in consequence of the difference between the taxed costs that can be recovered, and the real costs which the plaintiff must pay. The Court of Chancery, however,

has added the preventive process of injunction—a more effectual and a more speedy remedy, but so expensive as to be scarcely ever resorted to.

In the session of 1839, however, two important Acts were passed on this subject. The first is the 2d Vict. cap. 13, which extends the 34th Geo. III. to Ireland; and adds to the fabrics within its provisions, fabrics of silk, wool, and hair, and also those of mixed materials. The second, the 2d Vict. cap. 17, gives a 12 months' copyright for patterns worked into, or worked on, or printed on, or painted on any tissue or textile fabric, except lace, and except linens, cottons, calicoes, muslins, and any other article within the 34th Geo. III. cap. 23, and the 2d Vict. cap. 13, and punishes piracy by penalties, to be summarily recovered.

The exception contained in the 2d Vict. cap. 17, excludes from its operation all printed goods, for, though the word printed is used in the clause giving protection, there are, in fact, no printed goods which are not included in the 34th Geo. III. and the 2d Vict. cap. 13, and which, therefore, are not excluded from the 2d Vict. cap. 17.

Whether the copyright of 12 months, given by the 2d Vict. cap. 17, to the patterns within its protection be sufficiently long, and the penalties by which it is protected be adequate, are questions which, for the following reason, cannot yet be answered. The Act protects only those patterns which are registered; the fee for which is one guinea, and requires three copies to be exhibited to the registrar. It appears from the evidence of Mr. Holdway,\* an eminent pattern designer, that in complicated patterns the labour, and consequently the expense, of making each of these copies, is greater than that of the original design. Mr. Holdway found that three copies of one design would have cost 30*l.*, being more than three times the price of the design itself. This expense, and the circumstance that the register, though it has since been closed, was at its commencement open to public inspection, and exposed, therefore, to imitation all the registered designs, prevented the registration of more than the trifling number of 14 designs for woven fabrics during the period for which we have a return, that is, from the 1st July, 1839, to the 3d February, 1840. In France, the fee is 10 francs, only one copy is required, and that copy is sealed up, until some legal proceeding renders its inspection necessary. It has been urged, that if we adopt from the French system the dependence of copyright on registration, we must also adopt the cheapness and secrecy of their register. Doubts have also been suggested as to the fitness of the tribunal, namely, a common law court, or two justices of the peace, before which the penalties imposed by the Act are to be recovered, and which, consequently, must judge whether the copyright has or has not been infringed: and it has been suggested that the French plan of a Conseil de Prud'hommes, consisting of manufacturers and workmen, assisted, when necessary, by *experts*, or persons possessing specific knowledge,† would be preferable.

It appears to us, however, inexpedient, to make at the same time the experiments of a new system of registration, and of a new tribunal, and that the better plan will be, first to try the effect of an improved system of registration, leaving to the existing tribunals, until they have been found inefficient, the decision as to copyright and the enforcement of penalties. One alteration has been already made; the register has been made close. This has been objected to by some of the witnesses before the Committee on Copyright of Designs, on the ground that more persons than one might invent and register the same design, and innocently incur penalties.‡ In this fear, however, we do not participate. We agree with Mr. Thompson, that considering the infinite variety of the elements from which designs may be taken, and the infinite variety of combinations of which they are capable, the chances against two persons uniting the same elements in the same combination, are so numerous as to make such a coincidence improbable to a degree amounting to practical impossibility.§ We believe, therefore, that the closing the register is an improvement. If the expense be diminished, by reducing the fee to a low amount, not exceeding at the utmost two shillings, and by requiring only a single copy, we believe that the efficiency of the 2d Vict. cap. 17, may be fairly tried; and we do not recommend any further alteration of that Act, as respects the fabrics which are within its provisions, until experience shall have shown its defects.

Remedies.  
Measures for  
increasing the  
demand for hand-  
loom labour.  
III. Improvement  
of patterns.  
Schools of design.  
Copyright in  
designs in goods  
not printed.

\* Evidence taken before Committee on Copyright of Designs, 184. Q. 2674, 2675, 2677.

† See the constitution and functions of the Conseil de Prud'hommes, in the Evidence of the Committee on Arts, of 1836. Q. 47 to 65.

‡ See, in the Evidence on Copyright of Designs, amongst others, the Evidence of Mr. Lee.

§ Letter to Sir Robert Peel on Copyright in Designs, p. 22.

## Remedies.

Measures for increasing the demand for hand-loom labour.  
 III. Improvement of patterns.  
 Schools of design.  
 Copyright in designs in printed goods.

It must be recollected, however, that the 2d Vict. cap. 17, applies to the patterns of only a portion of the fabrics to which the hand loom is applicable. It excludes from its protection all printed goods. They were at first intended to have been included, but when it was resolved that the copyright should involve registration, the printers, from an apprehension, which experience has shown to be well founded, that the proposed registration would be so expensive and troublesome, as to be practically inaccessible, refused to be included in its provisions. Feeling, however, the inadequacy of the three months' copyright given to patterns for printed goods by the existing Acts the whole of the printers in Ireland, 63 out of the 67 who constitute the trade in Scotland, and a vast majority of those who are engaged in the printing trade in England, petitioned for a 12 months' copyright. Their petitions were referred to a select committee of the House of Commons, which, after an elaborate inquiry, lasting from the 20th of February to the 8th of July, 1840, reported the minutes of the evidence taken before them with the single resolution, "That it is the opinion of this committee that it is expedient to extend copyright of designs."

On examining the vast body of evidence collected by the committee, it will be found to establish the following propositions:—

First. That the existing copyright is nugatory; and that, if any copyright is to be given, 12 months is the shortest period that would be sufficient for garment patterns, and that furniture patterns require a longer term; and

Secondly. That the piracy which, in the present state of the law is almost unchecked, is in a high degree injurious to the manufacturers, whose designs are pirated, to the character of British goods in the foreign markets, and to the advance of the art of design in the British islands.

The injury inflicted on the manufacturer may be estimated when it is seen how small a proportion the successful designs bear to those annually produced. Mr. Schwabe, an eminent printer in Manchester, states that the number of designs made for him in a year is between 2,000 and 3,000, out of which not more than 500 are cut upon copper or wood for the purpose of being made use of; all the rest remain mere waste paper (105). Mr. Potter states, that his designs are about the same number, that is between 2,000 and 3,000, and that about 500 of them are made use of (388-389). Mr. John Brooks estimates his designs at the same number, and makes use of only from 400 to 600 (752-755). Mr. D. Lee estimates the annual number of his designs at 3,250, out of which rather more than 600 are made use of (4386-4397). Not more than one design, therefore, in six is actually employed; the remaining five are an unproductive outlay. But of the selected designs, only a small proportion are successful. Mr. Schwabe states, that out of the 500 patterns which he brings out every year, not more than 100 succeed (119, 120). It appears, therefore, that not more than one design in 30 is of real value, and that to obtain that one the original proprietor has to pay for the invention of 29 others, and for the engraving or cutting of four. But it is, of course, on this one successful design that the copyist fixes. Avoiding, as he does, all the risk and all the expense of unsuccessful designs, he often is able to produce articles similar to those produced by the original proprietor, and to sell them at a lower price. More frequently, however, he copies the pattern on inferior fabrics, or with less permanent and less expensive dies. Whatever be the mode of piracy adopted, the injury to the original producer is great. In both cases he is forced to discontinue the use of the pirated pattern. In the first case, because he is undersold; in the second, because the pattern becomes vulgarised by being reproduced on coarse fabrics, applied to inferior purposes.

The following extracts from the evidence of Mr. Brooke and Mr. Clarkson, taken before the Committee on Copyright of Designs, shows this very clearly:—

*Mr. E. Brooke.*

*Mr. Brooke.*

"1806. Are your goods ever copied by other houses?—They are.

"1807. Are those who copy them subjected to the same amount of previous expense in preparing their copies which you have been exposed to in the preparation of your original patterns?—They are not; in fact, they are at no expense in the design, and they have no risk of failing patterns.

"1808. Do they confine their copies to those patterns which have proved to be successful?—They do.

"1809. Does that give them an important advantage over you in point of expense?—I consider it does.

"1827. When one of your designs has been copied, does that circumstance injure its value in the market?—It not only injures, but very frequently entirely destroys its value.

"1828. Will you describe how that is brought about?—A pattern which has been produced at a considerable cost, and which is fit to be used by those who are in better circumstances, would cease to be bought by them immediately they saw it copied.

"1829. You are speaking of patterns used by the upper classes of society, as distinguished from those used by the middle classes?—Yes.

"1830. Is the sale of such a pattern among the upper classes injured or destroyed in consequence of its being so copied?—Often entirely destroyed.

"1831. Are patterns which have been produced at great cost, with a view to that class of consumers, thereby rendered valueless to you occasionally?—They are.

"1832. Is it a frequent occurrence?—It is very often the case.

"1833. When a design of your's of that nature has been so copied, do you continue to print it, and find a market for it?—We generally cease to print it altogether."

Remedies.  
Measures for increasing the demand for hand-loom labour.  
III. Improvement of patterns.  
Schools of design.  
Copyright in designs in printed goods.

Mr. Thomas Clarkson.

"2074. With what house are you connected in London?—Clarkson and Turner, of Coventry-street, sellers of chintz furniture.

Mr. Clarkson.

"2083. How many original patterns do you produce in the course of a-year?—I should think we have at least 20 cut for us.

"2084. How many original designs may you have made, from which those 20 are selected?—I should think, perhaps, 25 or 30; rejecting, perhaps, 8 or 10 upon the average.

"2085. What is the average cost of the drawing of each pattern?—A great deal will depend upon the size; perhaps they average 6*l.* or 8*l.*

"2088. What is the average expense of cutting them?—I should say the average expense of cutting is, according to the size of the pattern, from 20*l.* to 50*l.*

"2090. Have you ever given a larger sum than the sums you have mentioned in any instance?—We have paid 70*l.* or 70 guineas for the cutting of one pattern.

"2091. Do you frequently find that, after having selected some of those patterns from the mass of original designs, those of which you had a favourable opinion upon paper have failed upon cloth?—It very often happens so.

"2092. With respect to those which you ultimately adopt, is loss sustained by you when the pattern is unsuccessful?—It occasions a very heavy dead stock, which we are glad to sell at a great reduction.

"2094. Do you find yourself exposed to having your designs copied in the course of your trade?—Very much.

"2095. And that the copyist selects the most successful of your designs for that purpose?—Certainly.

"2096. Do you conceive that the present term of protection of three months is adequate for your security, and that it affords you a fair remuneration for the expense you are at?—Certainly not; I think our particular trade requires a much greater extent of protection than almost any other.

"2097. For what reason?—Because there is very great expense, and a very heavy stock; and, generally speaking, our patterns do not become properly known frequently for twelve months.

"2102. Do you find that patterns designed three or four years ago sell as well at the present time as when they were first brought out, if they have not been copied?—We have some of our patterns of 1836, which have not been copied, selling better almost at the present time than any.

"2103. If those patterns had been copied, what course would you have taken?—We should have abandoned them, and not printed any more, and sold our stock in the best way that we could.

"2104. Why would you have ceased altogether from their production?—Because the copy would have become so common, and the style so common, of that particular pattern, that it would have been of little or no value to us.

"2108. *Chairman.* Do you state it as your general habit, that, in the case of an invasion of your copyright, and the copying of one of your patterns, you cease to print it?—The same pattern.

"2109. And dispose of your stock on the best terms you can?—Yes, very often at the same price that the pirate is selling his for, or in any other way that we possibly can to turn it into money.

"2110. What may be the average value of your stock of any one of these patterns?—From 80*l.* to 150*l.* or 160*l.*

"2111. Upon a very full or elaborate pattern, would you go to a greater expense for your stock?—Yes; we have gone to 300*l.* or 400*l.* upon the stock of a pattern.

"2112. So that the invasion of any one of those patterns would involve a loss upon the stock to an amount varying from 100*l.* to 400*l.*?—Yes; perhaps from 50*l.* to 200*l.*, because we may have a sale to some extent before it is pirated."

In the home market piracy affects chiefly the original producer of the pirated design. In the foreign market it is injurious not merely to the manufacturer or merchant, whose patterns are copied, but to the general reputation of British prints. This is well shown by the following evidence of Mr. Schuster, a foreign merchant, residing in Manchester, taken before the same Committee.

## Remedies.

Measures for increasing the demand for hand-loom labour.  
 III. Improvement of patterns.  
 Schools of design.  
 Copyright in designs in printed goods.

*Mr. Schuster.*

*Mr. Leo Schuster.*

" 1036. Is it a part of your business to purchase and send abroad printed cotton goods?—It is.

" 1037. To what parts of the world do you send them?—A great many different markets; I may almost say every part of the world.

" 1048. Are you ever afraid of being interfered with by copies?—Certainly.

" 1085. Is it usual for patterns of original design, and evincing considerable skill and taste, to be worked off in durable colours, and upon cloth of good quality?—Certainly it is the practice in the trade, that the printer generally puts his very best patterns on the very best fabric of cloth.

" 1086. And in permanent colours?—Yes.

" 1087. In what manner are the copies executed in those respects?—The copies are made to bear the strongest resemblance to the originals, though actually they are of a spurious description, inasmuch as the colours of the copies are fugitive; but the fugitive colours can be made to resemble the fast ones, very nearly indeed; so that very few persons can distinguish them who are not practically acquainted with the trade of calico printing; they are then put upon an inferior cloth, and, in fact, produced at a much lower price.

" 1088. What is the effect produced in the foreign market by that circumstance?—In my opinion it is most detrimental; it operates in many ways to injure the general interests of trade, and particularly to destroy all confidence in British productions of that description. I know that from my own experience, having travelled frequently in foreign countries, and having heard it from many of my friends and correspondents; they say they will not buy fine English prints. Supposing in the foreign market a lady purchases a gown-piece, a print, and she finds it excellent in quality and in wear, and that the colours are permanent; she names this to her neighbour: 'See, I have made a good bargain; I have purchased a thing that answers my purpose well.' The neighbour goes and purchases a similar gown, which bears a certain mark, by which she recognizes that it is of the same kind; she says it must be the same; she brings it home, and has it made up, and the very first day she goes out in a shower of rain, and a little sun afterwards upon it, the colours disappear, and the texture of the cloth is gone; it breaks, and she says, 'How is that? I thought I had purchased the same thing as you did, but mine is quite wrong.' 'Aye, you bought an English print; that is the cause.' There is now and then a good English print; but the quantity that appear afterwards of imitations are so great, that French are the things you must purchase.

" 1089. Does that indispose the buyers in those countries generally to purchase English prints?—Yes; a certain class of buyers will not purchase them.

" 1090. Have you known this of your own knowledge with respect to some of the foreign markets with which you are connected in trade?—I have; I speak of the better classes; they will not purchase English prints on that account.

" 1112. In any of the markets with which you are connected, do you find French prints sell there in competition with English prints?—I do in almost all of them.

" 1113. Is more confidence reposed in those markets in the quality of the French prints than in that of the English ones?—Yes.

" 1116. If English prints were of the same duration of copyright with French prints, do you think they would be likely to be held in the same esteem, and purchased with the same confidence in foreign markets as French prints now are?—I hope and I believe it will have that effect. The consumers, who are at present driven to purchase French goods from fear of purchasing spurious productions in English goods, when they find that they can place dependence upon the British productions, will naturally purchase them, because they are cheaper; I mean cheaper in the real sense of the word, that is to say, an equal quality will be produced cheaper in this country in printed goods than it can be produced in France.

" 1142. When a person having purchased one of those spurious patterns on inferior cloth finds himself deceived, and goes to complain to the retail dealer, would not the retail dealer naturally answer, 'You have bought the wrong goods; these never came from the original printer; but if you deal with me in future, I will supply you with the original pattern, and with cloth of better quality?'—He might say so if he were a judge himself; but in distant countries I find very few of those retail dealers who know more about those goods than the customers; they take the goods upon trust,

" 1145. Would not the foreign retail dealer, after having been deceived three or four times, take the same precaution that an English one would; that is to say, finding that he had been deceived, would not he naturally go to an honest dealer in England, and get his supplies from him?—He would if that plan were adopted; but I doubt whether that plan is so strictly followed; I do not think that the consumer comes back to the retailer to complain to him; I think he submits to the loss, and says, 'I will not in future purchase any of these goods; I will purchase French.'

" 1220. Though the manufacture in England is much more extensive than in France, is the art as perfect in its higher departments here as in France?—I am sorry to say, that even with those limited quantities which France produces, they have attained greater excellence, and greater choice of patterns; there is much more taste displayed in their productions.

" 1221. *Mr. Ewart.* To what do you attribute that superiority in France?—I should say, to protection. A manufacturer is certain of being enabled to obtain a profit upon his productions if they are deserving of it; in fact, by his patterns being protected, by his patterns not being copied by others, of course he can devote more time to it, and more expense to the production of patterns, and he gets a superior set of men altogether to apply themselves to it.

" 1222. *Mr. Wood.* The trade being of older standing in England, and having here peculiar advantages which it has not in France, is there any reason that you can give to the

Committee why in the superior departments of the art we are inferior to France notwithstanding those circumstances?—I think I have just stated, that there is not the same protection given in this country to the producer as in France, and consequently there is not the same exertion.”

We have said that the piracy which is fostered by the imperfection of the existing copyright, retards the advance of the art of design in the British islands. As an illustration of this statement we have selected from a large body of testimony to the same effect, the following evidence of Mr. Applegath.—

Remedies.  
Measures for increasing the demand for hand-loom labour.  
III. Improvement of patterns.  
Schools of design.  
Copyright in designs in printed goods.

“ Mr. *Augustus Applegath*.

“ 2844. *Chairman*.—You have been engaged in the business of calico printing for some years past?—I have been a printer for 30 years, and a printer of calicoes for 15 years. We pay about 60*l.* a-week to designers and pattern-makers.

*Mr. Applegath*.

“ 2848. By pattern-makers do you mean engravers?—The people who engrave and cut also the design.

“ 2849. Have you found, in the prosecution of your business, that any loss has been entailed to you in consequence of the present inadequate protection to designs?—Yes, by having many patterns copied shortly after they have come out, and before the sale of these patterns has remunerated us for the expense of producing them.

“ 2850. Do you find that that inadequate protection tends to prevent the designing of very expensive and elaborate patterns?—Most decidedly; not only does it prevent the production of very expensive and elaborate patterns, but I find it necessary, in the working in my trade, to bring out as few original patterns as possible; I find it will not do for me to labour very much to bring out new original patterns, because, if I did so, all my patterns would be copied; no person would print with me, therefore I make up patterns one with another; I bring out a considerable quantity of patterns; I bring out as many patterns as I can do in order to baffle the copier by the variety I bring out.

“ 2851. That is your principle, that if one style be copied, you may still fall back upon another?—Yes, we endeavour to make a trade by variety rather than by excellence.

“ 2852. Do you conceive that the present inadequate protection tends to prevent the application of design to matters to which it would be applied, if a longer term of protection existed?—To anything great it does.

“ 2853. Are there any printed hangings for architectural decorations of rooms printed in this country?—There have been lately, within the last four or five years; I have been a good deal engaged in that trade.

“ 2854. Are any of them of a high class of art?—As high as we dare produce under the existing circumstances; I have specimens of them here (*producing some patterns*); patterns of that kind require a great deal of time in their production; they are like class drawings, every defect appears, and you cannot often tell how they will look till they are produced upon cloth. Here is one that we are unwilling to bring out at present on account of the expense of blocks (*producing a pattern*); it will take 32 to 35 blocks; we cannot bring it out; it would be copied immediately. Here is another pattern, which was drawn four times before we could satisfy ourselves with the effect (*producing another pattern*); this has been executed and sold; this was drawn from nature; drawings of the flowers supplied to me by the house; it may be imagined that it cost a great deal of money to draw this three or four times over.

“ 2858. What would the mere cost of the designing of that pattern be?—I think my employer paid 20*l.* for the drawing of the flowers.

“ 2863. You have stated that the class of art in the designs you have been showing is as high as you feel yourself warranted in bringing into exercise under the present term of protection; do you conceive that if that term were extended, a higher class of art could be introduced into these manufactures?—If we could be favoured with a real protection, giving us a sufficient copyright, I would immediately employ artists of the first character; I would not be content with persons that we call drawers, or even inferior artists.

“ 2864. Have you made any effort towards that?—I have not, further than by requesting my friend Mr. Sydney Smirke to get me drawings, and I think his father has drawn several; but he has never pleased himself.

“ 2865-66. Was that with a view to architectural decorations?—With a view to architectural decorations; with a view to improve the character of hangings, and also pannels for tapestry.

“ 2867. Those are not now produced in this country?—They are not produced by any English printer that I am aware of.

“ 2868. Would those be produced on cloth?—On woollen cloth.

“ 2869. Have any attempts been made in this country to produce designs of this kind upon pannels for the decoration of rooms?—I think there is a set of French work to be seen at Pratt's, in Bond-street, not of English manufacture.

“ 2870. Would that manufacture be likely to be introduced into this country if an adequate term of protection were given?—I think it would.

“ 2871. Would you be disposed to undertake it yourself?—I would, with proper protection. About eight or nine years ago I had the pleasure of returning from Paris with Sir David Wilkie, who was returning from Italy, and he was quite full of the Italian palaces and other



Remedies.  
Measures for  
increasing the  
demand for hand-  
loom labour.  
III. Improvement  
of patterns.  
Schools of design.  
Copyright in  
designs in printed  
goods.

things which he had seen, in which it is very common to decorate them with arabesques and introducing medallions in pannels. We soon became friendly in consequence of this coincidence of feeling, for I had been wishing to it for some time; and we talked about it a considerable time, and he said that if I would take it up, he would at any period, and however he might be engaged, make me a set of drawings for the purpose. But it would be of no use my troubling Sir David Wilkie to forego his lucrative occupation to make me drawings that would be immediately copied.

"2936. Is it your opinion that an extension of the term of copyright would tend to increase the number of parties that are now employed as designers?—Decidedly. If I were assured of its being carried into effect, I should seek immediately to engage two or three persons that I know.

"2937. And you would trust to the improvement of the designs that would be produced for the extension of that class of business?—I should.

"2938. Your observations refer to an extension from three to twelve months?—Yes; because I am not permitted to think of my own views, which would go to a greater extent. One strong reason why I should engage more drawers and pay them more liberally, is, that then having more time to sell our goods in, we should act with more confidence, and want of confidence is a very bad feature in the present system. I do not buy my patterns with any confidence; the draper who employs me does not order with any confidence; the retail draper does not buy with any confidence; the lady who buys the dress buys it almost with the impression that it is hardly worth while to buy it; and by and by, when her servant gets the same thing on, she comes back to the shop and actually reproaches them with having sold her a pattern which is hawked about in a common way. How we manage to get a trade I hardly know; it is only by means of exertion. I speak most feelingly upon the subject, because I have the management of our patterns. I brought out 513 patterns, last year, in a small London trade; but it is only by means of great exertion that we are enabled to make any way at all. If the Committee could enter practically into the situation of the London printers, they would see that it is a trade of the most intense anxiety."

It may appear strange that a system of piracy, so fraudulent and so mischievous, should be defended: it has, however, been defended, and measures for its prevention have been strenuously resisted, on the following grounds:—first, that, if an extended copyright in designs were given, the proprietors of the protected designs would charge too high a price for their commodities, to the injury of our foreign trade: secondly, that designs though protected in the home market would be copied abroad, and that the foreign copyist would monopolise the advantage which is now obtained by the British copyist: thirdly, and this, of course, is the real motive for the opposition, that copying is profitable to the copyists.

The first of these grounds requires little remark. Manufacturers may be trusted with the management of their own affairs. The times are passed for legislating on the presumption that men would continue to injure their own trade by excessive charges. But in fact it is clear that an extension of copyright would enable all those who print from their own designs to diminish their prices. The chance of having the value of the whole stock on which a pattern has been printed reduced 50 or 100 per cent. by the piracy of the design, is one element in the cost of production, and must obviously be charged for by the manufacturer, so far as he can regulate his prices: that is, so far as he manufactures successfully. Remove this portion of the cost of production, and of course the portion of price which was occasioned by it must cease. We firmly believe that an extension of copyright would render our foreign trade more extensive and more secure. The second ground of objection is opposed to the evidence, which shows the inferiority of British to foreign designs. While that inferiority continues, we can have nothing to fear from their imitation. If, on the other hand, an extension of copyright should in time enable us to rival the French in taste, such an improvement would be cheaply purchased by the inconvenience, such as it might be, of our becoming the imitated, instead of the imitators. The third ground, even if the fact were true, which we doubt, does not deserve serious refutation. Every other sort of robbery might be defended as profitable to the robber.

On the whole, therefore, if our recommendation that the expense of registration be diminished is adopted, we further recommend as an immediate measure, that the fabrics which are now excluded from the 2d Vict. cap. 17, be subjected to its provisions, and if, as we think probable, it be found on experience that a 12 months' copyright is insufficient, that, as a future measure, the period of protection be prolonged. But we must repeat our conviction that, neither the establishment of schools of designs, nor the extension and protection of copyright, essential as they are, will give to our manufactures the improvement of which they are susceptible, unless they are accompanied by measures for cultivating and raising the popular taste. Mr. Dyce has well remarked that—

"In matters of taste, it is no otherwise than in commerce; the production must always depend upon and bear an exact proportion to the consumption; it is, therefore, not less necessary to create the demand for tasteful design in industry than it is to provide for its exercise. The more expensive articles of commerce will always find purchasers, so long as wealth and its concomitant advantages of education and cultivated taste exist; but it is not among the wealthy, or in the more costly productions of industry, but among the less opulent classes of the community, and in the every day supplies and consumption of the market that the real character of national taste is discernible; and the standard of this, as it appears to me, can only be raised by informing the minds of those who are to become the purchasers, as well as cultivating the talents of those who are to supply the things purchased. Every one admits, that the great evidence, which we find in France, of the knowledge and love of art in the cheaper kinds of manufacture, is due to the ample opportunities of study provided for the common people. For myself, I do not hesitate to state, as the conviction forced upon me by the inquiries I have made, that in those opportunities, embracing the innumerable elementary schools, public exhibitions, and other gratuitous means of fostering taste, the secret of the influence of the schools of design, properly so called, is to be found, and not in the completeness of their system of tuition."

## Remedies.

Measures for increasing the demand for hand-loom labour.  
IV. Repression of embezzlement.

A fourth measure, which has been proposed for increasing the demand for hand-loom labour, is the more effectual repression of embezzlement of manufactured goods and of materials of manufactures. The temptations to the embezzlement of materials and its facilities are great. The weft and yarn which the manufacturer delivers in loose skeins return to him, as a part of the woven article, in so dissimilar a form, that an abstraction, not exceeding one-tenth, can scarcely be detected, except by a practised eye, and after minute examination; its only effect is to make the web one-tenth thinner than it ought to be. Again the material passes through several different hands, the manufacturer's agents, the winder's, and the weaver's, each of whom may hope that his theft may be charged on another. And when once embezzlement has become common, there seems no probability of its being detected in any particular instance, while confined within its usual limits. It requires, however, more than most kinds of theft, the co-operation of a receiver, indeed of a system of receivers. The material is useless to the purloiner himself, or to any one but a manufacturer. But a manufacturer of sufficient capital to be a putter out of work, or the owner of a factory, would not venture to purchase materials directly from a weaver or a winder. Persons set up as dealers in weft or yarn, combining that business with the trade of a huckster in the country, and of a petty shopkeeper in towns, purchase in small quantities, at a low value, from the actual embezzler, and resell to unscrupulous manufacturers. And these manufacturers supply, at prices under the prime cost of the honest manufacturer, a class of equally unscrupulous warehousemen and merchants. The system is well described in the following extract from the Report of the Committee, who considered this matter in Glasgow.

## IV. Repression of embezzlement.

"The persons principally concerned in the resetting (*i. e.* receiving) of manufacturing materials, may be divided into various classes. One of these consist of what are called bowl-women, and other hawkers of small wares, who, in manufacturing districts, in exchange for money, or for the articles they have for sale, purchase from hand-loom weavers, winders, and warpers, all the yarn they can conveniently retain without being checked or detected; and who also purchase from girls, operatives, and servants of every description, employed in warehouses, cotton-mills, silk and power-loom factories, &c. all the manufacturing materials they can steal from the establishments in which they are employed.

"Another class of reseters consist of what are called Small Corks, or Bowl-cork manufacturers. Some persons belonging to this class employ a considerable number of weavers; but it is more common to find them employing individually only a very limited number. They are in the habit of purchasing warps, either from cotton-mills at a fair price, or from runaway weavers and reseters at a resetting price. The weft required for such warps is usually purchased at about one-third or one-fourth of its value, from weavers who make thin cloth, and thus are enabled to retain and dispose of a portion of unused materials, which, if they acted honestly, would be returned to their employers. This class of reseters is also supplied with weft by bowl-women, thieves, or other previously noticed classes of reseters, who purchase and collect stolen manufacturing materials.

"The last class of reseters to be mentioned, consists of warehousemen or merchants—some of them possessed of great wealth—who, instead of manufacturing themselves, find it more profitable to purchase, without asking questions, goods either stolen, or made wholly or partly of stolen materials. Such merchants are usually either in what is called the country trade, or in that of supplying wholesale buyers with the goods they purchase from weavers, bowl-cork manufacturers, and from persons of every description, who offer to sell them at lower prices than manufacturers who pay cash for all their manufacturing materials, can manufacture them. This highest class are seldom or never convicted of the crime of resetting. Stolen materials, after being worked up into goods, can never be distinguished from what are not stolen. And even when stolen goods are traced and found in their possession, which sometimes happens, it is always impossible to prove that they knew they were stolen when they

Remedies.  
Measures for  
increasing the de-  
mand for hand-loom  
labour.  
IV. Repression of  
embezzlement.

purchased them. Formerly, the trade of this highest class of reseters was considered exceedingly disreputable, because it was, and still is known, that all the stolen manufacturing materials are worked up into the goods purchased by this class of merchants. Now, however, in consequence of the rapid increase and great extent of this trade, and the fortunes made in it, notwithstanding its demoralizing influence, it has unfortunately almost ceased to be regarded as discreditable.

"The three last-mentioned classes of reseters, in order to carry on their several trades, are mutually dependent: the second class purchase from the first; and the third from the second. They thus form a chain, by which stolen materials pass through the various manufacturing processes, till they at length fall disguised into the general trade and consumption of the country."\*

It is remarkable, and it is perhaps one of the proofs that the embezzler of materials of manufacture is, as we have said, more than most other thieves dependent on the receiver, that embezzlement prevails in very different degrees, in different branches of trade, and in different places. In the silk manufacture it scarcely exists: in the woollen there is little of it, and apparently only in a few neighbourhoods. Even in the linen and cotton trades, it does not appear to be extensive in any part of England, except in the manufacturing districts which are nearest to Scotland. But in Scotland and in Ireland, it seems to prevail wherever cotton or linen fabrics are woven, and to be one of the principal difficulties with which the manufacturer has to contend, and one of the principal of the intrinsic causes which reduce the weaver's wages.

Mr. Symons, in his Report from the south of Scotland, says:—

Mr. Symons.

"It appears that reductions of wages usually begin by a class of manufacturers termed 'small corks,' who are recently risen from being weavers, and employ from four or five, to as many as two hundred weavers on their own account; selling their goods not in the regular market, but to cash warehouses and commission agents. This class of manufacturers have increased of late to an immense extent.

"Their goods are generally sold cheaper, and, after careful investigation, I am compelled to believe, that though there may be many exceptions among them, *the majority of these small manufacturers purchase stolen weft.*

"That the embezzlement of weft is carried on to a very considerable extent, there appears no question; it is stolen by factory girls from the mills, from the warehouses by the persons employed in them, and in a great measure by the women who wind pirns, and to whom it seems too great a temptation to be resisted to dispose of a spindle of weft.

"The persons who are at the head of this traffic reside chiefly in Belfast, and in Bridgeton, and the Salt-market in Glasgow. They employ a number of women and hawkers, who tramp up and down the whole of the western counties, and, wherever there are cotton weaving districts, under the pretence of selling crockery or bowls; hence the term 'bowl-weft,' and 'bowl-corks.'

"The demoralisation caused by this system is widely spread, and pernicious to a degree, which it is not easy to exaggerate. The weavers at large admit, and sorely lament this evil; they suffer from it in all ways; for their webs are, in the first place, frequently fined for being too thin; and their wages lowered in the second; because the small manufacturer is, by the low price at which he can buy the stolen material, enabled to undersell the regular manufacturer. It is thus a double robbery of the weaver, the winder of the pirns usually spending the produce of the weft she sells. The police officers, and even certain superintendents of police, are more than suspected of compromising these cases of theft for money.

"Houses in a very large way of business deal almost exclusively with these small manufacturers; one house in particular, both in the retail and wholesale trade, who formerly manufactured their own goods, having found it impossible to make them so cheaply as they could buy them ready made from the small manufacturers, have for the last few years dealt exclusively with them, and have abandoned manufacturing altogether."—*Assistant Commissioners' Reports, Vol. I. p. 60.*

Mr. Symons supports this general statement by much detailed evidence. We think that we shall give the clearest view, both of the extent of the evil and of the applicable remedies, by extracting the following communication from Mr. Andrews, the Procurator Fiscal of Maybole.

Mr. Andrews.

"The practice of embezzling cotton and other yarns given out for manufacture is, perhaps, more prevalent at the present time in this district of Ayrshire† than ever it was before.

"The principal manufacturing places in the district are Girvan, Maybole and Crosshill, to each of which, work from Glasgow and Paisley is sent weekly. The number of workmen in these places and other villages may be 4,000.

"The embezzlement by winders not connected with the weaver's family is, I am sure, very trifling; while, on the other hand, the embezzlement by the weaver or his wife or family is enormous; and such is the profit to the purchaser of such weft, that regular and organized establishments exist for its purchase.

\* Report of the Committee superintending the Fund for Preventing the Stealing of Manufactured Goods and Manufacturing Materials, pp. 4—6.

† District of Carrick.

" In Maybole the system has been brought nearly to perfection. In order to commencing such a trade, the business of a pawnbroker (unlicensed, of course) is commenced, where the needy or dishonest workman finds a ready market for the yarns, and which are generally parted with at one-sixth of their value, and that value often given in goods at an enormous price, and of inferior quality. Sometimes money is paid at the rate of 2½*d.* for what would cost the manufacturer 1*s.* Again, persons travel the country ostensibly selling articles of dress and trifling wares, which they barter with the weavers' wives for weft, and immediately sell it in bulk to the brokers. I have known of children being bribed by a penny, and a promise of sweetmeats, to steal the weft from their parents.

" The loss to the manufacturer is in this way immense; I should suppose at least 1,200*l.* yearly in Girvan, Maybole, and Crosshill; while the consequences to the weaver are most distressing: for instance, when a weaver or his family parts with part of his weft in this way, he endeavours to make it up by weaving the cloth much *thinner* than is specified in the ticket; the consequence is, that a great part of his wages is forfeited for thin work. Again, many of them dispose of the weft under the idea that they will be able to replace it before the web is finished (which can always be done by purchasing from the broker at his own price); and in this belief the workman continues to put in the stipulated quantity of weft. It almost always happens, however, that the workman is unable to supply the weft by purchase, and he then goes to the broker, and gives his clothes, or those of his wife and family, in exchange for the required supply of weft; and these he is never able to redeem; the consequence is, nakedness, starvation, and disease.

" The weft thus acquired, is sent to Glasgow and Belfast, where it is readily bought by small manufacturers, and made into cloth, which undoubtedly can be sold at a less price than goods regularly manufactured.

" While, however, a ready market can always be found in Glasgow and Belfast for such weft, a practice has become common for these manufacturers (from Glasgow, I mean) to send chains of webs to the country, to some of their confederates, who again purchase the weft from the weavers, and finish the web, and return it, having thus perhaps a higher remuneration than if they had transmitted the weft to Glasgow.

" It may be asked, is there no means of putting an end to such a system? There are two difficulties in the way, and the first and principal one is, that the agents (some of whom deal in the articles themselves) will give no aid towards its suppression, nor have the Glasgow manufacturers hitherto interfered to interrupt it.

" The second difficulty is, that the law as it now stands regarding the punishment for such offences is so highly penal, and, being in the English form, is so complicated and so dangerous to the Scots' practitioner, that few procurators fiscal are at all inclined to become complainers. The slightest error, either real or supposed, renders the complainer liable to be called into a superior court, and, as he has no interest to support the judgment, it often happens that a convicted buyer or receiver of embezzled materials is permitted to escape on the mere threat of a bill of suspension; and this will continue to be the case so long as the prosecutor is not protected by those manufacturers who have an interest in fair trade. The informer or prosecutor gets at most only a moiety of the fine, and from this all his expenses and trouble have to be paid, and these, I am certain, are seldom less than 10*l.*; while to support the conviction before the High Court of Justiciary would cost at least 40*l.*; and most likely, after the judgment was declared unobjectionable, the fine is irrecoverable.

" In the district to which I have alluded, I am not aware that any case has been brought under the statute, where I was not either the complainer, or the conductor of the case for the complainer, and at the same time taking upon myself the responsibility of the outlay, besides the loss that might arise from non-payment of my professional labour; and it has so happened that, from failing to satisfy the justices (where, in my opinion, the case was clear) that a conviction should follow, or from the total inability of the persons convicted to pay the penalty, I have been at least 15*l.* of outlay, besides my professional trouble. I have often had promises held out to me that the manufacturers of Glasgow would protect and remunerate any person under such circumstances; but although I have made known to them the whole circumstances now detailed, I have never been favoured with an answer.

" It cannot be expected, under such circumstances, that the public prosecutor, and far less a private individual, will interfere to check the crime of embezzlement.

" On this part of the subject I may conclude by observing, that in my opinion, no statute, how perfect soever, could check the crime of embezzling cotton and other materials of manufacture without the hearty co-operation of the manufacturers in large towns, and that of their agents in the country; how that is to be obtained I cannot point out, as assuredly the agents are fully aware of the evil, and the manufacturers ought to be so too, from the numerous notices of convictions and trials, if not from the too frequent occurrence of *thin* cloth.

" I hold, however, that the law itself should be in the best working order possible, and yet I do not think the statutes on this subject are so. It is perhaps not possible to make what I consider the defects of the law *apparent*, without rather a minute and lengthened commentary on the statutes; but as you seemed anxious for my opinion on the subject, I will consider the statute 17 Geo. 3, c. 56, section by section, so far as it relates to embezzlement, and point out what my experience in a twenty years' practice under the statute would suggest as improvements.

" It does not occur to me that the statutes are deficient in the enumeration of crimes or offences embraced by their provisions; indeed the distinct enumeration of the crimes, and the persons likely to commit them, denounced by the statute so far back as 1777, would infer that, from the extension of population, a revision of the law was necessary.

" The first alteration I would recommend, regards the *exclusive* jurisdiction given to the

Remedies.

Measures for increasing the demand for hand-loom labour.

IV. Repression of embezzlement.

Mr. Andrews.

22 G. 2, 17 G. 3, c. 56.

Remedies.  
Measures for  
increasing the de-  
mand for hand-loom  
labour.  
IV. Repression of  
embezzlement.

Mr. Andrews.

justices of the peace to try the offences under the statute; I do not say that this tribunal is inefficient, but there is no dispute that, generally, it is difficult to get justices to attend. The crimes are mostly committed in towns governed by magistrates, and I can see no good reason why the magistrates of such burghs as have a town clerk or assessor, should not be competent to the trial of all offences under the statute committed within their ordinary jurisdiction, as well as the sheriffs of counties, whose jurisdiction again would extend over the whole shire.

"The first section of the statute 22 Geo. 2, is amended by the first section of 17 Geo. 3, c. 56, so far only as the punishment is varied; the mode of proof, by the oath of the owner, or any other 'credible witness or witnesses,' being left entire. By the law of Scotland, a witness must be *competent* or *admissible* before he can be *credible*, and even after that, the credibility is a matter of some nicety. In no case can a conviction take place against a *receiver* of embezzled materials, without the evidence of the *seller*; and hesitation exists to consider *him* a *competent* or *admissible* witness: on principle, he is, perhaps, quite admissible, because although he is liable to punishment for having been the seller, yet his *interest* is to clear the accused, and if adduced for the prosecutor, the objection does not operate. Still there is hesitation and difference of opinion; and to bring the matter to the test by a judgment of the High Court of Justiciary, no prosecutor on his own responsibility will be a party to.

"At the same time, without the testimony of the buyer or seller, as the case may be, no conviction need be attempted, as care is taken that the *giver* and *receiver* of the yarn, whether for money, exchange or pawn, are the only persons present; but it would set the matter at rest, if in any alteration of the law it was declared that the buyer and seller are competent witnesses as against each other, leaving (as must be the case in all cases) their credibility to be judged by the nature of their testimony. This remark will apply to the mode of proof throughout the statute.

"The punishment, again, should in all cases of embezzlement, sale, &c, be a penalty recoverable in the most summary manner by warrant of distress in the first instance, and the *mode* of *executing* the *distress* should be *specially* pointed out; because although that mode of attachment is familiar in English practice, it is quite foreign to the usual form in the law of Scotland. It is, in fact, unknown in our practice, and for its form and mode of execution, the practice of England has to be referred to when occasion demands, and few, if any, practitioners have an opportunity of informing themselves on this important point in sufficient time to carry the law into execution in proper time.

"Again, if no distress can be found, then the delinquent should suffer such imprisonment as may be deemed sufficient. In all cases where a conviction is obtained, and where no appeal is taken (of which afterwards), power should be given to detain the delinquent, not exceeding *three* days, until it is seen whether or not he has goods and effects to answer the distress; if he has, he will then be set at liberty, and if he has not, his person is, in the meantime, safe to suffer the alternative of imprisonment.

"Section 2—Provides, that all crimes shall be tried by two or more justices. This seems a proper provision for many reasons, which it is of no importance to enumerate.

"Section 3—Provides a penalty and punishment for the receivers of embezzled materials, quite different from that enacted by the 1st section against sellers, perhaps on the adage, 'that without receivers, there would be no thieves.'

"The only changes I would suggest on this section is, that, for recovery of the penalty, a warrant of distress should be granted in the first instance, as recommended in the observations on section 1st.

"I see no use in giving power to any judge to cause the delinquent to be whipped; it is a cruel punishment, not now necessary, from the already improved and still improving state of prison discipline.

"Section 4.—As regards a second offence and its trial by the quarter sessions is, to say the least of it, expensive and inconvenient. There is no good reason why a second offence should not be tried by the ordinary tribunal. On the contrary, there is every reason to maintain, that the person guilty of a second offence has not, under this section, the chance of fair play; as for that second offence, there is no power of appeal as for a first, for so I construe the import of section 20th to be afterwards noticed.

"Section 5.—This seems to apply to a third party, not the embezzler, selling or offering to sell, and inflicts the punishment applicable to the crime of buying in section 3d. This is a very round-about way of stating the punishment, and might be much amended by a special declaration of the extent of the punishment. This would not only save expense, so far as the length of the original information or complaint is concerned, but would also lessen the chance of errors which occasionally occur, from the necessity of quoting different sections of a statute as applicable to an offence and its punishments.

"Section 6.—I have never had any practice under this section, although I am aware that the practice of working up embezzled materials is a very common one.—It has, for instance, of late become very common for private families to purchase Thibet yarn from weavers employed in the manufacture of shawls, for the purpose of making stockings, and from the fine texture of this material, it is preferred to silk, and looks equally well. A great deal of it is bought in this way by private families.

"But a greater quantity is bought by stocking-makers, who work it into stockings, and hawk these through the country. This section may with great propriety be retained, and improved by specifying the fine and imprisonment.

"Section 10.—The next section requiring any particular notice is the 10th, by which a power of search is given in the *day-time only*, and that on a complaint on *oath*. Perhaps to permit a search at night might lead to abuse; but to do away with the oath could not. At



best it is but an oath of *credulity*, and creates expense and trouble without a single good purpose served.

"Section 13.—This section provides for the disposal of yarns *after* conviction, and so far it is well enough. There are, however, a numerous class of cases, where no sale can take place under the statutes. I allude to the case of embezzled yarn, &c. found on carriers' carts and on board of steam-boats. The most valuable seizures are made from these vehicles of conveyance, and yet there is no way of bringing these materials to sale, as that power under the statute is only granted where a *previous conviction has taken place*. Here no conviction can take place, as neither the carrier nor the master of the vessel are cognizant of the kind of goods conveyed, which, indeed, are seldom addressed to any one, and *never acknowledged*. In many instances yarns of considerable value have been permitted to rot just because no warrant of sale could be obtained. The remedy is so easy as to require no observation.

"Section 14.—In place of fixing the punishment as in this section, I would, as formerly noticed, state the punishment in the section where the crime is declared.

"Section 19.—Here again the complaint on oath is brought into view, and on it the justices are empowered to grant a warrant to apprehend. As already observed, I would abolish the oath altogether, and give the justices the power either to issue a warrant to apprehend, or to cite the offender on a short *induciae*. In some cases apprehension is the best mode of proceeding, but in others it is unnecessary.

"Section 20.—The power of appeal, *which is only given to the accused by this section*, is positively hostile to the ends of justice, in so far as it effectually defeats the warrant of distress. Where a warrant of distress is granted, all the accused has to do is, to take an appeal, and lodge a recognizance by a sufficient cautioner. This it is an easy matter to procure, as he has generally plenty of money, and puts the amount of the penalty into the hands of a responsible acquaintance, who immediately signs the recognizance. *The obligation of the cautioner is discharged by producing the person of the appellant at the appeal court.*

"The appellant thus gains time to dispose of his whole effects; and although the judgment be affirmed at the quarter sessions, the warrant of distress is of no avail, and the delinquent goes to prison, glad to save the penalty by suffering incarceration. The consequence is, that the complainer pays the costs, which average in each case 10*l*.

"Now although I would by no means take away the power of appeal, I would only give that privilege under such conditions as would, in some measure, prevent the consequences alluded to. For this purpose, I would make the cautioner always liable, under his recognizance, to produce the *person of the appellant* at the bar of the appeal court, under the penalty of satisfying the conviction, *and also under the penalty of 10*l*. sterling to defray costs should the judgment be AFFIRMED.* In this way the expenses would be secured; or a more effectual security would be, to make the cautioner liable for the whole penalty in case the judgment was affirmed. This would not prevent appeals, but it would tend to lessen the crime.

"It will further be observed, that this section gives no power of appeal to the complainer, and yet the instances are by no means few where the justices have acquitted a prisoner in the face of the clearest evidence, merely because he did not happen to be notorious as a dealer in such articles, although long known to the fiscal as such. In such cases, if the prosecutor had had a power of appeal, the ultimate issue would have been different. In all and every case the prosecutor should have this privilege.

"Section 21.—A form of conviction which this section provides is at all times inconvenient. The form of Scotch procedure does not require it, as the judgment could easily be made clear and distinct without any *set form*, any deviation from which, by mistake or otherwise, only leads to disputes and after-litigation.

"I have thus briefly adverted to such enactments in the statute as I humbly conceive may be amended with advantage. If the time had permitted, I might have been more minute in the proposed alterations. Should a Bill be brought into Parliament to amend the present law, I may perhaps have an opportunity of seeing it, when I may again trouble you with such remarks as occur to me. I would only suggest, in the meantime, that any Act of Parliament on this subject, as applicable to Scotland, should be couched in the phraseology of the legal practice of that country, and where a mode of diligence is introduced unknown to that practice, that the mode of executing that diligence should be succinctly laid down without (as hitherto) referring to English practice, which is generally unknown.

"I may further observe, that although the alterations suggested would have the effect of making the law work better, I have no confidence that the crime could be put down. The temptation to commit the offences is great, from the profitable nature of the traffic. I am far from certain that any crime is attentively looked after where the statute confers the power of prosecution on any person who chooses to complain, and yet to confide that duty to the procurators fiscal is attended with difficulty, inasmuch as a fund would be required to pay costs. To tax the manufacturers for such a fund might not be agreeable, and any attempt to make the funds of the counties liable would be resisted; while, on the other hand, the Government might object to bear the burthen. It appears clear to me, however, that until some such fund is provided, the traffic can never be put down.

"Maybole, 7 June 1838.

"W. Andrews,

"Procurator Fiscal."\*

Remedies.

Measures for increasing the demand for hand-loom labour.

IV. Repression of embezzlement.

Mr. Andrews.

From the intimate connexion between the weavers and manufacturers of the north of Ireland with those of the south of Scotland, it may be supposed that



Remedies.  
Measures for  
increasing the de-  
mand for hand-loom  
labour.

practices usual in the one country prevail also on the other. And this appears to have been the case at the time when our Assistant Commissioners visited Ireland. Mr. Kennedy, one of the most extensive manufacturers in Belfast, stated it to be his opinion that half, or indeed more, of the goods sold by the warehouses in Belfast for the home-trade were made of embezzled yarn.\* Mr. Harling, also a manufacturer, stated that two-thirds of the entire goods sold in the Belfast warehouses for the immediate home-trade were the produce of embezzled weft.† It is unnecessary, however, to dwell on the evidence as to embezzlement in Ireland, as we have reason to believe that it describes a state of things which no longer exists.

At the close of the last session, an Act, for which Ireland is indebted to Mr. Labouchere, the 3d and 4th Vict., cap. 91, was passed, “For the more effectual prevention of frauds and abuses committed by weavers, sewers, and other persons employed in the linen, hempen, union, cotton, silk, and woollen manufactures in Ireland;” and we are informed that it has in a great measure suppressed the receiving, and consequently the theft of manufacturing materials in the north of Ireland. It is to be in force for one year, and from thence to the end of the next session. We recommend that, during the session of 1841, an inquiry be made as to its operation; and if the report be, as we have reason to expect, favourable, that the Act receive such modifications, if any, as may appear advisable, and be made perpetual: and we recommend that, at the same time, a special inquiry be made as to the expediency of legislation on similar principles for England.

In Scotland, however, the evil appears to be far more extensive and more intense than in any part of England, and the existing means of repression to be glaringly deficient. We recommend, therefore, that the attention of the Lord Advocate be immediately directed to the existing state of the law as to the resetting and embezzlement of manufactured goods and materials of manufactures, and that he be requested to frame a bill for its improvement. In the hope of facilitating this labour we annex in our Appendix‡ a copy of the bill prepared for this purpose by the Glasgow committee, whose report we have already quoted. It is the bill alluded to in the 8th and 9th of the queries submitted by the committee to Captain Jeffrey and Captain Miller, the superintendents of police in the gorbals and royalty of Glasgow, and generally approved by both those officers.§

V. Abolition of re-  
strictions on the  
Irish Linen Manu-  
facture.

A fifth measure, which has been proposed for increasing the demand for hand-loom labour, is the removing obstacles to the free use and circulation of labour. Mr. Otway and Mr. Muggeridge have stated the statutory regulations of the Irish linen trade to be among these obstacles, and have recommended their abolition or modification.||

Both the Scotch and the Irish linen manufactures grew up under the system of restriction and regulation which the political economy of our ancestors deemed necessary to prevent men from misunderstanding their own interests and misdirecting their own industry. The 13th Geo. I. cap. 26, laid down rules for the manufacture and sale of yarn in Scotland, specifying minutely the material out of which it should be spun, the reel on which it should be wound, and even the number of threads to be contained in every hank. After stating that linen cloth was often made of a length or a breadth for which there was no foreign or home demand, it specified the dimensions to be assigned to each piece. It imposed penalties on every person exposing to sale or buying, or even carrying from place to place, either yarn or linen varying from the prescribed regulations, and gave general powers of searching all places suspected of containing them. It required all linen to be measured and stamped by a public officer before it was exposed to sale, and enabled the crown to create a Board of Trustees, afterwards called the Linen Board, whom it directed to lay down rules for the manufacture and sale of linens and yarns, and to appoint stamp masters and inspectors to carry them into effect. The 24th Geo. II., cap. 31, increased the penalties on the contravention of these restrictions, and facilitated their infliction.

Under these restrictions the linen trade of Scotland struggled on for nearly a century, until at length, in 1823, after many previous unsuccessful attempts, a strong and combined effort was made to shake them off. The Imperial Board of Trade consulted the Linen Board as to the propriety of the proposed change, and a parliamentary paper, entitled “Copy of a Letter relative to the Inspection of

\* Assistant Commissioners’ Reports, Vol. I., p. 778.

† Ibid., p. 785.

‡ Appendix p. 131.

§ Reports from Assistant Commissioners, Vol. I., pp. 91, 92.

|| Otway. Reports from Assistant Commissioners, Vol. I., p. 643. Muggeridge, *ibid.*, p. 708.

“Linen and Linen Yarn in Scotland, and Copies of the Documents referred to in the said Letter,” ordered to be printed the 19th of June, 1823, contains the answer of the Linen Board. In that letter the Board state,—

“That the law for nearly a century past has been in operation; that the habits of spinners, weavers, manufacturers, and buyers, have grown up with it, and the manufacture has increased from two millions to thirty millions of yards annually. That before resolving to overthrow or even to disturb a system from which such important benefits have to a certainty arisen, a case of strong and irresistible necessity ought unquestionably to be made out; but the Board, with full means of knowledge, are utter strangers to any such necessity. That the Board cannot help viewing the proposal as unnecessary, impolitic, and dangerous; and are clearly of opinion that the provisions of the 13th Geo. I. and 24th Geo. II. have been framed with great wisdom and a thorough knowledge of the subject, and are just as necessary now as they ever were.”

The Legislature, however, were unmoved by the fears and the arguments of the Linen Board. The statutory restrictions and regulations were all swept away, and the result enables us to estimate their value. That result is, that the manufacture which, during its fettered state, took nearly a century to increase from two millions of yards to thirty millions, rose, when unfettered, in less than 17 years from thirty millions to above sixty millions, the annual exportation from the single port of Dundee having for some years past exceeded sixty millions of yards.

The Irish Linen Board preceded that of Scotland, having been established in pursuance of the 9th Anne, cap. 3. We shall not enumerate the numerous Acts, now repealed, by which the manufacture and sale in Ireland of yarn and linen were restricted, but proceed at once to the 5th and 6th Wm. IV. cap. 27, the Act now in force. The principal provisions of this Act, so far as it relates to the question now before us, are these:—It requires all flax, sold or exposed for sale in any open fair or market, to be of uniform quality throughout each parcel. It requires that (with the exception of millspun yarn) all brown linen yarn sold in open market or fair in Ireland shall be of uniform quality and made into hanks, each hank containing 12 cuts and *no more*, and each cut 120 threads and *no more*, and that every hank be one yard and a quarter in length and two yards and a half in circumference. It forbids the sale in open fair or market of any brown linen cloth which shall not be of uniform quality, or to which any material rendering it more difficult to bleach, or tending to deceive the purchaser, shall have been applied, or which, being of the denomination yard wide, shall not be 37½ inches broad at least, or of the denomination of three-quarters wide which shall not be 28 inches broad at least, and so on as respects the other denominations. All these prohibitions are enforced by fines. It then provides for the appointment or continuance in office in every county of seal-masters and inspectors.

The duty of the seal-master is carefully to view, examine, and measure every piece of brown linen which shall be tendered to him; and, if it shall appear to him to be merchantable and agreeable to the directions of the Act, to seal it and mark on it its length and breadth. He is entitled to 1*d.* for every 25 yards which he seals, and is liable to damages on the part of the buyer if any piece vary in quantity or quality from his certificate. And it is enacted that, under a penalty of 5*s.* per piece, no person shall in open market or fair sell or expose to sale, or buy or agree to buy, any brown linen which shall not have been previously sealed in manner directed by the Act.

The duty of the inspector is to examine all brown linen, linen yarn or flax exposed to sale in the market or fair to which he is appointed, and to seize any that may not be conformable to the regulations of the Act.

We add the statements of Mr. Otway and Mr. Muggeridge as to the working of of the Act:—

*Mr. Otway.*

“Most numerous are the frauds practised on and by the seal-masters. The weavers often underlap the web, efface the seal and the mark of the price at which it was sold, and offer it to other buyers; they also endeavour to stretch the cloth after it is sold, and often injure and tear the web in the effort to do so. Cloth, thus stretched, shrinks again; and after the buyer brings it home he finds it is short of the quantity marked on it; he then summons the inspector of linens; he again summons the seal-master, who then endeavours to recover from the weaver, but is often baffled by the circumstance of the weaver’s giving fictitious names. The income of the inspector arises from the fines of the seal-master; he has a direct interest in the continuance of this injurious system of litigation, and is exposed to the constant temptation of a compromise with the seal-master. Nothing can be more injurious than the whole system

*Remedies.*

Measures for increasing the demand for hand-loom labour.  
V. Abolition of restrictions on the Irish Linen Manufacture.

*Mr. Otway.*

Remedies.  
Measures for  
increasing the de-  
mand for hand-loom  
labour.  
V. Abolition of re-  
strictions on the  
Irish Linen Manu-  
facture.

The seal-masters and inspector not only are a tax on the weaver, who pays so much for the marking of the web, but they prevent the buyer from using that circumspection which all purchasers should use. The system holds out not only temptations to fraud to the weavers but to the seal-masters, who are generally also weavers and sellers of cloth in the market. There seems to have been no care whatever bestowed on their selection.

"A seal-master, if he followed the provisions of the Linen Act, could not seal and measure more than 10 webs between the time the webs come in and the hour appointed for the sale to commence, 10 o'clock. For the sealing of each web of 25 yards long the seal-master is entitled to 1d. In order to obtain as many pence as he can within the limited time, he evades the duties imposed by the Act, and only measures the breadth of the web, which is done in an instant, and then seals it. The web is thus offered for sale without any real protection from fraud to the buyer. After each web is sold it is returned to the seller, who has the custody of it until four o'clock, the hour for delivery and payment. During this interval the seller brings the web back to the seal-master, in order to get it measured, examined, and sealed at both ends. Had this process taken place before it was exposed for sale, and if the buyer, after the agreement for sale, did not return the cloth to the weaver, much of the fraud and inconvenience which now take place would be obviated.

"I should earnestly recommend the abolition of both seal-masters, inspectors, and trustees, and the leaving of the market open for the buyer and seller to arrange their own bargains as their mutual interest would point out."\*

### *Mr. Muggeridge.*

*Mr. Muggeridge.*

"The uniform and invariable practice in Ireland, in all the markets I attended, is not to measure the length of a piece before it is offered in the market, but to affix the seal to it previously; and when it is sold, then, and not before, it is measured, and the length marked on it in figures, and paid for accordingly. It should be stated that this deviation from the letter and spirit of the Act is said to be made solely in reference to the feelings and interests of the weaver, whose cloth, if subjected to the rumpling and tumbling consequent on its being measured, would present a less attractive shape or appearance in the eyes of the buyer. Dr. Boyd, the seal-master of Coleraine, told me that any attempt to measure the webs before their sale 'would produce a revolution among the weavers.'

"The result of all this parade of official measurement is precisely this:—The bleacher or merchant having bought a piece of linen in a public market pays for it, at a place appointed by him for the purpose, in the afternoon of the market day, according to the number of yards it contains, as attested by the seal-master's stamp, the actual measurement being very frequently dispensed with. When he gets it home, he almost invariably measures it on his own premises. He finds, perhaps, it is a quarter of a yard less than stamped, and, according to the Act of Parliament, he comes on the seal-master for the full value of the loss sustained, which, however, is never estimated at less than the price of a yard. This he receives. The seal-master then calls on his deputy, or measurer, to reimburse him the amount he has been called on to pay; the seal-masters generally hiring men to measure for them at so much per day, and making it a condition that they shall pay any claims made upon their employer for over measurement. The measurer, in his turn, falls upon the weaver who made the web, and makes him refund the deficiency; a refusal of which would, it was stated, invariably lead to future close measurement of the webs subsequently presented for sealing.

"Thus it frequently happens, that the poor weaver, who has actually paid a public officer for measuring his web, finds that, three weeks or a month after he has sold it,—parted with it, and received payment for it,—he is compelled to refund a certain sum, on the plea that it is not the length which the public officer has duly certified it to be, and for which certificate or seal he had previously paid a fee. These are cases, it was alleged, of almost constant occurrence, and always regarded as of hardship or oppression. It was also urged, that if at the bleach-green the deficiency in the stated length turned out to be but one inch, which a web might 'creep in,' either from the heat of the atmosphere, or from being placed in a peculiarly dry room or warehouse, the general practice was to deduct the price of a yard; but extend what it would over the measurement, no extra payment was ever made.

"The surveillance of the seal-master, incomplete and inefficient as I have shown it to be, extends only, it must be remembered, over such pieces of linen 'as are exposed for sale in open fair or market.' The proportion of the linen manufactured in Ireland so 'exposed for sale in open fair or market,' is every day decreasing. The bulk of the trade has fallen into the hands of manufacturers employing weavers, and their transactions being conducted mostly through private sale, do not come within the jurisdiction of the seal-master; and if they did, it would probably be found that the manufacturer was his own seal-master, and combined both characters in his own person.

"Many of the trade, apart from the merely operative weaver, who is the seller, urge that the office of seal-master is one of great protection to buyers; and unquestionably, to those who are too indolent, or, as was formerly alleged, 'whose time is too valuable' to be taken up with ascertaining the quality of the material they are purchasing,—to such persons the office may be of advantage; and no doubt if every man, be his calling what it may, who went to make a purchase of any article, could have its exact quality and quantity previously tested by an experienced public officer, without any cost to him, many dear or bad bargains might be avoided. But inasmuch as this is not the case, and in all other commercial or trading transactions, men are left to the exercise of their own skill and discernment,—or, if they seek other

\* Otway. Assistant Commissioners' Reports, Vol. I., p. 643.

opinions, as a man buying a horse frequently employs a veterinary surgeon, they are called on to pay for them,—I cannot discern either reason or justice for compelling the poor hand-loom linen weaver to pay, by statute, the salary of an officer whose advantage, if any, must be to the buyer, and to his detriment as the seller.

*“Regarding therefore the nature of the office of seal-master, the mode in which its duties are ordinarily performed, the want of uniformity of system in the number, responsibility, and character of the appointments, and the altered position of, and manner of carrying on the linen manufacture, since the period of the creation of these officers, I recommend that the office of seal-master be abolished.”*

“The next class of officers under the Linen Act, of whose position and duties it is desirable to take a brief survey, are the ‘inspectors of brown linen, and linen yarn and flax markets.’”

“The office of inspector was always viewed with favour by all, save the dishonest portion of the trade, but by singular infelicity the statute appointing them also provided, that ‘it shall not be lawful to impose any fine, charge, or impost whatsoever for the remuneration or emolument of such inspector.’”

“The linen committees attempted to get over this obstacle in the Act, by appointing inspectors, with a private understanding, that they should not be called upon to pay over any fines they might succeed in levying, but retain them as remuneration for their services and trouble. On these conditions many respectable persons undertook the office, and, in almost every instance, the most advantageous results are stated to have followed.

“It will be obvious to the Board, that just in the degree, however, in which the efficiency of the inspector raised the character of a market, and rendered less frequent the attempts at fraud, did he lessen his own income, by the comparative decrease of the number of fines he was enabled to levy. Whenever a market became perfectly honest, he was deprived of all remuneration, because there was nothing for him to seize or fine. This result was actually produced in almost every instance in which the inspector was really a zealous and active officer; and in consequence the office of inspector has, in such places, fallen into desuetude.

“I am perfectly satisfied of the inefficiency of the present arrangements on this subject, and of the great distinction existing in the degree of surveillance exercised over the manufacture in the various linen markets throughout the country. In some few, there is yet, perhaps, adequate inspection. In others, it is less perfect; and in many more, there is none at all. It is unquestionably desirable that an uniform system should be adopted: and this, I think, could in no way be so effectually secured as by taking away the appointments from the county committees, many of which are acting at variance with each other, and placing them in the hands of an officer, to whom, when appointed, they should be responsible, and who should himself be made responsible to higher authority.

“In the consideration of this subject, it should, however, be borne in mind, that every year renders the necessity of any such appointments less and less imperative. As regards the yarn markets, where the services of an efficient inspector would be the most beneficially exercised, the quantities of hand-spun yarn offered for sale are rapidly diminishing, and giving place fast to the mill-spun yarn, against which there are no complaints of deficiency in count or length, and consequently no call for, or need of inspection.

“Again, the quantity of cloth ‘exposed for sale in public market,’ and which alone comes under the cognizance of an inspector, is as rapidly decreasing, generally speaking, as the hand-spun yarn, under the widely extending system, now so prevalent, of manufacturers giving out materials to be woven for them, which they dispose of, when finished, in their own lapping-rooms or counting-houses, and which very rarely finds its way into the public market.

“This system, and the use of mill-spun yarn, are both so obviously politic and desirable, that I have little doubt that, at no distant day, we shall find the linen manufacture conducted in no other manner, and no necessity existing for any inspectors. At the same time, as many prejudices, and many erroneous views of self-interest, may retard some few years longer this impending result, and as the present plan of inspection is not only inefficacious, but absolutely partial and pernicious, I feel its abolition to be so desirable, that, if it could not be procured on easier terms, *I would recommend that Her Majesty, under the royal sign manual, be empowered to appoint a proper person to be Inspector-General of yarn and linen markets in Ireland, and that such person be authorized to appoint inspectors for counties or districts, or places; the whole to hold office during pleasure, and to be remunerated by fixed salaries.*

“There are 49 markets in the province of Ulster, and not as many more in the remaining provinces. If the average cost of inspection of each market was 40*l.*, which would, I should suppose, be ample, the total annual charge of such an arrangement throughout Ireland, including the salary of the inspector-general, would not exceed 5,000*l.*

“It would be for consideration whether the inspectors should, as is the present custom, retain the amount of fines they levy, or any and what proportion of them. These would necessarily vary very much in amount. The fines levied by the linen inspectors of the county of Derry I found to be, from 1829 to 1838, 592*l.* 19*s.* 2*d.*, giving an annual average of about 65*l.* Those levied in the markets of Moneymore and Magherafelt, for three years amounted to 90*l.* 14*s.* 6*d.*; the Kilrea market, for the same time, 73*l.* 10*s.* 6*d.*; but these afford no criterion whatever of what would be the sum levied under more efficient control and inspection.

“There are other duties, apart from mere inspection, which might, with great advantage to the trade, be required of the inspectors, if persons of character and responsibility.”\*

#### Remedies.

Measures for increasing the demand for hand-loom labour.

V. Abolition of restrictions on the Irish Linen Manufacture.

Mr. Muggeridge.

\* Muggeridge. Assistant Commissioners' Reports, Vol. I., p. 699.

Remedies.  
Measures for  
increasing the de-  
mand for hand-loom  
labour.

It will be seen that both Mr. Otway and Mr. Muggeridge recommend the abolition of sealing, and that Mr. Otway recommends the removal of all restrictions, and that the sale and manufacture of yarn and linen be allowed perfect liberty. Mr. Muggeridge recommends that either the office and the duties of the inspector be abolished, or that the appointment be vested in the crown, and the duties remunerated by salary: and he has added to his report the draft of a bill for carrying this change, and some others, into effect. But he adds—

“ I must disclaim being regarded as following the bent of my personal opinions or impressions. These would lead me simply and unequivocally to urge the entire repeal of the Act regulating the linen manufacture of Ireland, and to leave the manufacture of that country to the same freedom from legislative restraint enjoyed by the rival manufactures of England and Scotland, and which, in the case of the latter especially, I have shown to have been conducive to such advantageous results.”\*

Our own inquiries lead us to the same conclusion, and we recommend therefore that the enactments 5 and 6 W. IV. cap. 27, requiring the linen yarn and cloth exposed to sale in open fair or market in Ireland to have certain given qualities, be repealed, and that the offices of seal-master and inspector be abolished.

VI. Releasing work-  
people from the  
tyranny of com-  
binations.

We now proceed to a far more serious obstacle to the free use and circulation of labour, that created by combinations among workmen, an obstacle which we have already described as more mischievous than any other in its immediate, and more formidable in its ultimate, effects. We shall preface our suggestions for the improvement of the law respecting combinations by a short statement—first, of the principles on which, we believe, that any legislation on that subject ought to be founded; and secondly, of the manner in which it has been dealt with by the law of England.

We believe that the property of the working man in his strength and skill is as real, and ought to be as much respected by the law as any other property which the law recognizes.

We believe that the right of the working man to employ that property in the way which he considers most for his interest, so far as he does not interfere with the exercise of a like free will on the part of another, is a right as sacred as any right for the protection of which laws are maintained.

We believe, therefore, that it is the duty of the state to protect that property and that right, and that it may be guilty of a breach of duty by acts of commission or of omission. By acts of omission, if it does not protect the labourer from injury on the part of those who assume to dictate to him what he shall do and what he shall not do; by acts of commission, if it assume itself to dictate to him, and to force him to pursue or to abandon a given proceeding, not on the ground that he is interfering with the free will of another, but because his conduct may be detrimental to himself, or to his master, or to the general wealth of the society. We believe in short that in this, as in almost every other matter, the duty of the government is simply to keep the peace, to protect all its subjects from the violence, and fraud, and malice, of one another, and having done so, to leave them to pursue what they believe to be their interests in the way which they deem advisable.

The following outline of the law of England as respects combinations will show that we have been guilty of both these errors; that we have attempted to do much that was unjustifiable, and have left undone, and now leave undone, almost all that we ought to do.

The common law of England considers all conspiracies as misdemeanours, and on indictment and conviction by a jury as punishable by fine and imprisonment, and by the further liability to give sureties at the discretion of the court for the future good behaviour of the criminal. And it includes, under the general head of conspiracy, all confederacies where either the purpose or the means are unlawful, whether the object be to effect a lawful purpose by unlawful means, or an unlawful purpose by any means whatever; and according to high legal authority, all confederacies to prejudice a third person.† The law allowed any labourer, not being a villein, to refuse to work more than a certain time, or for less than a certain rate of payment, or on any other conditions which he thought fit to require;‡ and it allowed the master to impose what conditions he thought proper; but the instant the labourers or the masters attempted to make common cause,§ the instant

\* Muggeridge. Assistant Commissioners' Reports, Vol. I., p. 708.

† *Rex v. Journeymen Taylors of Cambridge*, 8 Mod. 11. *Rex v. De Berenger*, 3 M. and S. 67. *Rex v. Fowler*, 1 Earl, P. C., cap. 11, s. 11. 1 *Hawkins*, P. C., cap. 72, s. 2. *Clifford v. Brandon*, 2 Campbell, 369, *Rex v. Eccles*, 13 East 230, in notes. *Regina v. Best*, Lord Raymond, 1167 S. C. 1 Salk. 174.

‡ 8 Mod. 11, *ubi supra*. *Rex v. Morley and others*, 6 T. R., 636.

§ *Rex v. Parsens*, 1 W. Blackstone, 392.



the members of either body agreed to support one another in their requisitions, the law held the purpose of the agreement to be prejudicial to third persons, or injurious to trade in general, and therefore an unlawful agreement, or, in other words, a conspiracy, and therefore a misdemeanour, and the parties engaged in it might be indicted either as having conspired among themselves, or together with other parties unknown. It did not matter whether the acts by which the objects of the agreement were to be effected were or were not in themselves unlawful. The crime consisted in the agreement itself, and an indictment might be sustained by simply proving the agreement, without showing that a single act had been done to carry it into effect, or by proving various acts done by the parties tending to one common end, from which a common design, and an agreement to effect that design might be inferred. In the indictments at common law accordingly there are found general charges of conspiracy to raise the wages or to shorten the hours of labour of the confederates or of others, or to dictate to their employers the mode of carrying on their business, and, in other counts, in the same indictment, are found more detailed charges of conspiracy evidenced by simultaneous refusals to work, by solicitations of others to join in the conspiracy, or to form distinct conspiracies, by subscriptions, or by solicitations of subscriptions, or by other acts innocent in themselves, but considered proofs of an illegal agreement; and other counts, are added, charging the parties with acts illegal not only in their purpose but in themselves, such as assaults, riots, or the exciting others to commit breaches of the peace.\*

Proceeding on questionable grounds of public convenience, the common law erected into crimes acts in themselves perfectly innocent, and subjected acts really criminal to punishment on account not so much of their own qualities, as of the purposes to which they were subservient. It was oppressive, and, like all oppressive laws, demoralizing; men's ideas of right and wrong were confounded, when they were told that each man's separate attempt to raise his own wages was blameless, but that any concerted effort was a crime; that a mere agreement to make such an effort was a crime, and that an assault or a riot exposed its actors to far severer punishment when used as evidence of a combination to raise wages, than when regarded as merely endangering the persons and property of their fellow-subjects.

But the law was not only oppressive, but ineffectual; not in its description of the offence, or in the evidence which it required,—in these respects it was comprehensive and manageable,—but in its mode of procedure. That was the dilatory, expensive, and troublesome process of indictment, a proceeding generally felt even by those who have leisure enough, and funds enough to be able to resort to it, to be a greater evil than submission to the conduct which it might enable them to punish.

We shall not attempt to trace the progress of the statute law on combination. The titles of the different acts on this subject will be found in the first section of the 5 Geo. III. cap. 95, where their mere enumeration occupies six pages. Most of them are confined to particular places or particular trades. One of the most important was the 12 Geo. I. cap. 34. It was intended to protect the woollen manufacture against combinations among weavers, and after declaring, in accordance with the common law, all agreements by societies of weavers or others for regulating prices, advancing wages, or lessening hours of work to be illegal, it subjects all persons entering into such agreements, or attempting to put them in force, to imprisonment and hard labour for not exceeding three months, on conviction, not, as at common law through an indictment, but *on summary process before two justices*. The assaulting or abusing masters for non-compliance with rules attempted to be imposed on them by the men, or the sending threatening letters to them, was made a felony punishable by seven years' transportation.

The 22 Geo. II. cap. 12, extends the provisions of this Act to persons employed in the manufacture of hats, silk, mohair, fur, hemp, flax, linen, cotton, fustian, iron, and leather.

The great statute against combinations was the 39 & 40 Geo. III. cap. 106, which extends to workmen engaged in every manufacture. It contains, like the previous Act of Geo. I., a declaration of the illegality of all agreements (except of course between masters and their own workmen) for raising wages, lessening labour, preventing masters from employing whom they pleased, or "for controlling the conduct, or in any way affecting any person carrying on any manufacture or business in the conduct or management thereof." It punishes workmen parties to any such agree-

Remedies.

Measures for increasing the demand for hand-loom labour.  
VI. Releasing work-people from the tyranny of combinations.

\* See printed precedents of indictments in the Crown Circuit Companion, 127—134. Indictment against Journeymen Leather-dressers, 4 Wentworth, 100; against Smiths, *ibid.* 113; against Labouring curriers, *ibid.* 120; against Lamplighters, 6 Wentworth, 375; against Wheelmakers, 3 Chitty, Crim. Law, 1163; against Serge-makers, *ibid.* 1166; against Weavers, *ibid.* 1167; against Rope-makers, *ibid.* 1170; and see 2 Chitty, Crim. Law, 506; *Rex v. Philips*, 6 East, 464.



Remedies.  
Measures for  
increasing the de-  
mand for hand-loom  
labour.  
VI. Releasing work-  
people from the  
tyranny of com-  
binations.

ment, or endeavouring to carry it into effect, or attempting to prevent others from taking employment, or inducing them to quit it, controlling masters in engaging men, or, without reasonable cause, refusing to work with any other workman, attending meetings for such purposes, or inducing others by summons or intimidation or persuasion to attend such meetings, with imprisonment for three months on summary conviction before two justices. It declares contributions to such purposes forfeited, and imposes fines on all persons contributing or collecting contributions. Combinations among masters are declared equally illegal.

This was the last English Act directed against combinations, before the great alteration of the combination laws in 1824, and it appears, probably in consequence of the facility afforded by the powers of summary conviction, to have rendered the common law remedy by indictment almost obsolete. It did not, however, oppose combinations with much success, for they increased, both in extent and in violence during the 24 years that the 39 & 40 Geo. III. was in force, more rapidly than during any previous period. At length in 1824, Mr. Hume obtained a Committee to inquire, among other things, "into the state of the law and its effects, so far as relates to the combination of workmen and others to raise wages, or to regulate their wages and hours of working." The Committee sat for three months, and collected much valuable evidence; the result of which they embodied in eleven resolutions, of which the following are the most material:—

"That the laws have not only not been efficient to prevent combinations, but have had a tendency to produce mutual irritation and distrust, to give a violent character to combinations, and to render them highly dangerous.

"That the statutes which interfere as to the rate of wages or hours of labour between masters and workmen should be repealed, and that the common law under which a peaceable meeting of masters or workmen may be prosecuted as a conspiracy, should be altered.

"That it is absolutely necessary to enact a law which may efficiently, and by summary process, punish either workmen or masters, who, by intimidation or violence, interfere with the perfect freedom which ought to be allowed to each party of employing his labour or capital in the manner he may deem most advantageous."

In pursuance of these resolutions, the 5 Geo. IV. cap. 95, was passed.

The first section repeals all the existing statute law on combination.

The second section alters the common law, by enacting, that persons combining to advance or fix wages, or alter hours or quantity of work, or to induce others to quit their service or return their work, or combining, not being hired to refuse to work, or to regulate the management of any business, shall not be subject to any punishment at common or statute law.

"The fifth section enacts, That if any person, *by violence to the person or property, by threats or by intimidation*, shall wilfully or maliciously force another to depart from his hiring or work before the end of the term for which he is hired, or return his work before the same shall be finished, or damnify, or destroy any machinery or work, or prevent any person not being hired from accepting any work or employment; or if any person shall wilfully or maliciously *employ violence to the person or property, threats or intimidation towards another*, on account of his not complying with or conforming to any rules or regulations made to obtain an advance of wages, or to alter the hours of working, or to decrease the quantity of work, or to regulate the mode of carrying on any business, or the management thereof; or if any person, *by violence to the person or property, by threats or by intimidation*, shall wilfully or maliciously force any master or manufacturer, or his foreman or agent, to make any alteration in their mode of regulating, managing, conducting, or carrying on their manufacture, trade, or business—every person so offending, or causing, procuring, aiding, abetting, or assisting in such offence, being convicted thereof in manner hereafter mentioned, shall be imprisoned only, or imprisoned and kept to hard labour, for any time not exceeding two calendar months."

The 6th section repeats the 5th, with the insertion of the word *combine*, thus—  
"If any person shall *combine*, and by violence, &c., force another, &c."

The intention of this section is not clear: it does not make the *combination* the offence, nor does it alter the punishment.

A summary mode of procedure before two justices, and powers of conviction on confession or proof on oath by two witnesses are then given, and it is further enacted, that no appeal shall be allowed against any conviction under the Act; but no master, or the father or son of any master, in *any* trade or manufacture, can act as justice under the Act.

The Act of 1824 cannot be said to have had a fair trial, for it was not allowed to continue in force for a single year. At the beginning of the very next session the House of Commons appointed a Committee "to inquire into the effects of the

5 Geo. IV., and to report how far it might be necessary to repeal or amend that Act."

In the Report the Committee state "the existence of a system of combination directed to purposes highly prejudicial, and supported by insult, intimidation, and the most atrocious crimes." "At this moment," they say, "the greater part of the manufacturing labour of the kingdom may be said to be under the dominion of the committees of the respective associations, which are themselves under the influence of agitators, who dispose and govern it according to their will, deriving power and importance from the dissensions which they foment, and after subverting the natural relation between the employers and the employed, are rashly urging the destruction of trade itself, reckless of the individual misery, the crimes, and public calamities by which it must be attended." They enumerate, among the means practised to effect intimidation and submission to the regulations of the combined workmen, "warnings, threats, assaults, and the infliction of the most cruel injuries by throwing vitriol, deeply concerted attempts to assassinate, and, as far as intention went, the perpetration of actual assassination, for which conviction has been obtained."

They add "that they have been deterred in some instances from pressing their inquiries, lest they should lead to some suspicion of the quarters from which information had been derived, and place in jeopardy the lives of the individuals on whom the suspicion of having given it might fall."

The result of this Report was the 6 Geo. IV. c. 129, the Act now in force respecting combinations.

That Act, after reciting that the provisions of the 5 Geo. IV. had not been found effectual, "That combinations are injurious to trade and commerce, dangerous to the tranquillity of the country, and especially prejudicial to the interests of all who are concerned in them;" and that it is "expedient to make further provision, as well for the security and personal freedom of individual workmen in the disposal of their skill and labour, as for the security of the property and persons of masters and employers," by its first section repeals the 6 Geo. IV.

The second section repeats the repeal of the previous statute law on combinations.

The result of these two sections would have been simply to revive the common law on combinations, in its wide and, as we think, oppressive extent, but also with its inconvenient procedure.

The third section therefore subjects certain acts, nearly the same as those punishable by the 5 Geo. IV., to summary punishment. As it is the law now in force, we extract it. It enacts that—

"If any person shall by violence to the person or property, or by threats or intimidation, or by molesting or in any way obstructing another, force or endeavour to force any person to depart from his hiring, employment, or work, or to return his work before the same shall be finished, or prevent or endeavour to prevent any person not being hired or employed from accepting work or employment; or if any person shall use or employ violence to the person or property of another, or threats or intimidation, or shall molest or in any way obstruct another for the purpose of forcing or inducing such person to belong to any club or association, or to contribute to any common fund, or to pay any fine or penalty, or on account of his not belonging to any particular club or association, or not having contributed or having refused to contribute to any common fund, or to pay any fine or penalty, or on account of his not having complied or of his refusing to comply with any rules or regulations made to obtain an advance of wages, or to alter the hours of working, or to alter the quantity of work, or to regulate the mode of carrying on any business, or the management thereof; or if any person shall by violence to the person or property of another, or by threats or intimidation, or by molesting or in any way obstructing another, force or endeavour to force any manufacturer or person carrying on any business, to make any alteration in his mode of regulating, managing, conducting, or carrying on such manufacture or business, or to limit the number of his apprentices, or the number or description of his journeymen, workmen, or servants; every person so offending, or aiding, abetting, or assisting therein, being convicted thereof in manner herein-after mentioned, shall be imprisoned only, or shall and may be imprisoned and kept to hard labour, for any time not exceeding three calendar months."

We have printed in Italics the new matter contained in this clause.

The fourth and fifth sections exempt from punishment at common law persons meeting for the sole purpose of determining the wages which the persons *present at such meeting* shall demand or pay, or the hours or time of working, and also persons entering into an agreement, verbal or written, *among themselves*, as to the wages which they shall demand or pay, or the hours or times of working.

By the seventh section justices of the peace, on information on oath, may summon a person charged with an offence under the Act, or, if they think fit, issue a warrant, without previous summons, for his apprehension, and on his appearing, or on *proof*

#### Remedies.

Measures for increasing the demand for hand-loom labour.

VI. Releasing work-people from the tyranny of combinations.

Remedies.  
Measures for  
increasing the de-  
mand for hand-loom  
labour.  
VI. Releasing work-  
people from the  
tyranny of com-  
binations.

*of his absconding*, may convict him, on confession or on the oath of *one* or more witness.

The 12th section gives to every person convicted under the Act an appeal to the quarter sessions, and directs the execution of the judgment to be suspended, on his own recognizance, with that of two sureties in 10*l.* for the prosecution of the appeal.

The 13th section enacts that no justice, being also a master in the particular trade or manufacture, concerning which an offence is charged, shall act as justice under the Act. The previous Act extended (as we have seen) the prohibition to all masters in any trade or manufacture, and the father or son of any master.

A form of conviction is added, in which the *name* of the person convicted must be inserted.

We have already stated that the 6 Geo. IV. has revived the common law against combinations, with this exception, namely, that it exempts from punishment persons meeting to determine the wages or hours of work which the persons present at the meeting shall require or give, or entering into an agreement among themselves for such purposes.

All other combinations or agreements to the prejudice of third persons are still conspiracies, and on indictment, punishable at the discretion of the court by fine and imprisonment, to which, in the case of an assault in furtherance of a combination to raise wages, the court can, under the 9 Geo. IV. cap. 31, sec. 25, add hard labour for any term not exceeding two years.

We are inclined to believe that the state of the law in this respect is not generally known. It seems to be supposed that combinations are not punishable unless accompanied by violence, intimidation, or molestation. This is true as respects the statutory punishment, but not as respects the far heavier punishment awarded by the common law. All meetings or agreements whatever for the purpose of affecting the wages or hours of work of persons not present at the meeting, or parties to the agreement, are conspiracies. So are all agreements for controlling a master in the management of his business, in the persons whom he shall employ, or the machinery which he shall use. So of course are all agreements not to work in company with any given person, or to persuade other persons to leave their employment, or not to engage themselves. In fact there is scarcely an act performed by any workman as member of a trades' union, which is not an act of conspiracy and a misdemeanour.

The material points, besides the re-introduction of the common law, in which the 6 Geo. IV. differs from the 5 Geo. IV., are the extension in some measure of the statutory offence, by the omission of the words *wilfully or maliciously*, as necessary characteristics of the offence, making "*the endeavour to force*" punishable, adding to the prohibited *means* "*molestation and obstruction*," and to prohibited *ends*, the forcing persons to belong to a club or association, or to contribute to a fund; increasing the punishment from two months' imprisonment to three, and enabling a conviction on the oath of a single witness, and also on proof the person charged is absconding.

But it gave to the party convicted an appeal to the quarter sessions, and directed the execution of the judgment to be in the mean time suspended.

More than 15 years have now elapsed since the 6 Geo. IV. was passed. A time sufficient to show how far the provisions of that Act have affected the recommendation of the Committee, "That the most effectual security be taken that legislative enactment can afford that, in becoming parties to any associations, individuals be left to act under the impulse of their own free will alone; and that those who wish to abstain from them should be enabled to do so, and continue their service or engage their industry on whatever terms or to whatever master they may choose, in perfect security against molestation, insult, or personal danger of any sort whatever."

A general opinion that this purpose had not been effected, occasioned, in 1838, the appointment, by the House of Commons, of a Select Committee to inquire into the "operation of the 6 Geo. IV., and generally into the constitution, proceedings, and extent of any Trades' Unions, or combinations of workmen, or employers of workmen in the United Kingdom, and to report their observations thereon to the House."

The inquiries of this Committee were directed almost exclusively to Ireland and Scotland, and even in those countries scarcely extended beyond Dublin, Belfast,

and Glasgow. And, as unfortunately has often of late been the case with Committees of the House of Commons, they were unwilling or unable to perform that part of their duty, which consisted in observing on the evidence, but separated without a Report. The evidence, however, is printed, and enables us to judge how far, in the places to which the inquiries of the Committee extended, the 6 Geo. IV. has succeeded in giving freedom to the workmen. But, as we have already stated, England was almost excluded from the inquiry, only four witnesses connected with that country having been examined, Mr. Foster, the stipendiary magistrate of Manchester, and Doherty, M<sup>r</sup> Williams and Arrowsmith, who, as working cotton-spinners, took an active part in the great strike in Manchester in 1829.

The three last mentioned witnesses affirmed, that at the time when they were speaking, that is, in the summer of 1838, labour was free in Manchester, and that a person who chose to make his own bargain with his employer might do so without fear of injury or annoyance. It is impossible, however, to read their evidence without feeling that they came forward to defend a system, in the promotion of which they had been long and actively engaged. And it must be remarked, that their evidence contains admissions somewhat inconsistent with its general tendency. Thus, W. Arrowsmith says, that when men have been found to misrepresent their master, "We give the men a reprimand, and will not allow them to make any resistance." (3773.) Doherty, that if the men complain of any grievance, their statement is inquired into, "and if not correct, the men are ordered to continue their work." (3401.) And he mentions an instance, in which, after several discussions in the ruling committee, the men at a particular mill "were ordered back to their work." (3417.) He admits, that if the strike of 1829 had continued longer, it probably would have manifested itself in violence and bloodshed. (3418-19-20.) He admits, that if a man were found working at an under price, an appeal would be made to the combination to know whether something could not be done to stop it. (3488.) He is asked whether men who belong to the union associate with those who not? and answers, Yes; but when pressed by the further question, "Do they walk with them or converse with them?" he is forced to reply, "No. I think it is very rare." (3609, 3610.)

Mr. Foster's evidence, though expressed in very guarded terms, is more explicit.

We will extract some of its more material passages:—

"3219. Were you acting officially, as a magistrate, in the year 1829?—I was; I was appointed in the year 1825.

"3220. Can you state any instances of violence that occurred in that year?—There were about that period several cases of partial violence, arising out of obstructions thrown in the way of new hands going to their work, in the place of those who had turned out.

"3221. Will you explain what you mean precisely by 'partial'?—I mean there was no general disturbance or riot.

"3222. No bloodshed?—No.

"3223. No beating?—There were many instances of assaults committed on workmen who had been engaged in the place of those who had turned out.

"3224. So as to endanger life or limb?—I believe not so as to endanger life; there have been some very serious assaults.

"3225. Were those cases brought before you?—Some of them were.

"3226. Did they appear to be acts of deliberate assault, or of violence arising out of a row?—In general, I should say, not acts of deliberate assault, but arising from the determination of one party to go to their work, and of the other party to prevent it if they could.

"3227. And then a general row?—Sometimes; there were also instances in which parties were followed to their own homes, and assaults deliberately committed upon them; but I should say those formed a small portion of the assaults which took place.

"3229. Did these assaults prevent the knobsticks from persevering?—In many instances it made it very difficult, and in some instances the master stated it was quite impossible for them to replace the old hands with new hands. In 1833 also, there were several instances of similar breaches of the peace.

"3230. That was another period?—Yes; there was a considerable number of cases brought to the sessions in 1833, and also in 1834.

"3259. I collect that it is your opinion, with the opportunities of a knowledge of the facts you have, that the freedom of individual labour is not interfered with by combination in Manchester?—I cannot say that; the system which has prevailed, where there has been a strike, of watching the parties employed at particular mills, has undoubtedly had the effect of deterring parties, not only by means of persuasion, but also of intimidation, from working.

"3260. Then, on the contrary, your opinion is, that the freedom of individual labour has been interfered with?—In that way.

"3261. That is by persuasion, which can hardly be said to interfere with individual freedom, and by intimidation, which certainly does interfere with it?—Exactly.

"3262. But that intimidation has never, to your knowledge, been worked out to the extent

#### Remedies.

Measures for increasing the demand for hand-loom labour.  
VI. Releasing work-people from the tyranny of combinations.

*Mr. Foster.*

Remedies.  
Measures for  
increasing the  
demand for hand-  
loom labour.  
VI. Releasing work-  
people from the  
tyranny of com-  
binations.

of violence to the parties?—There have been many cases of assaults which have been clearly connected with the determination to prevent the new hands being employed where the old ones had turned out.

“ 3263. To work out the system of intimidation?—Yes; that was the object of it.

“ 3264. Then to that extent, free labour has been interfered with in Manchester by intimidation; all these measures necessarily implying intimidation, and actual intimidation, by the assaults that took place?—*There have been cases of assault, as I have stated, but free labour has been more generally interfered with by the general intimidation which parties are under by seeing that the mills are watched from morning to night, and by their apprehensions that personal violence may be offered to them.*”

This evidence we think establishes that, even in Manchester, labour is not substantially free, and all the information that we have received leads to the belief that in most of the manufacturing districts the workman who resists a combination exposes himself to equal or to still greater danger and insult. As a proof of this, we may refer to the evidence collected by our Assistant Commissioners, particularly to Dr. Mitchell's account of the combinations in Norwich, which we have already inserted, *ante*, p. 32, and to that given in the Report of the Constabulary Commissioners. A portion of the evidence of Mr. Henry Ashworth, one of the most eminent manufacturers in Lancashire, is so instructive that we venture to extract it:—

*Mr. Ashworth.*

“ The operative spinners, about 40 of the men, turned out in 1830, and thereby threw out of employment about ten times their own number, chiefly women, children, and young persons, who had not the slightest interest in the dispute.

“ The dispute, such as it was, scarcely deserved to be called a pecuniary one, inasmuch as the sum was less than 2*d.* per spinner per week upon wages averaging above 30*s.* per week. The fact was, we refused to lay aside our accustomed mode of reckoning and adopt one which was proposed to us from the union.

“ Our works being at a stand, we advertised for other spinners, and they soon began to throng to the mill from distant places, but chiefly from Manchester, where a strike had recently terminated, leaving many of them unemployed.

“ The roads for many miles around our mill were piqueted by relays of unionists, who paraded night and day, and being armed with large sticks and other weapons they deterred every person who attempted to pass if he had the resemblance of a spinner; and on one or two occasions they stopped the public coaches on the road from Manchester, examined the passengers, selected those whom they conceived to be spinners, and drove them back to Manchester, using great violence in many cases: yet, amidst all this confusion, we were unable to establish a single case of assault against any one, no constables being at hand, and the public not daring to face the odium of interference.

“ Our mills and premises are situated at the junction of three townships, to all of which we pay the police rates. We sought the protection of the constables, but without success. In two of the townships the office was evidently filled by persons who appeared to consider it a local duty affixed upon them, for which there was no sort of emolument to be received beyond the casual payment of fees for the service of any legal process. These officers, being incompetent, were unwilling to take any steps for preserving the peace, although they knew that it was broken every day. In the other township, that of Little Bolton, the constable, when applied to, tendered his services with apparent sincerity, and engaged to provide a proper escort to the mill for such hands as might call upon him for protection; but we afterwards discovered that he had allowed a spy belonging to the unionists to remain in his house, who apprised that body when applications were made, and thus enabled them to intercept the parties. Thus by collusion the constabulary power, for the expense of which we are largely rated, was turned against us. We complained to the magistrates, but got no redress. They merely observed that they considered it very unhandsome behaviour in a public servant.

“ In spite of these annoyances we at length succeeded in procuring a fresh supply of hands. The unionists then became so much exasperated that a detachment of them, under the direction of what was called a destruction committee, entered our premises at midnight, ransacked the dwelling-houses of the workpeople, and beat them with bludgeons in a most barbarous manner; they also broke a great many windows, and did other damage to our property. Indeed they manifested so much vindictive violence that no one could have estimated the extent of life and property which would have been sacrificed had the rioters not been deterred by the ringing of an alarm bell, which caused them to disperse.

“ We were repaid by the county treasurer for some portion of this loss and damage; but we sustained a heavy loss from the interruption of our trade, and those of our workpeople who were not interested in the strike endured great privation from being thrown idle. Had this neighbourhood been in possession of a constabulary force strong enough and duly authorised to put down the system of piqueting, and give due protection to the willing workers, this vain contest might perhaps not have been entered upon, or, if it had, its duration would have been much shortened.”\*

This is a very painful state of things, miserable to the labouring classes, whose

\* First Report of Constabulary Commissioners, p. 162.

freedom is destroyed, and whose properties and persons are endangered, who are forced to choose between want and outrage, disgraceful to the governing body in the state which leaves untried any probable remedy, and alarming to all, however remote from the scene of outrage, who think of the purposes to which organised mobs may be turned.

But we lament to say that the state of things in Scotland, so far at least as Glasgow is a sample, is still more distressing and still more formidable. The tyranny of the combinations appears to be better established there, to be more systematic and more ferocious, and to inspire, as might be expected, greater and wider intimidation. This will appear from the following extracts from the evidence taken by the Committee of 1838 :—

“ Mr. *Houldsworth*, cotton manufacturer, Glasgow.

“ 4. Have any combinations existed at any period amongst the operatives in the cotton manufactories at Glasgow?—Yes, ever since I became connected with trade, in the year 1827. They are conducted by a committee of the workmen, chosen from delegates that are sent from each of the cotton-mills in the neighbourhood.

“ 17. By what means do the operatives carry their laws into effect?—Generally it finishes by a turn-out; a strike.

“ 18. Suppose an individual operative does not agree to follow their directions, what happens in that case?—He is frequently maltreated.

“ 19. In what way?—Threatened that if he does not give up his employ or go away he will be abused, and if he should still persist, in many instances he gets attacked, knocked down, vitriol thrown upon him, or otherwise. In 1832 I was called upon, about 10 o'clock at night, to come down to our houses where our workmen were residing, in consequence of one of our workmen having been attacked at night; his head much cut; his face bruised.

“ 23. Were there any particular circumstances connected with a strike that took place in 1832?—We had continually round the mill a large number of guards guarding the premises; those guards were put on by the workmen.

“ 24. For what purpose?—In order to prevent any new workmen from coming to our mill to get work.

“ 25. What steps did they take to prevent them?—They accosted any man that had the appearance of a spinner, and said everything they could to prevent him going to work with us; they threatened him, and in some instances the men were attacked.

“ 26. Were they injured?—In the case that I before mentioned, a man of the name of Currie was very much abused one night; his head cut and bruised.

“ 27. Did those guards prevent any man from coming?—Sometimes they had that effect.

“ 28. How did the strike that took place in 1832 terminate?—It terminated in the men yielding a certain point to us, and our yielding the principle of paying that they wished. It was an individual strike. We were the only party who had a strike in 1832 in Glasgow connected with the cotton trade.

“ 29. What particular circumstances were connected with the strike that took place in April, 1837?—There was one circumstance occurred of a man of the name of Arrol, whom we had employed as a spinner: he was followed by a large crowd from our mill door, a crowd of about 100 people; he fled from them along the river-side towards Glasgow; they called names after him, and I believe some stones and dirt were thrown; *he took refuge in a shop, but the shopkeeper turned him out, as he was afraid of his property being destroyed.* He was there rescued by the policemen and put on board the ferry-boat, and taken across the river Clyde to be out of danger. At this time the crowd had amounted to 200 or 300, and his own impression was that, had they not been prevented, his life would have been taken away.

“ 30. Was John Smith in your employ who lost his life?—Yes.

“ 31. What were the circumstances of that case?—John Smith formerly belonged to the workmen's union, and had broken off from that union, and came to work with us on the master's terms during the turn-out of 1837, and he was shot in the night of the 22d of July, 1837, when he was walking with his wife in the streets of Anderson, near our works.

“ 36. Were the workmen who did not join the combination generally in a state of apprehension of receiving personal injury for not joining?—Yes, they always stated so to us.

“ 37. Was this apprehension general throughout persons engaged in the cotton manufacture?—I think it was.

“ 38. Do you consider it safe for persons to work at Glasgow who do not join the combination?—They always run a certain risk.

“ 53. Did you take any means to guard against that danger?—We generally employed policemen to protect the works at the different hours at which the workmen came in and went out.

“ 54. How far was that protection effectual?—In most instances it was effectual at that time, but then we could not protect the men when they went out in the evening from their own dwellings; it was generally then that the attack took place upon them. We cautioned them as much as we could to keep in doors always at night.

“ 55. Do you think that any workmen would be safe in Glasgow who gave evidence against the persons engaged in combination?—I scarcely think they would if it was important evidence.

“ 56. Do you think that you are in personal danger in giving your evidence?—No.

“ 57. Why do you think that workmen would be in danger and that you would not?—*Because I think, generally speaking, they have more animosity against those workmen who work against their wishes than they have against their masters.*

#### Remedies.

Measures for increasing the demand for hand-loom labour.  
VI. Releasing work-people from the tyranny of combinations.

Mr. *Houldsworth*.



Remedies.  
Measures for  
increasing the  
demand for hand-  
loom labour.  
VI. Releasing work-  
people from the  
tyranny of com-  
binations.

" 58. *What degree of danger or hazard do you think they are subjected to?—To all kinds of annoyances; they are scouted at by the whole trade; they are not allowed to work in any mill where the unionists have sway; they would be left to starvation were it not that they sometimes employ themselves in other businesses as labourers.*

" 59. *Are they exposed to risk of personal injury?—Yes.*

" 60. *To what extent?—It has even gone so far as their being shot at, and vitriol being thrown upon them, and their being knocked down and abused in a variety of ways.*

" 62. *In the strike in 1837, do you consider that there was such ground for apprehension as men of ordinary firmness and courage would be moved by?—Yes, I think there was; but not so much as if it had happened in the winter months. It was during the summer of 1837 that the turn-out took place.*

" 63. *What is the cause of the difference between the danger in the winter and in the summer months?—They have more opportunities in the dark to threaten and molest people than in the summer.*

" 64. *Did the danger vary at different periods of the strike to the workmen who worked against the rules of the combination?—Yes; it was considered towards the latter end of the strike that the intimidation was much greater, and the fear was much greater on the part of the new hands.*

" 65. *Can you explain to the Committee how it came to be greater towards the latter end of the strike?—Because it was generally acknowledged that a secret committee had been appointed by the union.*

" 66. *Why did the appointment of a secret committee increase the danger?—Its object was considered to be to molest, to abuse, and maltreat the workmen in any way that they could possibly manage, in order to prevent them from working.*

" 79. *Have you ever heard whether or no certain masters have been singled out for destruction?—I have heard it so said.*

" 80. *Do you believe it to be the fact, upon any information that has reached you?—Yes.*

" 84. *The information has been of such a precise nature, that the masters have found it necessary for the sake of self-preservation not to go out after dark, except in carriages?—Yes, I have heard it so said.*

" 85. *And you believe it to be the fact?—Yes.*

" *Mr. Charles Todd, also a manufacturer in Glasgow.*

*Mr. Todd.*

" 453. *Did any of your workmen suffer any injury in the strike in April, 1837?—No, we prevented that; for when the mill was put on, it was a stipulation with the hands that we engaged, the men denominated 'nobs,' that they were not allowed to go out of the premises under any pretence, to avoid assaults and those unpleasant circumstances that always occur in those cases.*

" 509. *Can you give the Committee any information whether persons were exposed to danger who worked during a strike?—My own personal feeling is, that there was no man we took into the works but was exposed to personal danger, and as a proof of that, the precaution I took of not allowing any person to go out of the premises.*

" 510. *Could any other precaution free them from danger?—I do not think it; they are so liable to be assaulted in their houses, and in going backwards and forwards, and in all manner of ways. I have tried a good number of ways, but I have never tried one that is effectual but that.*

" 512. *Do you conceive that, although they were guarded home, they would be subject to assault in their houses?—I would not like to risk it."*

By far the most important information given before the Committee is that of Mr. Alison, the sheriff of Lanarkshire. And it is important not only from its contents but from the impartial situation of the witness, and from his having derived (as he states, 1842) all his information from the workmen, and from facts which came before him as a judge, never having had, directly or indirectly, the smallest communication with the masters. The whole of it is material, but we can extract only a very few of the more important passages.

*Mr. Alison.*

" 1841. *What do you conceive to be the objects, and what is the mode of operation, of the cotton-spinners' association?—I conceive the cotton-spinners' association to be founded upon the same principles, and directed to the same objects, with all the other combined trades in Glasgow, and I presume in the empire; which are, to keep up wages as much as they can, to exclude other competitors as much as they can, and to secure, as much as possible, an equality of employment to all persons in the trade, whether skilled or unskilled; and if those objects cannot be obtained by other means, to employ intimidation and violence without any reserve.*

" 1851. *When I say that they employ violence without reserve, what I mean is this, that in the first instance their principle is to obtain their objects by a strike, either directed against a single master or directed against the masters in general, according as the strike is founded upon a quarrel with an individual master or upon a quarrel with the masters in general; the moment that strike takes place they begin to use intimidation to the new hands. I do not think there has been a single instance of a combined trade in Glasgow having had a strike in which intimidation did not begin the day after.*

" 1852. *Have you known, from your own knowledge, that that is the course which the operatives have followed in general?—Invariably; the moment a strike takes place, intimidation either in words, in gesture, or in violence, commences to the new hands. They do not in the first instance proceed to extreme acts of violence: they do not wish to violate the law in*

the first instance; but they think they are entitled either to intimidate persons who interfere with their labour, or to intimidate all witnesses who appear against them.

"2091. Do you yourself believe that a man could be hired in Glasgow to shoot a nob for the sum of 20*l*.?—I know for certain that a man can be hired for a less sum.

"2093. I say decidedly that in the last stages of a strike the cotton-spinners seem to attach no more weight to human life than we would in a contest with the French; that they consider they are engaged in a desperate contest with the other party, and that they would speak of the death of the other party as we would of the unfortunate rebels burnt at St. Eustache or at St. Charles in Upper Canada.

"2094. During the three years and a half that you have been sheriff, what evidence of facts have you to sustain that opinion; such evidence as you yourself would require in a court of law?—I have heard from great numbers of witnesses that it was a perpetual subject of conversation among the cotton-spinners in the latter stages of a strike, 'How has it happened that nothing is done yet; the secret select has been on so many weeks, and there is nothing done yet?' And I have asked the witnesses, 'What do you mean by nothing done?' and they have said that there was nobody shot last night."

Mr. Alison was examined at great length, respecting the combination of 1837, mentioned by Mr. Houldsworth and Mr. Todd, which terminated by the murder of J. Smith and the arrest of three persons charged with forming the secret select committee of the combination, and of having, in that capacity, directed the murder. On the trial the prisoners were convicted of violence, but on the charge of murder a verdict of *non proven* was found. It was resolved not to ask Mr. Alison any questions on matters respecting which he had given evidence on the trial. But we have thought that the following portion of his examination ought to be inserted.

"1896. Have you any reason to know, without referring to the trial itself, whether any secret select committee was appointed by the cotton-spinners at any time?—The statement I am now to give was not brought forward at the trial at all; it was given by witnesses who were arrested by me in connexion with that violence, but they were not brought forward at the trial; they did not appear in the evidence laid before the jury.

"1899. What was the statement made to you?—I received information, in the beginning, on the very day on which the trial was first put up, that was the 10th of November, that there were witnesses in Glasgow, who had come forward at the eleventh hour, who could give important information in regard to the trial; and it was in consequence of that that the trial was put off. When I returned to Glasgow, on the 12th of November, I immediately sent for those witnesses. I found that they laboured under the most dreadful apprehensions; they refused to meet me.

"1900. Apprehensions of what?—Apprehensions of death.

"1901. From whom?—From the associated cotton-spinners. They refused at once to come to the sheriff's office; then I said, that I would meet them at any public-house they chose to appoint, in the suburbs of Glasgow; but they would not come; they said, if they were seen going into the same public-house with me, their lives would be immediately in danger. At last I agreed to meet them in the evening, in a tavern in Glasgow.

"1902. Was it your judgment that that was a feigned terror or a real terror operating upon the minds of the people?—I saw at once that it was a real terror, because they had no object to gain by it; they had no claim to any part of the reward; and the consequences to which they subjected themselves were immediate imprisonment for several months. I had no means of protecting them but by sending them to prison; and they got not a shilling of money by it.

"1903. What was the substance of the information?—I met them in the evening. They came in by one road into the tavern; I came in by another; and we separated in the same way, each going a different way in the night, so as to elude observation.

"1904. Do you mean that you met in a dark room?—No, the room was light; but it was ten o'clock at night. They told me that they had received information from two of the members of the committee as to the mode in which the secret select committee was appointed. They were examined separately, and anxiously examined by me upon the subject, and the result of their information was this: they said, that a slip of paper was sent to all the 38 cotton factories of Glasgow, desiring them to send in a delegate forthwith to decide upon important matters connected with the strike. They exhibited some of those slips to me, which I could exhibit to the Committee; but the slip was merely to say, that they were requested to send a delegate to deliberate upon important matters. The 38 delegates accordingly met in the committee-rooms. Those 38 delegates chose a select committee, consisting of 12. The select committee of 12 were chosen openly, without concealment, by the whole 38; and it was perfectly understood by all the trade, when this notification was sent, that the object of this was to appoint a secret select committee for the purpose of perpetrating violence; but it was not expressed either in the notification or in the debate upon the subject. After the 38 had appointed 12, which they did openly in the rooms, the 12 had then a secret meeting, which was in a dark room. The secretary of the association then took the names; every person brought a name, written down by himself, of one of the 12 whom he recommended to form the secret select committee. The names in the dark room were put into a hat, and delivered to the secretary, who took them out of the room and read the names in the light: the three names then which had the majority of the voices were those which he selected; the three that were at the head of the list; and those three formed the secret select committee.

#### Remedies.

Measures for increasing the demand for hand-loom labour.

VI. Releasing work-people from the tyranny of combinations.

Mr. Alison.

Remedies.  
Measures for  
increasing the  
demand for hand-  
loom labour  
VI. Releasing work-  
people from the  
tyranny of com-  
binations.

"1905. Do you mean that he read them out?—He read them to himself in the light, apart from the other twelve, and, having read the whole twelve, he selected the three which had the greatest number of votes, and immediately threw the whole of the tickets into the fire. He then returned into the dark room and broke up the meeting without saying anything, and he then sent, in a subsequent part of the day, an intimation to the three upon whom the votes had fallen that they formed the secret select committee, who afterwards met and deliberated upon the subject entrusted to them, so that no person, even of the secret select committee, knew the three, except the secretary.

"1906. What object was to be entrusted to those three?—The objects to be entrusted to those three were the perpetration of acts of violence, assassination, fire-raising, and assault. The secret select committee was not appointed, in general, until other methods had failed. The first method used by the cotton spinners always was to appoint guards round the mills, which was done openly, the instructions to the guards being to oppose the nobs by all means; if they could, by fair means: if not, by foul; and then if the guards could not effect their object, and if the guards were put down by the authorities, then the secret select committee was resorted to as the last resource.

"1928. *Did they state to you what the powers of that secret select committee were?—The duties of the secret select committee were to organize means of putting people to death or of setting fire to the mills of refractory masters, or where there were refractory workmen, but particularly punishing nobs by breaking their legs, and other acts of violence.*

The following statements of Mr. Alison are more general:—

Mr. Alison.

"2116. Is there any connexion in your opinion between the combination of the cotton-spinners and the distress of the hand-loom weavers?—I gave some evidence on that subject in a former examination, in answer to the questions of my Lord Ashley; but I am strongly impressed with the effect it has had upon the circumstances of the hand-loom weavers, and I was so much aware of it that I recommended to Mr. Symons, the Government commissioner who is now investigating the state of the hand-loom weavers of Glasgow, to turn his attention particularly to that subject; but he told me just before I left Glasgow, that such was the terror of the witnesses in the hand-loom line on the subject of strikes, that out of the first 20 he had examined, he had only been able to get one who would utter the words 'unions' and 'strikes,' but in the twenty-first witness he did stumble upon one who was less alarmed, and he gave important evidence upon that subject. *I am perfectly convinced that the distress of the hand-loom weavers is mainly and almost entirely to be ascribed to the exclusive monopoly established by the forcible conduct of the trades in all other lines, which prevents their sons getting into any other line.*

"2117. Preventing the free circulation of labour?—Preventing the free circulation of labour; every trade is fenced round by prohibitions, which render it impossible for a person to get into it, except a son or a brother, or some near relation of an already existing member; in short, it is the old spirit of monopoly revived in the persons of the skilled labourers, with this difference, that it is not a few merchants, but a few hundred or thousand workmen, who exclude a hundred thousand of unskilled workmen.

"2118. Who operate tyrannically upon all those who would wish to dispose of their labour freely and without the influence of those unions?—Who operate so tyrannically that the lower orders find it impossible to oppose any resistance to it. I am convinced that if a sufficiently vigorous and powerful government were established in the manufacturing districts, to restore the freedom of labour, the immediate effect would be a great increase in the persons brought to trial for those offences, because in the transition from the present state, which is one of unlimited despotism on the part of the skilled trades, to one of freedom on the part of the unskilled trades, there would probably be a great contest. *The present tranquillity arises from the comparatively irresistible power of the skilled trades, which nobody thinks of resisting, any more than they would think here of resisting the Queen's guards.*

"2119. In fact, it is a complete system of castes?—It is a complete system of castes, which are operating to exclude all persons from those particular lines, except the favoured connexions of the skilled trades; it throws down all the others to the lowest point of depression.

"2120. The real sufferers are not the masters so much as the other workmen who are excluded. I am quite sure that for one complaint which I have received from the masters, I have received 50 from the workmen suffering under the system.

"2121. By 'skilled,' you do not mean skilful?—By 'skilled labour,' I mean the labour of those peculiarly difficult trades to learn, which have got an organization of trades' unions, such as cotton-spinners, iron-moulders, colliers, iron-miners, and so on; and by 'unskilled labour,' I mean the labour that is easily learned without an apprenticeship, such as the labour of a ploughman, a hand-loom-weaver, or a scavenger."

It might be supposed that we had now told the worst, and that no tyranny could be more absolute, more oppressive, or more merciless than that of a Glasgow combination. But the state of Dublin is now as much worse than that of Glasgow, as the constant presence of a disease is worse than a tendency to its recurrence. The disposition to outrage, to maim, and to assassinate, which in Glasgow appears gradually to grow with the misery and exasperation of a prolonged strike, seems in Dublin to be an habitual feeling. In both places assassination appears, if we believe the evidence which we have quoted, to be deliberately planned and executed, but while in Glasgow it is the weapon last resorted to in a desperate strife,

in Dublin it is inflicted in the mere wantonness of power, as the most effective punishment of the disobedient. As specimens, and, we regret to say, merely as specimens of the means by which the Dublin combinations assert their authority, we extract the following passages from the evidence of Mr. Fagan, Mr. Curry, and Mr. Mackie.

“ Mr. *James Fagan*, timber merchant and manufacturer of timber.

“ 3823. Is labour free in Dublin?—With regard to the sawyers it certainly is not, and never was, to my knowledge.

“ 3824. What has prevented it from being free?—Unquestionably combination among the tradesmen themselves.

“ 3825. Has that combination been conducted peaceably, or by intimidation and violence?—It has had several degrees; for a long time it was done by intimidation, and a few years ago there was frightful sacrifice of life.

“ 3826. Were there any murders?—There was a man murdered out of our establishment, at six o'clock on a summer's evening, in a populous street.

“ 3827. What was the man's name?—Thomas Hanlon.

“ 3828. He was in your employment?—He was.

“ 3830. It was a hideous murder?—It was, for there were more than 30 concerned in it.

“ 3831. With what did they kill him?—Principally with bludgeons, what are called in the sawyers' trade ‘opening sticks;’ it is a sort of stick they have to put into a portion of the cut timber.

“ 3833. What year was that in?—I think it was in 1829 or 1830.

“ 3834. Had he given any kind of provocation at the time he was attacked?—At that period no sawyer was allowed to work in what was called the hard-wood yards except on day's wages; no task-work was permitted at that time.

“ 3835. When you say ‘was allowed,’ who prevented them?—The character they bore at that time was ‘body-men,’ and there were none to be had but body-men.

“ 3836. That is combiners?—Yes.

“ 3837. What did they prohibit?—They prohibited any man from working that did not belong to their body, and they prohibited any man from working in those particular concerns except on regular day's wages.

“ 3839. Under what penalty did they threaten?—Up to the period that I am alluding to now they had beaten and abused many; they abused people in our establishment previously to that.

“ 3840. By ‘abuse’ you mean violence?—Beating them; I think they broke one man's leg, and disabled another man up to the day of his death, which was only about a year ago.

“ 3841. How was he supported afterwards?—I gave him employment as a sawyer in one of my country establishments.

“ 3842. But he had been so severely beaten that he never recovered?—Never.

“ 3843. Had they then beaten several before the period of Hanlon's murder?—They had, so as to kill one or two people; they did not absolutely kill them at the moment, but they died afterwards of the beating; men who brought timber into Dublin sawed.

“ 3854. Have the instances of brutal violence been many and severe?—Extremely so; there never was a fouler deed in the world than the murder of Hanlon. They not only murdered the man first, but they returned a second time, when in the agony of death, and beat him in a most dreadful manner on his limbs and head, and every part of him, and that in one of the most populous streets in Dublin.

“ 3855. In the presence of a number of people?—There were considerable numbers from the time it took.

“ 3863. The unfortunate man was murdered for no other reason than that he preferred working by piece-work?—And not belonging to the body; he did not pay tribute to the body; but I speak from hearsay. They required that he should pay so much a week, and two guineas entrance.

“ 3864. And for not complying with those terms that horrible assassination took place?—It did; he was frequently threatened previous to it, and he was allowed to go away an hour before the rest of the people.

“ 3865. That he might get home by daylight?—Yes.

“ 3866. And therefore it was that they murdered him in the clear day?—Yes; all the circumstances are on record.

“ 3876. Were you obliged to take any precautions for your own protection?—I carried arms for two years.

“ 3877. What arms did you carry?—I carried pistols.

“ 3878. Did you deem it necessary for your safety to carry those?—I did, and frequently discharged them in the yard in walking about to show that I had them. I was in that situation for two years in Dublin, that no one that saw me, as I walked the street, imagined that I would reach home. I never went out without going out one way, and coming home another, or under a strong impression that something would happen.

“ 4186. You have no doubt that your life was in constant peril for two or three years?—I have no doubt of it; and from a communication made to me, that if I had remained in Dublin one Saturday night, I would have been sacrificed.

“ 3980. There was a society in Dublin known by the name of Welters?—There was.

“ 3981. A great many outrages, attributed to them, were committed?—There were.

#### Remedies.

Measures for increasing the demand for hand-loom labour.  
VI. Releasing work-people from the tyranny of combinations.

*Mr Fagan.*

Remedies.  
Measures for  
increasing the  
demand for hand-  
loom labour.  
VI. Releasing work-  
people from the  
tyranny of com-  
binations.

" 3982. Last year were there not a great many?—A great many.

" 3983. A number of people beaten?—Yes.

" 3984. What were the Welters?—The name they gave themselves.

" 3985. A secret society?—Yes.

" 3986. Were they supposed to be day labourers?—Yes.

" 3987. And many of them were supposed to be idle persons that did not work at all?—The heads of them and some of the parties that had been convicted of riots were known to be so.

" 3988. The combination of the trades, though not as such belonging to the Welters, yet did they derive advantage from the force and power of the Welters in intimidating?—I do not know it of my own knowledge, but I frequently heard it.

" 3989. That was the common opinion?—It was.

" 3990. That if any men violated their rules the Welters would deal with them?—I believe they exchanged a sort of execution of judgment between each other, one party doing to-day, and another party doing in return upon another occasion.

" 3991. So that a man who was to be beaten of one trade was seldom or never beaten by persons of his own trade whom he might know, but by individuals belonging to some other trade employed for that purpose?—So it is generally understood since Hanlon's murder.

" 3994. Hanlon, who was murdered, was a man of very good character?—He was a man of excellent character, and it was on account of his character and his large family that he was employed. I myself was willing that the man should have left the employment previous to the murder, *but he said that his family would starve*; my father, who was very much opposed to combination, hired the man, or allowed him to continue: if I had had my own way I would have dismissed him.

" 3995. From an apprehension of this happening?—Yes; he always carried a hatchet with him, and he had a hatchet with him when he was murdered.

" 4025. Did it appear upon that trial, that that murder strictly arose from that class of combination, or that it arose from the violent feelings excited by combination?—That pre-concerted measures were adopted for his murder appeared evident upon the trial, because they were regularly summoned week after week, a time appointed, and lots drawn, and a regulation entered into, that whoever the lot should fall upon (I am now speaking of what appeared at the trial), that any man that did not wish to join in it should find a substitute, paying him; and I believe on that occasion some one or two apprentices got their freedom for joining in it.

" 4026. I was a regularly planned murder?—It was.

" 4027. Were they not out three or four days without meeting Hanlon?—They were; and they employed the opportunity of a sawyer's funeral to perpetrate the murder; and as it was passing through Thomas's-street, it was about the hour this man was in the habit of returning home, one man, that was the leader, brought 32 of them into a public-house, and gave them a glass of spirits each.

" 4028. Was that plan traced up to the managing body of the association?—I am speaking of it now as it appeared from the managing body.

" 4029. Was it proved to have been done not only with their privity, but by their design and their order?—Decidedly from the principal person in it, who was a man of their own body.

" 4031. *Among the murderers there were some men of previous good character?—Excellent character.*

" Mr. W. Mackie, builder.

Mr. Mackie.

" 7022. In the year 1832 I had a workman that had been with me many years; he had two sons apprentices, and during the time of the cholera the father died of cholera; I wished to be useful to the boys, and retained them in my employment. In about a week or a fortnight after his death, when I went down amongst my workmen one Monday morning, they were sitting on their benches; I asked them for what reason they were sitting there and not going to work; they said I had two boys in my employment that the trade knew nothing of, and they could not continue to work unless I would discharge those boys; I said I would not. They told me I was perfectly acquainted with the rules of the house, being once connected with them, and that each of them would be fined 5*l.* if they went to work. They went away; and after they went away I made every exertion to get a fresh set of men, which I could not succeed in getting. They left the two boys with me and my foreman, and remained in that way about eight days, and during that time I was continuing business; and at last they took away my foreman from me, and the two boys; they ordered the foreman out of the house, and also to destroy the papers of instructions I had given him, and even to set my business astray, that I might not be able to go on without calling in the men.

" 7041. Do you know of any outrage being committed besides?—Yes, I received several threatening letters during that time, and I applied to the authorities for protection, and asked leave to carry arms, which I did. I have carried them, and have been forced to continue them to the present day.

" 7042. The system of terror and apprehension has since continued?—Yes, and still continues.

" 7043. Do you know of the commission of any actual outrage?—Yes, on the 2d of February 1835. The foreman who I then had was formerly my apprentice, and I was forced to trust him to conduct the business; he continued with me, and in February 1835, about five o'clock of Saturday evening, he was coming down to get paid; about a fortnight before that he had got an apprentice, for which he got 34 guineas; he wished me to take him; I

said I did not wish to take any more apprentices; but if they would give him the apprentice-fee I would hold myself amenable for learning him the business. I considered that created a jealousy, and they met that foreman, Costello, within about 100 perches from my own house, and my building concerns, and they beat him very severely; persons carried him to an apothecary's shop, and had his wounds dressed, and he, the surgeon, fearing further danger, advised him to be taken to the hospital, where he might be quiet.

Remedies.

Measures for increasing the demand for hand-loom labour.  
VI. Releasing work-people from the tyranny of combinations.

"7044. What time was it?—About five in the evening.

"7045. And I believe daylight?—Just daylight.

"7046. He was much cut?—He was dreadfully cut; his limbs dreadfully abused, and his head dreadfully cut.

"7047. Did he remain long in the hospital?—I think he was about a fortnight or three weeks in the hospital.

7048. "Did you take him back into your employment?—Yes, I did, and I was under the necessity of supporting himself and his family; and for three months he could scarcely do anything but walk about the yard.

"7057. Have you known of any other outrage?—My house was broken. I went into the country on the 9th of October 1837; the evening after I left home I went down to Mr. Pakenham's, at Arbracham-glebe, and that evening a number of men entered the house, and broke the two shop windows. I am in the ironmongery business. They destroyed the goods in the house, and beat the two young men, one very severely; they came in waving their sticks, and calling out, was I at home.

"7061. *By carrying arms, you protect yourself?—Yes; I stay in the house as much as I can, but I cannot stay in entirely.*

"7062. *You do not feel safe going out on ordinary occasions without arms?—Not at night.*

"7063. *Do you always go armed?—Yes, I always carry two brace of pistols when I go into the country in the car, and I always carry one pair of pistols in my pocket.*

"7064. *It is not from affectation, but the expectation of danger, you carry arms?—I am confident if I had not had that protection I should have been injured.*

"7065. *And perhaps killed?—I do not doubt it at all.*

"7146. Do you conceive that the system of combination is worse or better since the alteration of the law in 1826?—I think it is worse.

"7147. In what respects is it worse?—There have been a great deal more depredations done.

"7148. By depredations, do you mean dishonest acts, or violence?—What they call slating or beating.

"7158. Have you anything to suggest to the Committee by which the law could be altered beneficially for the general interests of society, looking at the interests of masters and men?—I do not know of anything, only that the men should be at liberty to earn what they can; there are many workmen able to earn twice as much as another, and the body compels a bad workman to get as much as a good workman.

"7159. And the general effect is, that a good workman does not get so much as he otherwise would?—Not so much as he deserves, and there is nothing to encourage him.

"7160. And a bad workman gets more than he ought to do?—Yes.

"Mr. John Curry, timber merchant.

Mr. Curry.

"6588. Do you reside in the city of Dublin?—I do.

"6589. How long have you been in the timber trade?—I think more than 30 years.

"6590. Have you had occasion to know anything of the state of combination or the effect of combination in Dublin on that trade?—So far as my own personal knowledge goes not much, except in connexion with the employment of sawyers.

"6591. You have not experienced any injury yourself personally?—Our establishment has experienced injury; I have not experienced any personal injury.

"6592. What injury has your establishment suffered?—We thought it right in the prosecution of our business to get timber cut in America into one-inch boards, and we brought them here for the reasons I can detail to the Committee, if they desire; but on their arrival the sawyers sent a notice to each purchaser of timber, that if they bought any of those deals in our yard the people would not cut that timber for them; they served a notice on each of the retail timber merchants in Dublin to that effect.

"6593. You brought them in to facilitate your business?—Yes; everybody who is acquainted with the trade knows that the outside boards are the most valuable; those which lie at each side the heart is of the least value; when the timber is felled in America we get the selection of the outside boards at very little extra cost, and the heart timber or unsaleable part is used there for the purposes of the country.

"6594. You thus avoid the expense of buying that which would be nearly useless in the freight, and charge being precisely the same?—Yes.

"6599. Were those notices effectual?—Yes; we were obliged to enter into a compromise with the sawyers through one of their agents, and to say that we would not sell those inch boards in Dublin, and the consequence was that we sent them over at a large expense to Liverpool, where they were sold.

"6601. Of course that was a discouragement to your proceeding in that trade?—We could not repeat the importation of them.

"6605. Of course nobody else would import that sort of timber in Dublin?—No, as long as the present system of intimidation continues; remove the intimidation, and the trade may make what regulations they like, for, like all other trades, that will find its own level.

"6606. Have you any doubt that intimidation, to a great extent, has existed in Dublin?—Not the least doubt, that is a matter beyond all doubt.

"6607. To the extent of loss of life?—Yes.



## Remedies.

Measures for increasing the demand for hand-loom labour.

VI. Releasing work-people from the tyranny of combinations.

" 6608. The combination in Dublin is enforced, according to your evidence, by actual intimidation, actual outrage, and actual loss of life?—Actually by all those three.

" 6609. Do you conceive it is mitigated or increased latterly, since the discussions have taken place?—I do not know to what period the question would extend; but after the trials which took place, after those men were brought under the influence of the punishment of the law, there was a sort of apparent quiet for a time, but I do not believe the system of combination in Dublin is broken up, I mean as connected with intimidation.

" 6611. When did the trials take place which created the lull?—One of them referred to a transaction which I presume was identified with our importation of three-inch plank; a person in Worburgh-street, of the name of William Mason, was so severely beaten that he lay a long time very ill, and his life was despaired of.

" 6612. How long ago was it?—August 1836.

" 6614. Where was Mr. Mason beaten?—I have no personal knowledge of that; I believe it was in New-street.

" 6615. A crowded street in Dublin?—Yes, a populous street.

" 6617. Do you know the circumstances out of which that arose?—He was looking at the importation of a cargo of our deals, when I said, 'We have got in some new deals, but I fear we cannot sell them to you, for I believe you would get into peril if you were to buy them;' he said, 'I do not regard that; I never had a quarrel with a sawyer in my life; lay them aside and I will purchase them.' There was a man standing by, supposed to be connected with the sawyers; immediately afterwards, this outrage on Mason followed.

" 6620. He was very brutally beaten?—Very brutally beaten; I saw him at one period during his illness, and I thought he would not have lived.

" 6621. He was a respectable man, and had given no other cause of offence?—I never heard of any; he was a very respectable man; I am not aware of any offence except his offending the sawyers.

" 6626. You have no doubt that the intimidation by the workmen on employers violating their rules was extreme in Dublin?—It was extreme.

" 6627. *No man who violated those rules could conceive his life safe for eight and forty hours?—I would not consider my own life safe, violating those rules, for one day.*

" 6628. *That is the general impression of the city?—It is the general impression in the city of Dublin.*

" 6629. What form did this intimidation principally assume; in what way was it carried into effect?—I understand, I am only speaking from what public reports sent forth, that there was combination among the various trades, and a sort of lot drawn, that the first persons whose names were drawn were to commit the violence, that one trade was employed in avenging the breaches of regulations in another.

" 6630. By this species of appointment they were not so likely to be known?—I presume that was the reason.

" 6632. You mean to say that there has not been in Dublin anything like free labour for some years?—There is no such thing among a great number of trades in Dublin.

" 6633. The employers are compelled to submit to regulations made by the operatives?—They are completely at their mercy.

" 6634. And that of course from the system of intimidation and outrage?—Entirely so.

" 6637. In what way were you informed by your workmen that you must send away the deals?—A message was sent by one of the sawyers working in our yard through one of our clerks, that we had better not have imported those deals, and a printed notice was served afterwards on each of the retail yard-keepers, that if those planks were purchased by them, they would not cut any timber that was purchased in our establishment.

" 6640. Was there any intimation of violence in the notice, or only abstinence from buying?—There was no notice of violence.

" 6641. What made you suppose that they would have recourse to violence, if they purchased those deals?—Because I know that in almost every instance, where their rules were broken, they had recourse to violence.

" 6649. *What was the objection those men had to your taking in those deals?—Because if we imported the deals three inches thick, instead of two, they would have more work in the reduction of them.*

" 6658. You never disobeyed their regulations?—No; they made me conform to them, for they made me export my planks to Liverpool, instead of selling them on the spot.

" 6659. Is there any person in Dublin who now imports similar planks?—No.

" 6660. Does Mr. Martin?—No; they love their own persons too well."

The evidence to which we have referred, and of which we have extracted a very small portion, relates to the period between the passing of the 6 Geo. IV. in 1825, and the sitting of the Committee in 1838. But we see no reason for hoping that in the interval between 1838 and the present time, any improvement has taken place in the feelings or in the habits of the combined workmen. "In the hospital at Sligo," says Mr. Hickson, "I saw a man who showed me his wrist, laid bare to the bone with a sickle by a party of combinators, because he refused to leave his work at their bidding, to compel his master to give higher wages. It was melancholy to meet with instances of barges sunk in the canals, or set on fire, starch manufactories destroyed, riots occasioned by the exportation of potatoes, vitriol thrown upon the person; all indications of the same disposition to effect an object

by violent means that could not be attained by any other.”\* There seems some reason to fear that, in the north of England, if there has been a change, it has been for the worse. Not three months ago, in December 1840, two workmen were put to death, in the neighbourhood of Ashton, in a manner as cruel and as deliberate as any of the worst cases that have disgraced Glasgow or Dublin; and the attempt to destroy a whole family by blowing up their dwelling house failed only by accident.

Remedies.

Measures for increasing the demand for hand-loom labour.  
VI. Releasing work-people from the tyranny of combinations.

We now feel it our duty to record our conviction, that if the ruling power of any community allows other authorities to frame rules affecting, in their daily habits, their employments and their properties, large bodies of men; to affix to the breach of these rules penalties rising, through every gradation of suffering, from simple insult to mayhem and death, and to proceed in organised bodies, and in the face of day, to inflict these punishments;—that ruling power has abdicated its functions so far as respects those among its subjects whom it has surrendered to its self constituted rivals. When we are told that in Glasgow the power of the combinations is irresistible, that no one thinks of resisting it any more than they would resist the Queen’s guards; when we are told that in Dublin no one who violates their rules can consider his life safe for one day; it is obvious that in these cities, so far as the manufacturing population is concerned, the ruling power is not the State; the prevalent law is not the law of the land; and the punishments most to be feared are not those inflicted by the legal executive.

To admit that there is no remedy for such evils would be to despair of the institutions and prospects of the country; to admit that they may be remediable and not to endeavour to suggest the means, would be a failure in the duties imposed on us by your Majesty’s Commission.

But we own that it is a task which we approach with great diffidence. The contest between the law and the combinations has now lasted for several centuries, and scarcely an Act has been passed which does not recite the inefficiency of the previous legislation. During this long struggle a feeling has grown up among the workmen, that the law to which they have been opposed has been partial and oppressive. And we must own that much of it has deserved that character, and more of it has appeared to do so.

We have already stated, among the vices of the common law, its tendency to confound men’s ideas of right and wrong by treating as highly criminal an agreement to do acts, which, when done without concert, is admitted to be blameless. It was absurd to suppose that its prohibitions could be enforced, and that men living together and having a common end could be prevented from combining to effect that end. To a certain degree it checked combinations, but it rendered those which existed in its defiance violent even to ferocity. Persons engaged in illegal acts are instinctively violent: nothing is more peaceful than commerce; but smugglers, that is to say, those who pursue a commerce which the law prohibits, are proverbially ferocious. Men who know that they are criminals by the mere object which they have in view care little for the additional criminality involved in the means which they adopt. They take those which are most obvious and most effective, and the readiest are intimidation and violence against those who oppose or even who refuse to aid them. Before the 5 Geo. IV. combination, and violence for its promotion were both criminal, and they had both gone together. That Act attempted to separate them. It declared combination innocent, but violence punishable. The workmen do not seem to have understood the distinction. If combination were innocent, the instrument by which they had always attempted to enforce combination must be innocent too; and the fact that it was illegal was no proof that it was morally wrong, for the legislature itself admitted that it had formerly punished what was morally right, and might therefore be suspected of doing so now.

We fear that the feelings generated by the old law still continue, and that, although the working classes are the persons most interested in destroying the despotism of combinations, the attempt to do so will receive little assistance from any sympathy on their part.

Nor do we hope for general co-operation from the masters. It is a prevalent notion that, as workmen have a common interest in raising wages, so masters have a common interest in lowering them—and that as the workmen combine against a workman who accepts low wages, so the masters combine against a master who gives high ones. This opinion is not merely erroneous: it is the very reverse of the fact. As the price of every commodity depends on its average cost of pro-

\* Mr. Hickson’s Report, p. 61.

Remedies  
Measures for  
increasing the  
demand for hand-  
loom labour.  
VI. Releasing work-  
people from the  
tyranny of com-  
binations.

duction, it is the interest of every master that the cost to every producer but himself should be as high as possible, since on that cost will depend how much he can ask for what he produces himself. His jealousy therefore is directed, not against those who pay more, but against those who pay less than himself. He sympathises with his workmen in their indignation against knobsticks, and is not very anxious to resist a strike that is not directed against himself.

Besides the general rivalry which arms every master against every other, there are whole classes in a state of especial warfare. A workman assisted by new machinery can, as we have already remarked, produce, within the same time, a much larger quantity of finished work than would be obtained from old machinery. One spinner on the new mules, carrying 1,000 spindles, can throw off per hour three times as much yarn as could be spun on the old mules carrying only 336. By dividing this advantage between their spinners and themselves, giving to the spinner a rather less sum per hank or pound of yarn spun, but rather a larger sum per day or per hour, the owners of the improved machinery obtain a superiority which enables them to undersell and perhaps to ruin their rivals. A remedy which we regret to say is often resorted to by the owners of old machinery is to represent to their own workpeople this change as a lowering of wages, and to turn against it the force of a combination. Again, the establishments which are situated at a distance from markets and shipping ports cannot contend with those which are more favourably placed except by obtaining cheaper labour, an advantage which they can generally procure in country districts to the benefit of their neighbours as well as of themselves. How such an arrangement may be defeated by their rivals is well shown in the following evidence of Mac Williams, a spinner examined by the Committee of 1838:—

“ 3649. Do you know instances wherein the masters have encouraged strikes?—I do; I before stated that they have generally been the instigators of strikes, but I will instance one case in particular: there was a mill a few miles from Manchester, at Bollington, where the same description of work was carried on precisely as was carried on amongst many of the fine mills at Manchester; it happened, however, that the master of that mill was paying considerably less prices for his yarns being spun than was paying in Manchester. The masters generally intimated to their men that that mill must either be brought out, the men must either be brought out, or that the master must be brought up to the same price. Our association took the mill in hand.”

We do not mean to say, that the general body of masters, or even a majority of them, would be guilty of such conduct; nor do we affirm that all those approve of combinations who are ready to turn them against their rivals. We can understand that finding such a weapon they may use it, but had much rather that it did not exist. But admitting that the body of masters have a general and strong dislike of combinations amongst workmen, we yet fear that in separate cases a large proportion of the masters will often be favourable to the combined workmen, and favourable to them, as in the instances to which we have alluded, in their most unreasonable demands, and will therefore give little assistance, if they are not guilty of opposition, to the execution of the measures which we have to propose.

In the year 1838, when the evidence from which we have so largely borrowed was taken, the local police both in England and in Scotland was generally in an inefficient state; and many of the witnesses examined by the Committee, and still more of those examined by the Constabulary Commissioners, believed the most effectual remedy for the violence of combinations to be an improved police. Such was the opinion of Mr. Hume, the principal author of the 5 Geo. IV., as appears from the following extract from his examination by the Constabulary Commissioners:—

*Mr. Hume.*

“ Has your attention been directed to the operation of the Act in question as regards intimidation and acts of violence?—Yes. At present intimidation and combination are allowed to continue, evidently against the letter and intention of the Act, producing many of the evil consequences of the interference with the freedom of capital and labour, which the law was intended strictly to secure. I stated to the County Rate Commissioners, in my evidence, the present defective system of police, and that it would be productive both of protection to industry and economy to the county if a separate and distinct police were established in each county, having their time entirely devoted to that duty, and liberally paid for their services, to secure the performance of their duties, and place them above temptation. I stated also, that it appeared absolutely necessary that they should be free from local connexions, which renders the present constables so very inefficient. I consider that it would be of as much use to the workmen themselves as it would be to the masters to be advised in time as to the consequences of the course they were taking when they happen to be misled to an illegal course. I am decidedly of opinion that the Government have not given the repeal of the Combination Law;

a fair trial. The object was perfect freedom to masters and men in their agreements as to the hours of labour and wages, and yet they have never given that protection necessary to secure either. The constables are inefficient, the magistrates are inefficient, and the working classes, through ignorance, are often involved in breaches of the law which, under the alterations I have suggested, would be avoided.”\*

## Remedies.

Measures for increasing the demand for hand-loom labour.  
VI. Releasing work-people from the tyranny of combinations.

It is obvious that, unless supported by an efficient police, neither the 6 Geo. IV., referred to by Mr. Hume, nor indeed any other law whatsoever, could have a fair trial; but we think there is sufficient evidence that the failure of the Act was not occasioned solely by the inability of the police to enforce it. If we were required to point out the spot in the British Islands, or in the whole of Europe, in which combination is most absolute, and the 6 Geo. IV. the least operative, it is Dublin. But Dublin possesses, and has long possessed, a large and well organised police. We trust that the 2 and 3 Vic. cap. 93, authorising the local authorities to create a constabulary force, will be generally acted on; and we hope also that it will lead to a more uniform and a better centralized system of police. But we believe that there are defects in the 6 Geo. IV. which would render it inefficient even if supported by a good police in England and Scotland, as it has been inefficient, although so supported, in Dublin.

But though we have a general conviction that the law respecting combinations is defective, and though we think that we perceive some of its deficiencies, we are far from thinking that we can state all its defects, and still further from supposing that we can point out the best remedies.

We believe that for these purposes a further and special inquiry is necessary; an inquiry which must be prosecuted on the spot, and by persons acquainted with the local criminal law. We believe that one of the errors of our previous legislation has been the attempt to legislate by one Act for countries so different in their common law, and in their forms of procedure, as England and Scotland, and so different in their habits as England and Ireland. We recommend that three persons, with the requisite qualifications, be directed to inquire simultaneously, but separately, in the principal manufacturing districts of the United Empire, into the operation of the laws respecting combinations, and to prepare (with the assistance, in the details, of an English, Irish, and Scotch solicitor) bills for its amendment. And that the law-officers of the Crown for England, Ireland, and Scotland be directed to consider the bills, and to bring them in with such alterations as they may think expedient. We believe that the inquiry, if confided to able persons, who could devote their whole time to it, need not take more than three or four weeks, and preparing the bills three or four weeks more—in which case they might be passed during the present session.

But although we admit our incompetence to report fully on the amendments necessary in the present law, we will venture to suggest those which, with our limited knowledge of the facts, we believe to be advisable.

In the first place, we think that some further relaxation of the common law respecting combinations is required both by expediency and by justice. We have already stated, that there is scarcely an act performed by workmen, as members of a trades' union, which is not still at common law an act of conspiracy and a misdemeanour. To what oppression this state of the law may be turned, we will show by an example, taken from the evidence given before the Committee of 1824, on Artizans and Machinery, p. 394.

In 1818 the propriety of an increase in the wages of the weavers in the north of England was discussed, both by the masters and by the men. It was agreed by many of the masters that an advance of 7s. in the pound on the existing wages should be made by two instalments, and they recommended the weavers to meet, and, if they were satisfied with this arrangement, to accede to it, and if any masters refused to do so, to leave them after completing their existing engagements, and work for those who agreed to make the advance.

To avoid the danger of disturbance, and the loss of time which a general meeting must have occasioned, the weavers called a “deputy meeting,” that is, a meeting of persons deputed as their representatives by the weavers of the different districts.

At this meeting the following resolutions were agreed to:—

“1. That every individual present at this meeting agrees to take the advance of 7s. in the pound.

“2. That as it is in the power of the manufacturer to compel the weaver to weave out his work in the loom, or on hand, he is advised in such case to obey the dictates of the law; yet

\* Report of Constabulary Commissioners, p. 165.

Remedies.  
Measures for  
increasing the  
demand for hand-  
loom labour.  
VI. Releasing work-  
people from the  
tyranny of com-  
binations.

no injunction is hereby laid on him by this meeting, and he is left entirely to his own discretion; but he is not to bring [take] any more work from any manufacturer [at a price] under the proposed advance."

For having been present at the meeting, and signed the resolutions, three working weavers, Ellison, Kay, and Pilkington, were arrested, and bail for 400*l.* demanded. It was obtained, however, and they were subsequently tried on an indictment at common law for a conspiracy, convicted, and sentenced, Ellison to one year, and Kay and Pilkington each to two years imprisonment in Lancaster Castle, an imprisonment which they all three underwent.

In less than four years after they had undergone their punishment, the 5 Geo. IV. declared the Act for which they had suffered to be perfectly innocent. And so it remained for about eleven months. But the 6 Geo. IV. has, as we have seen, revived the common law, except as respects meetings and agreements affecting only persons present at the meeting or parties to the agreement. The second resolution signed by Ellison, Kay, and Pilkington applied to absent parties. It was not therefore within the exception of the 6 Geo. IV., and the signing such a resolution, or even being an assenting party, is a misdemeanour punishable by fine and imprisonment, at the discretion of the Court.

It may be said that no one would now think of enforcing the common law in such a case. We believe that such has been the improvement in the sense of justice and in good feeling among the higher classes since the year 1818, that such proceedings, or such a sentence as those which we have just related, could not now take place. But legally they might take place, and those portions of a law which are too oppressive to be executed necessarily throw discredit on every part of it.

On the other hand, we recommend that the statutory process and penalties be extended to some acts now subject only to the severe punishment, but inconvenient process of common law. Such are agreements by workmen to strike for the purpose of forcing a master to discharge a given person, or to disuse a given sort of machinery, or generally to change his mode of managing his business. Such, again, are acts on the part of masters for the purpose of occasioning or promoting strikes on the part of the workpeople of other masters. We believe this conduct on the part of the masters to be so common, and so mischievous, that we recommend the penalty to be distinct and severe; and that, so far as it is pecuniary, it be recoverable by any party aggrieved, or by a common informer. We further recommend, that some acts be declared punishable, the criminal character of which has not yet been distinctly recognised.

As examples of the acts to which we refer, and also as confirmatory of our views, we insert the following passages, from the evidence of Mr. Alison, taken by the committee of 1838:

*Mr Alison.*

"2260. You have recommended that the Legislature should define where the law should take effect in preventing intimidation; can you specify the exact rule which should be laid down in practice?—I think it should be declared a punishable offence to intimidate by words or by gestures, or by assembling in such crowds as to inspire apprehensions in the mind of a person of ordinary firmness, at the time when a strike is going on, or with a view to interfere with the free disposal of labour.

"2261. I think it should be clearly and explicitly declared, that the putting guards round a mill, on the part of the association, though they did nothing, should be punishable; that the guards should be liable to immediate seizure. The practice of putting guards is universal; the moment a strike takes place, the mill is surrounded with men, who keep their eye upon everything that goes out and in. Now I think that should be declared punishable immediately, although the guards do nothing; it is evidently done for an illegal purpose; that is to say, I would recommend that the Legislature should declare that it was illegal, provided it was done with the illegal attempt at intimidating.

We further recommend that, for the purpose of facilitating the apprehension and conviction of persons guilty of outrage or intimidation, any master, workman, or other person aggrieved,\* or any persons assisting him, including, of course, the police, be authorised to seize any persons so offending, without summons or warrant, to carry them before a justice, and there compel them to give their names and addresses. We recommend further, that the refusing to give a name or address, or the giving a false one, be a distinct and cumulative offence.

We further recommend that the justices have power to convict and punish without naming the convict, identifying him by description or otherwise.

\* See a precedent for the power of the party exposed to apprehend in the Malicious Trespass Act, 7 & 8 G. IV., cap. 30, s. 24—28.

The following evidence of Mr. Foster, the experienced magistrate in Manchester, delivered to the Committee of 1838, will explain the motives of our last recommendations.

Remedies.

Measures for increasing the demand for hand-loom labour.

VI. Releasing work people from the tyranny of combinations.

Mr. Foster.

" 3314. Are you of opinion that the laws respecting combinations ought to be altered in any respect, without interfering with the principle of combination?—I think that if they were altered it should be with a view to prevent violence and intimidation, and to render more easy the detection of offenders.

" 3315. *Can you point out any way by which that might be done; has it occurred to you in your experience as a magistrate?—The practical difficulty one has met with has been this, that when a mill has been watched, it has been done on many occasions by parties who were not at all known, and whose names could not be obtained. In many cases such parties could not by law be apprehended upon the spot; and as no process can be issued against them, from want of knowing their names and residences, it becomes important that there should be a power of apprehending them.*

" 3321. As I understand you, the difficulty in working out the present law is in getting evidence of intimidation; it can assume so many shapes before it becomes absolutely tangible that there is a difficulty?—Yes.

" 3322. Now, have you on your mind any set of facts which ought to create a legal presumption of guilt, throwing on the party the necessity of a defence?—Yes; I think there are many cases in which it would be perfectly fair to do so, and where at present you cannot bring the matter home from want of knowing how to direct your process, and from not having the power to apprehend the party.

" 3323. The case you put seems to be this: a manufactory under a general strike; parading or passing as sentinels a certain number of workmen before that manufactory; combining those two facts before the judge, whoever he was, or the jury, making it requisite for the person thus acting as sentinel to explain why he was there?—I think that in such cases the principle might be applied with great advantage.

" 3324. Are you aware it is the French law of combination?—I am not.

" 3325. Then, when a manufactory is under a strike, upon any proof of a crowd, which naturally would intimidate, the French law requires an individual proved to be in the crowd to explain why he was there?—It seems to me that would be a perfectly reasonable enactment under certain restrictions, guarding it in any way that may be thought fit, by a previous application and depositions before a magistrate, or otherwise. When there is proof that for perhaps a month or more a mill has been so watched that the owner has been unable to procure hands to work in it, and the parties cannot be effectually proceeded against, that seems to me to be a case which requires a remedy."

We also recommend that any serious injury inflicted on the persons or property of masters or workmen, in consequence of their resistance to a combination, or of witnesses, be repaid by the hundred or other similar district. Those who have had sufficient moral and physical courage to make such a resistance, or to give testimony against a combination, and have suffered for so doing, are martyrs in the cause of liberty. The community which has profited by their firmness is bound as far as it is possible to make good their losses.

The last amendment in the 6 Geo. IV., which we have to recommend is, the return to the Act of the 5 Geo. IV. by repealing the 12th section of the 6 Geo. IV., that by which an appeal to Quarter Sessions is given on every conviction, and judgment is suspended on the parties' own recognizance, and that of two sureties in 10*l*. We believe that this clause has contributed more than any of the other defects in the Act to its utter failure. The 10*l*. security can of course always be obtained from the funds of the combination, so that no one convicted under the Act need fear punishment before the period of appeal has arrived. And we know how much, even among educated persons, and still more among the uneducated, every evil and every punishment, even if certain, loses its terrors as it becomes more distant. But in the cases which we are considering, delay is almost always impunity. Few strikes last many weeks: an accommodation, or a treaty for an accommodation, generally takes place before the Quarter Sessions are held, and of course it is arranged or understood that the prosecutions appealed from shall be discontinued.

We have to add to this imperfect outline, only an earnest wish that no preamble be prefixed in the spirit of that of the 6 Geo. IV. denouncing combinations as "injurious to trade and commerce, and especially prejudicial to the interests of all concerned in them." We firmly believe in the truth of this preamble. We believe that the general evils and general dangers of combinations cannot easily be exaggerated. We believe that if the manufacturer is to employ his capital, and the mechanist and chemist his ingenuity, only under the dictation of his shortsighted and rapacious workmen, or of his equally ignorant and avaricious rivals; if a few agitators can command and enforce a strike which first paralyzes the industry of the peculiar class of workpeople over whom they tyrannize, and then extends



## Remedies.

Measures for increasing the demand for hand-loom labour.  
VI. Releasing work-people from the tyranny of combinations.

itself in an increasing circle over the many thousands and tens of thousands to whose labour the assistance of that peculiar class of workpeople is essential—we believe, we say, that if this state of things is to continue, we shall not retain the industry, the skill, or the capital on which our manufacturing superiority, and, with that superiority, our power and almost our existence as a nation depends. But though we believe in the truth of these premises, they are not the grounds on which we wish now to proceed. Our immediate object is to give freedom to the labourer: and we firmly believe, that as soon as he is made master of his own conduct, he will use his liberty in the way most useful, not only to himself, but to the rest of the community.

Measures for diminishing the number of hand-loom weavers, or preventing its undue increase.

We have now given an outline of the principal measures which appear to us the most expedient for the purposes of increasing or rendering more steady the demand for the labour of hand-loom weavers, and cheapening or improving the commodities on which their earnings are expended. But we have already stated our conviction, that no increase in the demand for hand-loom labour, unaccompanied by measures for diminishing the number of hand-loom weavers, or at least for preventing its undue increase, could produce more than a temporary benefit, to be followed by distress differing from that which now exists only by being more widely diffused.

One measure for this purpose, however, we have already recommended. If the means which we have pointed out, or any others which the legislature may adopt, for repressing the tyranny of combinations and restoring freedom to the labour market, should be successful, one of the great causes which tend to increase unduly the number of hand-loom weavers will be at an end.

We have already stated our belief that the hand-loom weavers are repelled from engaging in other trades, or training their children to them, by the barriers interposed by combinations. The removal of those barriers is a necessary preliminary to any successful effort on the part of the weavers to take advantage of the increase of capital, and, consequently, of employment in the home market. And we entertain a strong hope, that when those barriers no longer exist, the general tendency of mankind to better their condition will induce a portion of the weavers to press into more highly paid occupations. This will of course benefit in two different ways the existing body. It will benefit those who quit for better trades their present miserable employment, and it will benefit those who remain weavers by diminishing their number in proportion to the demand for their labour.

Having made this remark, we now proceed to consider what other means exist for remedying the distress of the hand-loom weavers by either diminishing their number or preventing its undue increase.

We believe that these remedies may be reduced to two—Emigration and Education.

## Emigration.

The most obvious is Emigration. In the cases to which it is applicable it is the most immediate cure or palliative of a redundant population, and no period within our recent history has been so favourable to its application as the present. During the later portion of the last century, and the first thirty years of this century, our colonies offered scarcely any relief to the surplus population of the labouring classes. As neither the general government nor any local authorities had the power to raise funds towards the expense of transit and out-fit, emigration was confined to those who could supply that expense themselves, and who belonged, therefore, rather to the middle than to the labouring classes, and to those, much fewer in number, who were sent out by private liberality. Improvident sales, improvident grants, and improvident reserves of the unappropriated lands in most of the colonies, retarded their settlement and improvement; and those which were least affected by these calamities were avoided by many honest and industrious settlers as the habitations of slaves or of convicts.

During the last ten years all these obstacles have been removed. Slavery no longer exists in any British colony; the transportation of convicts is confined to one small penal settlement, and, when the inconvenience and expense of establishing our principal prison in the antipodes is better understood, must terminate altogether. The Poor Law Amendment Act in England, and the Act of 1838, establishing a Poor Law in Ireland, authorise the local authorities to raise funds to defray the expense of Emigration. The extravagant or corrupt grants, the inconsiderate sales, and the absurd reserves of former colonial administration have ceased, and, we trust, can never be repeated. They have been superseded by a system under which the wild lands are sold, and the produce is in most cases em-

ployed in the transport of labourers to aid in their cultivation ; and a Colonial Land and Emigration Board has been established for the purpose of obtaining and circulating information, and enabling the resources of the State and of individuals to be employed in the most beneficial manner.

The result has been a singularly rapid growth of our colonial empire. Within the last three years, three new colonies, New Zealand, South Australia, and Port Philip have been actually founded ; others are in contemplation, and companies have been formed for supplying them with capital. We repeat, therefore, that the present times are eminently favourable to emigration. And yet we fear that, except so far as it may afford a general relief to the labour market, the hand-loom weavers have little to hope from it ; and we believe that this is their own opinion. It will be observed that only five of our Assistant Commissioners, Mr. Muggeridge, Mr. Miles, Mr. Austin, Dr. Harding, and Mr. Symons, have thought it worth while to advert to the subject.

Mr. Muggeridge states, that in the course of his inquiries in the north of Ireland, Emigration was much dwelt on as a remedy ;<sup>\*</sup> but he does not say by what class of witnesses. Of those whose examinations he has reported, one only, Henry Adams, mentions the subject. His evidence is favourable. He is a weaver, himself an emigrant to Upper Canada, whence he returned in alarm from the rebellion. He expresses great wish to go back to Canada, and great confidence in the advantage which he would derive from being enabled to do so, and adds that the same feelings prevail among his fellow workmen.<sup>†</sup>

Mr. Miles says, that the weavers in the Gloucester clothing district are anxious to go, but that the difficulty lies in persuading those intrusted with the selection of emigrants to accept them.<sup>‡</sup> On the whole, however, it appears that Uley, Bisley, and the neighbourhood, have successfully applied emigration to the relief of local congestion.

Mr. Austin's experience of the feelings of the same class of workpeople in the south-west of England was less favourable.

" Few," he says, " of the ill-employed class on whose condition I am now making my report, have availed themselves of the opportunities which the Government have afforded for emigration. They are by no means (I am speaking of the woollen cloth districts) adapted for that sort of life ; they are the sons, grandsons, and great grandsons of weavers, and are little fitted for any other occupation. Those to whom I have proposed it as a remedy have scouted the idea ; ' however hard their fate, they prefer to live and die in old England, but wish that trade was better.' This was said by general acclamation at different meetings, without one dissentient voice." §

Mr. Symons, reporting from the south of Scotland, says that

" Emigration is not deemed acceptable by the weavers generally, as a means of relief : they conceive that the number emigrating must be immense, to effect any change in the condition of those who remain ; and that as to those who go, it would be preferable to bring food to the people, instead of taking the people to the food." ||

Dr. Harding, from the east of Scotland, who thinks well of the success of the weavers, at least of a portion of them, as emigrants, yet adds, that of all the witnesses examined by him, not more than three or four individuals mentioned the subject. ¶

We have no doubt that a large and well managed system of emigration may be generally beneficial to a whole nation ; and that a small emigration may be usefully employed for the specific purpose of relieving a single district from its surplus population. But we do not believe that, in the present state of the British Empire, emigration is likely to afford specific relief to a class so numerous and so constituted as the hand-loom weavers. The population of the British Islands may be estimated at 25 millions, of whom the hand-loom weavers, including their families, form about 800,000. One hundred thousand persons a-year, or four per thousand of our whole population, is the largest emigration that can be expected for some years. Supposing the hand-loom weavers to contribute their full proportion to this emigration, the annual abstraction of four persons out of every thousand could not materially affect the condition of those who remained. But they ought not to emigrate in that proportion, and we feel certain that they will not. They have no skill in the labours which constitute the chief employments in the recently settled agricultural countries to which European emigration

Remedies.  
Measures for  
diminishing the  
number of hand-  
loom weavers, or  
preventing its  
undue increase.  
Emigration.

Mr. Muggeridge.

Mr. Miles.

Mr. Austin.

Mr. Symons.

Dr. Harding.

\* Assistant Commissioners' Report, Vol. I. p. 722.

† Ibid., Vol. II., p. 526.

‡ Ibid., Vol. I., p. 75.

§ Ibid. p. 715.

¶ Ibid., Vol. I., p. 468.

¶ Ibid., p. 197.

Remedies.  
Measures for  
diminishing the  
number of hand-  
loom weavers, or  
preventing its  
undue increase.  
Emigration.

is directed, and their habits render them incapable of enduring the hardships which such countries impose. The second of these objections is the most important. The skill necessary for the field-labour of a new country, in which very imperfect farming is productive, and for the rough constructions and fabrications which in such a country must be effected on the spot, is easily acquired: but the sedentary and in-door labour of weavers generally unfits them for resisting cold and exposure, and for active muscular exertion. We are inclined to believe that the climate which would be most favourable to them is that of the elevated lands within the tropics, such as the mountain ranges of Jamaica, which enjoy the average temperature of an English summer. The agriculture of these regions, consisting principally of coffee and cotton for exportation, and provisions for home consumption, requires little labour or skill, and consequently offers employment to women and children. We rejoice, therefore, to find from the valuable collection of Reports from the Colonial Land and Emigration Commissioners, that the means for promoting an emigration of this kind are under consideration.\* The climate of New Zealand is also mild; and in some districts, particularly in the north of Ireland, the linen weavers are already accustomed to the cultivation and preparation of flax.

But we must repeat our opinion, that emigration is not one of the means by which the condition of the hand-loom weavers as a body is likely to be materially improved.

*Education.*

There remains, therefore, only one mode by which the number of the hand-loom weavers can be proportioned to the demand for their labour: and that is, the great means to be resorted to in every decreasing or even stationary trade, namely, the conduct of the weavers themselves. On their activity and intelligence in seeking other employments for themselves and for their families, and in pursuing those employments when found; on the self-denial of the married in placing their children in occupations less immediately productive than the loom and its subsidiary businesses, and of the unmarried in abstaining from incurring the responsibility of a family, when their own wages are scarcely equal to their own support—on their conduct, in these respects, must mainly depend the proportion of their numbers to the demand for their labour, and, so far as it is dependent on that proportion, the improvement or the further depression of their condition. But we must add, and we make the statement with great sympathy for the persons on whose situation we are commenting, that there are branches of hand-loom weaving which no conduct on the part of those engaged in them is likely to make adequate sources of comfortable support for a family. In the occupations which require only the skill and strength of women and children, the average wages of women and children are the utmost that can be permanently expected. The man who devotes himself to such work abandons all advantage from his superior powers, and must be content to receive the wages of a woman or of a child. Such occupations, and many branches of hand-loom weaving are such, may afford, as they do in Switzerland and in other parts of Europe, useful additions to the general income of a family, the head of which devotes himself to manly work; but, if they are the only resource, it will generally be a miserable one. Again, a business for which the ordinary strength of a man is required, but the necessary skill is easily obtained, is likely, unless it be peculiarly disagreeable in itself, to become the usual resort of unemployed labourers. We have shown that many kinds of hand-loom weaving require no more skill than can be acquired in a few months, or even weeks, and that, so far from being disagreeable, they enjoy a freedom from restraint and from exposure to the seasons, which renders them peculiarly attractive. In an old community, especially in one in which large bodies of persons are dependent on the accidents of commerce, the number of those whom their own misconduct or misfortune, or that of their employers, has deprived of their usual work, will always be large: and the business into which they usually crowd must be overstocked with hands. No conduct on the part of those engaged in it can prevent it from being at the bottom of the scale. It can improve only under the influence of causes which raise the condition of the whole body of labourers.

There are, however, some branches of hand-loom weaving which, from the high degree of skill, or from the combination of strength and skill which they require, are exempt from these inconveniences, and in those branches the work-people, by the exercise of the activity, intelligence, self-denial, and prudence to which we have alluded, might so proportion their numbers to their employment, as to secure good average wages.

But activity, intelligence, self-denial, and prudence, are the results of good edu-

cation, and we lament to say, that few of the labouring classes in the British Islands have received, or are receiving, a good education, or have the means of obtaining one. The first element of good education—an adequate supply of good schoolmasters—is wanting. The supply of schools, though very far exceeding that of good masters, is lamentably deficient

Remedies.  
Measures for  
diminishing the  
number of hand-  
loom weavers, or  
preventing its  
undue increase.  
Education.

“After having visited,” says Mr. Hickson, “a greater number of schools provided for the poorer classes than most persons who take an interest in education, I have been forced to the conclusion, not hastily formed nor adopted without consideration, that a very large proportion of these schools are rather doing harm than good: schools in which religion is not taught, or taught only as so much conventional formality, neither affecting the heart nor reaching the understanding; schools in which moral training is neglected altogether, or in which, instead of attempting to mould the disposition of a child, the master, by employing a severe and injudicious discipline, degrades a lad in his own eyes, sours his temper, crushes his affections, and renders him churlish, spiteful, or sullen; schools in which the favouritism of monitors, and the caprices of incompetent masters, create habits of dissimulation and lying; schools in which, in regard to intellectual instruction, children are shut up, in order, as it would almost seem, that knowledge might be shut out; in which writing and arithmetic are often forbidden to girls; the geography, even of their own country, to boys, and none of the principles of any of the mechanical processes taught by which they may have to get their living; schools from which all that has a tendency to refine the tastes or soften the manners of the rising generation are excluded altogether, and in which no attempt (beyond that of teaching sewing) is made to form habits of industrious application.

“Education may be for good, or it may be for evil, according to the nature of the education given, and the manner of imparting it. It is a great error that four walls are sufficient to constitute a school, and any broken-down tradesman or discarded servant a schoolmaster. Although in my visits to prisons I did not find that, upon an average, more than one-third of their inmates are able to read with sufficient fluency to derive enjoyment from reading, I was sometimes startled by the amount of schooling many professed to have received.”\*

And a still more painful deficiency is the want of will, or of means, or of both, on the part of parents, to give to their children the benefits, such as they are, of the existing schools.

A detailed statement of the deficiencies of our provision for education, and detailed suggestions for its improvement, would be out of place in such a Report as this, which, from the number and the variety of the subjects to which it must advert, can give only a cursory attention to any one. For such details we refer to Mr. Hickson's separate Report, where the questions are treated at length.† But we cannot close our labours without expressing our conviction, that in the matter of education the Government of this country owes a duty to its people which it has not performed. Much, without doubt, has been done by the institution of the Irish Education Board, and much has been admirably begun by the Committee of the Privy Council. But the 50,000*l.* annually voted to the former is only one-fourth part of the sum which the Board declares to be necessary to carry out its purposes,‡ and the 30,000*l.* annually assigned to the latter is too small to be more than the means of an experiment.

The great question, whether a parent, who is by law required to provide for the bodily wants of his child, ought also to be required to attend to its mind? has indeed, in a very limited degree, and with respect to a narrowly limited class, been decided by the Factory Act.§ By prohibiting, in certain of the factories using steam or water power, the employment of children under 13, without a certificate of their attendance at school, the legislature has acknowledged the duty of the parent to provide for the instruction of his child, and has, in fact, imposed on him for its non-performance a fine of 20*s.* if the child is employed; and if unemployed, on that account then a fine equal to the wages which it might have earned. Another question, of almost equal importance, has been decided by that Act. After declaring that it is the duty of the parent to see that his child is educated, it has declared that it is the duty of the community to make the performance of the parents' obligation possible, and for that purpose to provide for the existence and the efficiency of the school to which he is ordered to send his child. By the 22d section, therefore, it has enacted, that wherever it shall appear to any inspector of factories that a new or additional school is necessary to enable the children employed in any factory to receive the education required by the Act, he is authorized to establish or procure the establishment of such school. And by the 23d, that if upon examination and inquiry he shall be of opinion that any schoolmaster or schoolmistress is incompetent or unfit, it shall be lawful for him

\* Mr. Hickson's Report, p. 65.

† Ibid. Report, No. 4; Sections from 77—134, pages 44—69.

‡ See the Second Report of the Commissioners of National Education in Ireland, 1835. 200,000*l.* a-year is the sum which the Board states to be necessary for current expenses, after the greater expenses of outfit shall have ceased.

§ 4 & 5 W. IV. c. 183.

Remedies.  
Measures for  
diminishing the  
number of hand-  
loom weavers, or  
preventing its  
undue increase.  
Education.

to disallow the salary of such schoolmaster or schoolmistress. But with an apparent inconsistency, of which we have not seen the explanation, the clauses by which the districts in which schools were thus to be established were enabled to raise funds for their support, were struck out of the Bill in the House of Lords, and the 22d and 23d sections of the Act have consequently been inoperative; and a further consequence has been, that the clauses directing that, as a condition of employment, children shall pass two hours a-day in school, have been, in many cases, perhaps in a majority of cases, not inoperative, but positively mischievous. The schooling has been imprisonment in the atmosphere of a small crowded room, under the inspection of an illiterate guard, neither willing nor able to do much more than keep his little sufferers in order, and watch the door. Idleness in the fresh air would be better than a confinement which must associate education with merely irksome and disgusting recollections.

The merit therefore of the education clauses in the Factory Act is not what they have done, but what they have acknowledged. It is obvious at first sight, that the legislature, which fines a parent for sending a child to work at a power-loom without having sent it the day before to a school, cannot consistently exempt from the same obligation the parent who sends his child to a silk-mill, or to a hand-loom factory, or to a mine, or, in fact, to any other employment beyond his own doors. And we think that, on reflection, every one must feel that the mere accident of the child's being employed in the house of a stranger, or in that of his own parent, and to go a step further, of his being or not being employed at all, does not affect the parent's obligation, or the duty of the state to enforce it. It is equally obvious that, if the state be bound to require the parent to educate his child, it is bound to see that he has the means of doing so. The voluntary system, therefore, the system which leaves to the ignorance, or negligence, or debauchery, or avarice of the parents of one age to decide how far the population of the succeeding age shall or shall not be instructed beings, has been repudiated: and we trust, that, in a matter of this importance, the most important perhaps of the many subjects requiring the attention of the Government, a system which has been repudiated on principle will not be permitted to continue in practice.

On the details of the measures by which this great change may be effected, and the performance of the parents' moral duty rendered binding by a legal obligation, and by the creation of the requisite instruments, it would be presumptuous in us to dwell at any length.

We will venture however to suggest, with respect to the obligation on the part of the parent, guardian, or master, that every person in whose family a child under a certain age is domiciled, be required to show that, unless prevented by infirmity or unavoidable accident, it attends school or possesses the average information of an educated child of its age. And with respect to the obligation on the part of the state, that the providing inspectors and training establishments for masters\* should be incumbent on the Government, and be defrayed out of the national revenue; and that all other expenses should be provided for by local assessments on the district benefited by each school, aided by such payments as it may be thought right to require from parents, guardians, or employers.

Under the scheme which we have ventured to suggest, the inspectors must be numerous, and their duties arduous, as they would have to ascertain the proficiency not only of the children at school, but also of those retained at home: and we do not think that the selection, or superintendence, or remuneration of such officers could be safely left to the local authorities. Nor could the expense of the training establishments for masters, of which the whole country is to receive the benefit, be in the first instance properly imposed on any particular districts. Eventually, however, it might be locally defrayed, if every school receiving a trained master were required to contribute to the charge of his previous education, or to that of the pupil who succeeded him in the establishment.

All other expenses we would raise locally, because, in the first place, we believe that direct local taxation is, on the whole, less injurious than the indirect taxation through which nearly the whole of the public revenue is obtained; and because, secondly, a contribution of which the payer can, in some measure, control the application, and from which he receives, or sees that his neighbourhood receives immediate benefit, is more cheerfully submitted to than one which swells the public revenue, and is distributed in channels of which the contributor loses sight.

\* For an account of what we believe to be the most efficient establishment of this kind in Great Britain, see the Report of Dr. Kay and Mr. Ed. Tufnell on the Training School at Battersea, inserted in the Report of the Poor Law Commissioners, on the Training of Pauper Children, 1841; p. 201. This establishment was founded, and has as yet been supported, by the munificence and devotion of two individuals, Dr. Kay and Mr. Edward Tufnell, with some assistance from their friends.



The latter is felt as a burthen, the former as only a mode of expenditure. We may add, that in almost every district the local assessments might be assisted, and in many almost entirely superseded, by having recourse to the foundations already existing, either generally for the relief of the poor, or specially for education.

The former class of charities, those for the general relief of the poor, are inconsistent with the present organized system of relief. When applied, as is often the case, in aid of the poor-rates, they are innocently, but not legally administered. And on the other hand, their application as alms, though legal, is almost always mischievous, and tends to create the poverty which it relieves. Applied to education, they would produce benefits of the highest kind, and totally unmixed with evil.

Of the latter class of charities, those specially founded for the purposes of education, many, from the increased value of the lands with which they are endowed, or from the migration of population, have outgrown the districts for whose benefit they were created; and others, belonging to the period when Greek and Latin were supposed to be education, are unsuitable to the present wants of the mass of the population.

We rejoice to be able to support, by the great authority of the present Bishop of London, our opinion that the general intent of the founders of those charities, namely, improving the condition of the poorer classes, ought to be carried into effect by sacrificing their particular intent, namely, the adoption of means which are no longer serviceable.

In the concluding passage of the Poor Law Report,—a passage which is understood to have been written by his Lordship, and which carries the impression of his vigorous sense and of his appreciation of education,—the Commissioners say,

“ It will be observed, that the measures which we have suggested are intended to produce rather negative than positive effects; rather to remove the debasing influences to which a large portion of the labouring population is now subject, than to afford new means of prosperity and virtue. We are perfectly aware, that for the general diffusion of right principles and habits we are to look, not so much to any economic arrangements and regulations as to the influence of a moral and religious education; and important evidence on the subject will be found throughout our Appendix. But one great advantage of any measure which shall remove or diminish the evils of the present system is, that it will in the same degree remove the obstacles which now impede the progress of instruction, and intercept its results; and will afford a freer scope to the operation of every instrument which may be employed for elevating the intellectual and moral condition of the poorer classes. *We believe, that if the funds now destined to the purposes of education, many of which are applied in a manner unsuited to the present wants of society, were wisely and economically employed, they would be sufficient to give all the assistance which can be prudently afforded by the State.* As the subject is not within our Commission, we will not dwell on it further, and we have ventured on these few remarks only for the purpose of recording our conviction, that as soon as a good administration of the Poor Laws shall have rendered further improvement possible, the most important duty of the Legislature is to take measures to promote the religious and moral education of the labouring classes.”\*

The period contemplated by the Commissioners has arrived: a good administration of the Poor Law has rendered further improvement possible; and the Legislature has begun, but as yet very slowly and timidly, to take measures to promote the religious and moral education of the labouring classes.

If we might hazard another suggestion, it would be, that a further step should be made towards the introduction of a system of general education, by the issuing of a Royal Commission to inquire into the state of the education of the poorer classes in Great Britain, and to suggest measures for its improvement and for the establishment of a system of national education. We say Great Britain, because we do not think it would be safe to interfere with the Education Board of Ireland, which up to the present time has conducted its difficult task with admirable discretion and diligence, and with a success far greater than could have been expected from its limited means. The cost of such a commission would be from six to seven thousand pounds: a sum which would be cheaply expended in making even a small advance towards its great purpose. But we believe that the assistance which it would give would be very great. The attention of many who now neglect the subject would be roused by an account of the number of the population unprovided with schools, and of the nature of the majority of the places which are dignified by that name. A comparison of our methods and of our extent of instruction with those of nations on whose civilization we presume to look down,

Remedies.  
Measures for  
diminishing the  
number of hand-  
loom weavers, or  
preventing its  
undue increase.  
Education.



Remedies.  
Measures for  
diminishing the  
number of hand-  
loom weavers, or  
preventing its  
undue increase.  
Education.

Summary of  
Report.

would be a useful stimulus to the exertions of some, and a useful sedative to the national vanity of others. Some prejudices might be softened, some hopes inspired, and some useful examples exhibited, by a statement of the success with which the difficulties arising from religious discrepancies have been surmounted.

The agitation of the question of obligatory education, the circulation of queries by the Commissioners, and the visits and inquiries of their assistants, would give to the public mind the preparation which is necessary to the cordial adoption of any extensive change. And a plan might be submitted to the Government, the result of the consideration of several minds concentrated on one subject, and assisted by the suggestions of hundreds, or perhaps, as was the case on the Poor Law Inquiry, of thousands of witnesses and correspondents.

We have now fulfilled, as far as it lay in our power, the duties imposed on us by Your Majesty's Commission. We have inquired into the condition of the Hand-loom weavers throughout the United Kingdom. We have stated that, as a body, they are in a state of distress; that the great cause of this distress is a disproportion between the supply of hand-loom labour and the demand for it; the demand being, in many cases, deficient, in some cases decreasing, and in still more, irregular, while the supply is, in many branches, excessive, in almost all has a tendency to increase, and does not appear in any to have a tendency to adapt itself to the irregularities of the demand.

In considering the second of the objects proposed to us by Your Majesty's Commission, namely, the reporting whether any, and if so, what measures can be devised for the relief of the hand-loom weavers, we were governed by the result of our previous inquiry. It having been ascertained that the principal cause of the low earnings of the hand-loom weavers is the disproportion between their numbers and the demand for their labour, it follows that no measures can effectually raise their earnings, except by getting rid of that disproportion; or even improve them, except by diminishing it; but even while the disproportion continues, the condition of the weaver would be improved by any cause which should render the demand for his labour more steady, or diminish the price, or improve the quality of the commodities on which his wages are expended.

The remedies for the distress of the weavers appeared, therefore, to be reducible to three classes:—first, those which aim at increasing or rendering more steady the demand for their labour:—secondly, those which aim at cheapening or improving the commodities on which their wages are expended: and, thirdly, those which aim at diminishing their number, or preventing its undue increase.

We then gave an outline of the principal measures which appeared to us the most expedient for the purposes of increasing or rendering more steady the demand for the labour of hand-loom weavers, and of cheapening or improving the commodities on which their earnings are expended.

As the principal means by which all these purposes may be effected, by which the trade of the country, both internally and externally, may be made more steady; by which the exportation of the products of our own looms may be promoted, and the food and habitation of our labouring population may be improved, we have recommended the substitution, for the present anomalous and fluctuating corn duty, of a duty, either to be annually reduced, or to be permanently fixed at a low rate; and such a change in the duties on timber as may no longer exclude, from all buildings intended for the use of the great majority of the people, the timber which is cheapest and best. And we have recommended further measures for promoting the healthiness of the dwellings of the labouring classes, and for the improvement of our foreign trade.

In order to cheapen the material on which one class of weavers are employed, and thereby increase the demand for their labour, we have recommended the abolition or diminution of the duty on organzine.

For the purpose of further increasing that demand by the improvement of British patterns, we have recommended the extension and protection of copyright in designs; the establishment and promotion of schools of design, and the general cultivation of the popular taste.

Believing that the cost of production to the manufacturer is much increased, and, consequently, the demand for hand-loom labour much diminished by the embezzlement of woven goods, and of the materials of weaving, we have recommended measures for its more effectual repression.

Believing the restrictions on the manufacture and sale of Irish linen to be mischievous, we have recommended their abolition.

And believing that hand-loom weavers suffer even more than the labouring classes in general under the obstacles to the free use and circulation of labour imposed by combinations, we have recommended measures for restoring liberty to the working classes by depriving combinations of their powers of intimidation.

Summary of  
Report.

We have, lastly, considered the means by which the number of hand-loom weavers may be diminished, or their undue increase prevented. After remarking that the restoring freedom to the labour market will, to a certain degree, effect these purposes, we have directed our attention to two auxiliary measures—Emigration and Education. We have stated our fears, that the weavers will not derive much direct and specific advantage from emigration. Nor have we encouraged the hope that they will be peculiarly benefited by the extension of education. But believing most firmly that the whole body of the labouring classes would derive benefit from a general system of education, under which the community should be bound to supply the means, and parents, and all others filling the place of parents, to use them, we have suggested an outline of a plan by which such a system may be introduced.

All which we humbly certify to Your Majesty.

(L. S. O.) NASSAU W. SENIOR,  
(L. S. O.) SAMUEL JONES LOYD,  
(L. S. O.) WILLIAM EDWARD HICKSON,  
(L. S. O.) JOHN LESLIE.

*London, February 19, 1841.*

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## APPENDIX.

### APPENDIX No. 1.

Appendix No. 1. INSTRUCTIONS from the Central Board of the Hand-Loom Weavers' Inquiry Commission to their Assistant Commissioners.

HER Majesty's Commission, issued in compliance with an address of the House of Commons and following the words of that address, directs the central Commissioners to inquire into the condition of the unemployed hand-loom weavers in the United Kingdom, and to report whether any, and, if so, what, measures may be devised for their relief. The first inquiries instituted by the Commissioners lead them to the belief that there are few unemployed hand-loom weavers, and consequently, that if the terms of the Commission were strictly followed, the inquiry would be short and unproductive. There appear, however, to be grounds for thinking that, although the hand-loom weavers are generally employed, many classes of them were, at the time when the address was presented to Her Majesty, and are now, in a state of great privation and distress, arising immediately not from want of employment, but from insufficient wages and excessive toil. Under such circumstances, the Commissioners believing it to be Her Majesty's intention that the sufferings of this large and meritorious portion of her subjects, whatever be their proximate cause, should be investigated, and remedies, if any be practicable, be suggested, have requested and obtained permission to consider the word "unemployed" as a qualification not intended to confine their inquiries. The Commission is therefore to be acted upon as if it did not contain that word.

In considering the mode in which the wide inquiry now opened to the Commissioners can be best conducted, the first remark that occurs is that under the term hand-loom weavers are included many different classes of artificers following their respective occupations under dissimilar circumstances; and that the situation of each class is therefore likely to be different; to be affected by different causes; and to be susceptible of improvement by different means.

It is probable that the principal distinction between the separate trades in all of which the hand-loom is used, arises from the material on which the weaver works, and that hand-loom weavers may therefore be first divided into four classes.

Those employed—

1. On cotton.
2. On woollen.
3. On flax.
4. On silk.

And that these four great classes may also, for the purpose of this inquiry, be further subdivided. Those who make carpets, or blankets, or fine cloths, are all hand-loom weavers employed on woollen: those who make damask hangings and those who make ribbons are both hand-loom weavers employed on silk; but it is probable that there is much dissimilarity of condition among those who are engaged in processes so dissimilar. The first duty of those who have to prosecute the details of the inquiry is to ascertain the number of separate trades into which hand-loom weaving is divided, and the principal distinctions which characterise each trade.

The inquiry respecting each class of weavers will then naturally fall under three heads—

1. Their actual condition.
2. The causes of that condition.
3. The means, if any, by which it can be improved.

The last is, of course, the practical object of the Commission: it is the point to which all the other inquiries tend; but though it must be constantly borne in mind, yet, as it is the last point for actual consideration, it will be most natural to advert to it last in these instructions.

On the first head, the actual *condition* of the hand-loom weavers, much information has already been laid before Parliament. Unless the Assistant Commissioner is already master of that evidence, as printed in the Parliamentary Reports of 1834 and 1835, it will be his duty to become so before he begins his inquiry. The address, however, which led to the issuing of the present Commission, shows the opinion of the House of Commons that the existing evidence is incomplete or unsatisfactory.

To supply that deficiency through his own personal investigation, is the first business of the Assistant Commissioner.

For this purpose having ascertained the number of separate trades into which hand-loom weaving, as practised within the district assigned to him, is divided, and the principal distinctions by which they are separated, he will endeavour to ascertain, with respect to each separate trade, the number of families of hand-loom weavers employed in it, considering each person

who manages his own concerns as constituting a family, and the number of persons in each family. He will also endeavour to ascertain what variations have occurred at different periods in the number of persons employed in each separate trade, and the circumstances under which each increase or diminution of such numbers has occurred.

He will then inquire—

I. With respect to the *pecuniary condition* of the weavers.

1st. What proportion in each trade are exclusively employed in hand-loom weaving, and what proportion engaged in it themselves, or through any members of their family, only in the intervals of other and what pursuits.

2nd. The amount of money which can be earned per hour in each department of each trade, by men, women, and children, respectively, distinguishing the earnings of each according to age and sex, and distinguishing between skilled and unskilled persons; and stating particularly what period of previous practice is necessary to enable a given person to earn a given sum per hour; and also stating the number of looms possessed or used by the same family, and the collective earnings of such family.

3rd. The deduction to be made from these earnings for expenses incident to their acquisition, such as winding, candles, standing for loom, and the wear and tear of the loom, and other apparatus, and interest on its value. With respect to the last point, it will be necessary to ascertain whether the loom belongs to the weaver, or is hired by him, or belongs to his master, whether himself a hand-loom weaver, or the master of a factory. The rate per week at which a loom and the other tools of a weaver can be hired, will afford some ground for estimating the sum which ought to be deducted from wages for the mere services of the weaver, and considered as profit on his capital.

4th. With respect to those who, either by themselves or by any members of their family, are engaged in any other pursuits, the amount of wages per hour, or per day, obtained by them respectively in those other pursuits.

5th. The constancy of employment in each trade. That is to say, for what number of hours per week each individual can obtain work.

With respect to the 2nd, 4th and 5th of these inquiries, it is obvious that average results only can be obtained; and it must be recollected that by the actual condition of the weavers is meant, not their actual condition on the day on which the inquiry is made, but for such a previous period as may indicate the condition in which they may expect to continue. The inquiry, therefore, even for this purpose alone, must be spread over a period of at least two years—that period being the shortest that will afford average results.

The results of these inquiries will show what amount of net wages the hand-loom weavers in their several departments are *able* to earn. But in order to ascertain what wages they actually *do* earn, the Assistant Commissioner must endeavour to learn to what extent they use the opportunities afforded to them.

For this purpose he will inquire—

6th. How many hours per day, and how many days per week, the persons employed as hand-loom weavers in each trade usually work, when employment is to be had, distinguishing them according to age and sex. Some evidence on this head may be obtained by ascertaining from the masters who put out work, within what period they reckon on its being finished; that is to say, within what period they reckon on being able to complete a given order requiring the labour of a given number of men, women and children for a given number of hours.

7th. He will inquire to what extent the weavers in each trade are in the habit of receiving apprentices or journeymen, and the average proportion of the earnings of the apprentice or journeyman received by the hand-loom weaver who is his master, or the owner or hirer of the loom on which he works.

8th. He will inquire to what extent either parochial assistance or aid from individuals or from subscriptions has been afforded to them, and in those towns in which electioneering abuses prevail, to what extent the weavers have profited by them.

The answers to these inquiries will show what is the actual *pecuniary condition* of the weavers, since they will show their average net incomes per head and per family during the last two years.

But the pecuniary state of the weavers is not the only or indeed the principal subject of inquiry. Their moral condition is far more material both to themselves, and to the rest of the community; and it is placed in this paper subsequently to the pecuniary inquiry, not because the Commissioners undervalue its relative importance, but partly because it is less susceptible of accurate statement, and partly because it is in a great measure dependent on the former. It is true, indeed, that the two are mutually dependent; but among bodies of artisans inhabiting the same district, and surrounded by the same degree of civilization, and the same means of instruction, it is, perhaps, more probable, that pecuniary distress, or, what is more mischievous, great and sudden alternations of prosperity and adversity will produce a low moral condition, than that a low moral condition will occasion pecuniary distress.

II. With reference therefore to the *moral condition* of the hand-loom weavers, the Assistant Commissioner will investigate the religious, intellectual, and moral cultivation of the *adults* in their respective trades.

For this purpose he will inquire—

1st. To what extent they appear to possess elementary Scriptural information, and frequent places of worship.

2nd. The extent of their knowledge, with particular, but not exclusive, reference to their own trade; how far they understand the principles of the machinery and implements which they employ, and the means of improving them; whether they are acquainted with the number and comparative accessibleness of the markets for their labour, or generally with the

Appendix No. 1. means of bettering their condition; whether they subscribe to book societies, or frequent mechanics' institutes, or show any and what desire of intellectual pleasure or improvement.

3rd. Their habits, with reference to diligence, providence, frugality, honesty, and temperance. To their diligence, attention has already been directed. As to their providence and frugality, the Assistant Commissioner will inquire into the modes of their expenditure, whether economical or wasteful, and whether for purposes of immediate or permanent enjoyment; to what extent they save when their earnings exceed the average, and how their savings are invested; whether they subscribe to benefit or friendly clubs, or savings banks, or to other institutions of a similar nature; what is the average age of marriage in each sex, and the capital, or stock, if any, previously accumulated, and whether in money, clothes, furniture, or in what other form. As to their honesty, he will inquire into the degree in which embezzlement of their masters' property, which has been attributed particularly to the silk-weavers, prevails; and, generally, what are the frauds to which they are peculiarly tempted in their respective trades, and how far those temptations are yielded to. And with respect to their temperance, he will inquire to what extent they use stimulants, and of what kinds, and what is the effect on their bodies and minds.

With respect to the *children* of the hand-loom weavers in their respective trades, the Assistant Commissioner will inquire to what extent they frequent places of worship and Sunday-schools; to what extent, and for how many hours per week, and at what ages, they attend week-day schools, distinguishing infant-schools from others, and noticing particularly such industrial schools as may tend to fit them for any other and what employments; the expense of such attendance, either in loss of the child's time, or in money, and if in money, by whom paid; the salaries, earnings, and capacities of the masters; the nature and extent of the knowledge there acquired, and the degree in which the attendance of the children is interrupted, either by their own employment, or by the poverty, or neglect, or selfish indulgence of their parents. And he will endeavour to ascertain, by personal examination of children of different ages, and in different trades of hand-loom weavers, the degree of their religious, intellectual, and moral cultivation. Among the most decisive tests of the religious, intellectual, and moral condition of the adults, are the nature of the education which they actually give to their children, the degree in which they appear to be anxious that their children shall obtain a better education, and what sort of improved education they desire for them, and what are the sacrifices which they really make, or appear willing to make, for the improvement of their children.

It is believed that the principal points of inquiry respecting the *condition* of the weavers have now been indicated. For the purpose of ascertaining, however, how far the hand-loom weavers, or any portion of them, have a claim to any interference in their behalf, extending beyond the general and impartial superintendence which the legislature ought to extend to every class of Her Majesty's subjects, it will be necessary that the Assistant Commissioner should compare the condition of the hand-loom weavers, in each trade, with that of other classes of hand-loom weavers, and also with that of the labouring classes in general. Considering, however, the nature and extent of the investigation specially directed by the Commission, and the time which the Assistant Commissioner will be able to devote to it, it is obvious that all collateral inquiries must be comparatively restricted. As far, however, as it may be practicable, he will institute such a comparison.

II. The second branch of the inquiry incumbent on the Commission respects the *causes* of the condition of the hand-loom weavers. In the preceding instructions it has not been assumed that their condition differs materially from that of the labouring classes by whom they are surrounded. If it should turn out that there are no grounds for assuming that there is such a difference; if it should turn out that in their respective trades they are on the whole as well off as their fellow workpeople, no further inquiry will be necessary. The labouring classes in Great Britain, though far from being in the condition which is to be wished, or even in that to which the continuance of tranquillity, the extension of education, and greater commercial freedom may be expected to advance them, are yet more prosperous than the corresponding classes in any other considerable population in Europe; and although Ireland offers a lamentable contrast, yet if the hand-loom weavers in that country are subject to no peculiar suffering, the Commissioners would scarcely be justified in seeking for and suggesting measures for their peculiar and exclusive benefit. Under such circumstances, it would not be necessary for the Assistant Commissioner to investigate the causes of a condition not different from that of the bulk of the population, and the Commissioners having no special recommendations to offer, would fulfil their duty by reporting the condition of the hand-loom weavers to be similar to that of the other labouring classes in the country, and therefore, not to require any peculiar legislative interference.

But unhappily there are grounds for anticipating, from the investigation that has been directed, a different result. The evidence that was received by the Committee of the House of Commons in 1834 and 1835 shows that in those years there prevailed among many branches of hand-loom weavers, and in many parts of the kingdom, severe distress and a low moral condition: and the information which has been received by the Commissioners, during the short time that they have been assembled, does not encourage them to hope that the condition of the hand-loom weavers has undergone any essential change since that time.

If this anticipation should prove correct, and the Assistant Commissioner should find any class of hand-loom weavers to be in a condition less favourable than that of the labouring classes in general, his earnest attention must be directed to the *causes* of their condition.

For this purpose he will inquire—

1st. As to the condition of the peculiar branch of the hand-loom trade in question, either during the last fifty years, or, if the manufacture is of later origin, from its commencement.

The Committee of the House of Commons in 1835 reported, that "the *general fall* of

wages and consequent distress of the hand-loom weavers has been *rapidly progressive* ever since the termination of the late war." Some of the witnesses examined before that Committee state the distress to have lasted much longer. Mr. Marshall, for instance (p. 28, question 193), states that they have been getting uniformly worse in condition since the year 1793. The accuracy of these statements is one of the most material points in the investigation.

At whatever period he finds distress to have been prevalent among the weavers employed in that trade, he will compare their condition at such periods with that of other classes of hand-loom weavers, and also with that of other mechanics; and, finally, with that of the agricultural labourers.

2nd. If he finds its distress peculiar, he will endeavour to ascertain to what peculiar influences it has been subjected. These may arise from causes either unconnected with the conduct of the workpeople (A) or depending on that conduct (B).

## A.

Under the first head (A) are comprised—

A 1. First, the diminution of the demand for their labour, arising from a diminished demand for the articles on which it is employed, as in the case of the substitution of woollens for silks, or from a different mode of manufacturing the same articles, as in the case of the substitution of the power-loom for the hand-loom, or of foreign for British weavers, occasioned either by the importation of foreign goods, or by the promotion of foreign manufactures by the export of yarn, or by restrictions imposed by foreign states on the import of British manufactures.

A 2. Secondly, legislative enactments—affecting only a peculiar trade, such as the Spitalfields Weavers' Act; or affecting peculiar manufactures, such as the duty on raw cotton, or that on thrown silk.

A 3. Thirdly, according to much of the evidence taken by the Committee of the House of Commons in 1834 and 1835, the laws affecting the importation of corn.

A 4. Fourthly, according to the opinion of that Committee, the resumption of cash payments and the general pressure of taxation.

A 5. Fifthly, according to much of the evidence taken by that Committee, a reduction of wages by the master manufacturers uncalled for by the circumstances of the trade.

A 6. And, sixthly, according to portions of that evidence, frauds practised by the masters respecting the measurement of their work.

## B.

Under the second head, the causes of peculiar distress, arising from the conduct of the work-people themselves, are comprised.

B 1. First, according to portions of the evidence, combinations, and strikes.

B 2. Secondly, according to other portions of the evidence, the want of combinations and strikes.

B 3. Thirdly, the increase of their numbers, without a proportional increase in the demand for their labour, or even under a diminished demand for it.

B 4. And, fourthly, want of diligence, honesty, frugality, or temperance.

The Assistant Commissioner will inquire into the existence of these different causes of peculiar distress, and what effects, if any, on the trade in question they respectively have produced.

In some cases, if the existence of the supposed cause be admitted, the supposed effects appear necessarily to follow. Thus, if it be true, according to the statements of many of the witnesses examined by the Committee of the House of Commons, that the wages of the weavers depend on the will of the master-manufacturers, and that the master-manufacturers are forced all to follow the example of those among them who offer the lowest wages, it must follow that the wages of weavers can never long exceed the minimum of subsistence; for the instant they exceed that point, it certainly would be to the interest, and is supposed to be in the power of some masters, to lower wages in order to undersell their rivals, and it is supposed that all the rest must follow their example. On this point, therefore, the Assistant Commissioner will endeavour to ascertain whether there are, in the different trades to which the hand-loom is applicable, any and what peculiarities which give to the employer of hand-loom weavers a power not possessed by the employers of labourers in other trades, of fixing the wages of those whose labour is essential to him, or which enable the master who reduces wages to force others to follow his example.

In other cases, the supposed cause may be an acknowledged fact, and the only doubt may be how far the distress of any branch of hand-loom weavers is connected with it. In order to ascertain, for instance, whether that distress can be traced to the admitted facts of the resumption of cash-payments, or the pressure of general taxation, the Assistant Commissioner must ascertain whether there are any special circumstances attending any branch of hand-loom weavers, rendering them peculiarly liable to be affected by causes which have not prevented the general prosperity of the manufacturing population.

In other cases, both the existence and the consequences of the supposed cause of distress may admit of comparatively easy proof; and the business of the Assistant Commissioner will be to ascertain the circumstances which led to its existence. The fact, for instance, that the number of persons engaged in any given branch of weaving has increased beyond the demand for their labour, may in general be easily ascertained whenever it has occurred, and no one can doubt that distress severe in proportion to the undue supply of labour must have been the result.

In such a case it will be the duty of the Assistant Commissioner to endeavour to trace the origin of that increase, and to ascertain whether it may have arisen from the slight degree of skill or of strength required by the business in question, or from its freedom from the control



[ Appendix No. 1. and regular hours of a factory, or from the stimulus of occasional periods of extraordinary prosperity, or from the ignorance of an uneducated body of work-people accustomed to early marriage and to training their children to their own business, or from abuses in the administration of parochial relief, or from individual charity or public subscriptions excessive or ill-directed, or from any other and what causes.

With respect to the whole of this branch of the inquiry, the Commissioners repeat their conviction of the necessity of comparing the condition of each class of hand-loom weavers that appears to be at present, or to have been at any former period, distressed, with that of the other classes of hand-loom weavers, and also with that of other labourers at corresponding periods. If, for instance, distress is attributed to any class of cotton-weavers, and the power-loom is the cause assigned, the Assistant Commissioner will carefully inquire into the state at the same period of other classes of hand-loom weavers free from the interference of the power-loom. If they appear to have been then equally distressed, a suspicion will arise that the common distress was occasioned by a common cause. But if the distress of the cotton-weavers appears to have been peculiar, and to have arisen and to have spread simultaneously with the introduction and the extension of the power-loom, a *prima facie* probability of their connection will of course be established. Again, if a sudden diminution of the demand for the labour of the hand-loom cotton-weavers, occasioned by the state of the foreign market, is assigned as a cause of occasional distress, and it should appear that the power-loom weavers, though working for the same market, were less affected, the causes of this difference must be carefully investigated; and if it should be found that the two trades differ principally in the large amount of fixed capital invested in the one, and the small amount in the other, the greater steadiness of wages or of employment in the one than in the other may perhaps be accounted for. It is probable, also, that valuable results may be obtained by subdividing the weavers in a single trade, according to distinctions not connected with the trade itself, and by comparing with one another the subclasses thus formed; by comparing, for instance, the condition of Irish, Scotch, and English hand-loom weavers, all engaged in the same business, at the same time and place. If, on such a comparison, marked differences of condition should appear, causes unconnected with the trade itself must be searched for.

III.—The last and most important of the duties imposed by the Commission is the inquiry whether there are any, and what, remedies for the existing distress. The remedies actually proposed by the Committee of the House of Commons appear to be these:—

1st. The enactment of the law proposed by Mr. Fielden—"That returns shall be made every three or six months of the prices of weaving paid by the smallest number of manufacturers, who collectively make one-half of the goods of any description, in the parish or township whence the returns are sent, and the average of the highest prices paid by a majority of such manufacturers shall be the lowest price to be paid in such parish or township during the succeeding three or six months."

2nd. A more exact specification of the length and breadth of the pieces of goods to be manufactured.

3rd. A cheaper legal form of indenture of apprentices, and a reduction of the stamp-duty to 5s.

4th. A more summary and effectual protection against embezzlement of weaving materials.

Considering the authority by which these suggestions are recommended, the Assistant Commissioner will carefully attend to them; and, with reference to them, he will consider—

1st. How far a more exact specification of the length and breadth of the pieces of goods to be manufactured would tend to prevent fraud on the part of the masters, and how far it can be adopted without vesting in third persons the right of interfering with and controlling the manufacturer in the management of his own business.

2nd. How far a cheaper legal form of indenture of apprentices, and a reduction of the stamp-duty to 5s., would tend to increase the number of persons brought up to hand-loom weaving, and whether such an increase be desirable.

3rd. By what means a more summary and effectual protection against embezzlement of weaving materials can be provided, without diminishing the safety of persons innocently accused, or imposing a vexatious system of checks; and

4th. What would be the probable effects of a law which should attempt to provide that the money paid for weaving by the hand-loom each description of article should be incapable of diminution.

It is obvious, however, that with respect to these inquiries he will be able to do little until he has made some progress in ascertaining, with respect to each branch of hand-loom weaving, the nature, the extent, and the causes of the existing distress. So far as that distress arises from a diminished demand for the labour of the weaver, it must be aggravated by a law which would make his labour more expensive, without being more productive. So far as it may arise from want of diligence or skill, it is not likely to be diminished by a law endeavouring to equalize wages, and to apportion them to the quantity of work done, not to its quality.

But if the Assistant Commissioner should be able to trace the distress in any trade to a power, possessed and exercised by the masters, of lowering at their will the workman's remuneration, the proposed remedy will, at least, be plausible.

The same general remarks apply to the other recommendations made by the witnesses examined by the Committee of the House of Commons, or which have been already forwarded to the Central Board, for their own use and that of the Assistant Commissioner, or which may be expected to be suggested to the Assistant Commissioner. He will carefully consider them all, but it is not likely that he will be able to decide either for or against any of them, until

his inquiry into the condition of the weavers, for whose distress the remedy is proposed, and into the causes of that condition, has been nearly concluded.

The Commissioners, however, believe that a careful attendance to the following rules will, in every case, facilitate his decision :—

1st. To require every person who proposes a remedy to explain in detail both the object to be effected, the means to be used, and the process by which the proposed means are to produce the contemplated effect. Those means should be stated with the fulness and precision of a law ; so that, if the suggestion were adopted, the law for effecting it would be ready. In many cases remedies have been suggested in words so vague as to include many different proposals. The extension of education among weavers' children has been frequently proposed ; it is a remedy to which the Assistant Commissioner must give his earnest attention ; but those who have proposed it have not stated whether the education is to be voluntary or compulsory ; if voluntary, to what extent it is likely to be accepted ; if compulsory, whether to be enforced by requiring attendance in schools, or by a test of proficiency ; if by requiring attendance at schools, at whose expense the schools should be established, and by whom the masters selected ; and whether the parent or the employer should be punished for the child's non-attendance ; if by a test of proficiency, what that test should be, and how enforced.

2nd. To inquire into the probable effect of any proposed remedy, not only on the branch of trade for whose relief it may be proposed, but also on the community in general ; stating specially what class of persons, and how, and to what extent, would be peculiarly benefited or injured by it. And where the proposed measure, if adopted, would extensively affect the whole community, in the case, for instance, of a repeal or alteration of the corn-laws, or a debasement of the currency, the Assistant Commissioner will require the persons recommending such a measure to point out with precision the process by which it will relieve the distress peculiarly affecting any branch of hand-loom weavers, and restore them, as respects wages and condition, to the general level of the labouring classes of the country. His inquiries upon such subjects must be confined within these limits.

3. To distinguish, in all cases, between the immediate and the remote effects of any proposed measure.

It is possible that immediate relief might be obtained from remedies which in time would cease to be efficient, or would even aggravate the evil now complained of ; or which, though immediately innocuous to the rest of the community, would in time become mischievous ; and it is possible that measures may be proposed trifling in their good effects, or even onerous at their commencement, but ultimately and permanently efficacious.

The Commissioners have now given a brief outline of the services which they expect from their Assistant Commissioner. Their object has been not to state the details, but to indicate the principal heads of inquiry. They believe, however, that they have said enough to enable every one who ventures to undertake the office to understand the nature of his duties, and the extent of his responsibility. He will enter on an inquiry vast in its extent, and multifarious and dissimilar in its branches. He will have to ascertain the moral, intellectual, and physical condition of a numerous and widely scattered population, differing in religion, in habits, and in circumstances, and connected only by the use of the hand-loom. He will have to ascertain that condition not only at present, but during many previous years, and to compare it at corresponding periods with that of all the other labouring classes in the community. All the facts which he establishes he will have to trace to their causes, both immediate and remote. And lastly, he will state, with the completeness of their practical details, the measures, if any, of which he can recommend the adoption. He will have to sift the evidence of witnesses, of whom the majority may be hoped to be honest and intelligent, but many must draw their notions from a narrow experience, and some undoubtedly will endeavour to mislead him. He will have to combat many favourite theories, and may disappoint many vague or extravagant, but long-cherished expectations. It is scarcely necessary to state that the most patient attention must be shown in his intercourse with those who are the subjects of his inquiry. Their complaints must be attentively heard, their grievances must be carefully investigated, and every plan suggested for their relief must be examined, with the most anxious desire to secure to them every protection and encouragement which does not either militate against their own ultimate interests, or involve injustice towards other classes of the community.

Under these feelings the Central Board are confident that their Assistant will uniformly act ; and that in all his discussions with the distressed weavers themselves he will bear in mind that patience cannot be carried to an excess.

He will hear their statements with attention ; he will inquire into the grounds of them with care ; he will receive every suggestion in a friendly spirit, while he will search into its nature and merits with the strictness which is due to truth. Where he meets with prejudice or ignorance he will endeavour to remove them by patient and temperate discussion, always remembering that, if the evil itself cannot be removed, the next duty owed to the distressed class, and the greatest service to be rendered to them, is that of clearly explaining to them their errors, and teaching them to understand their true condition, and the circumstances on which it really depends.

It is by such means only, and not by compliance with prejudice, or a dishonest sanction of false propositions, that the duties imposed upon the Assistant Commissioner can be faithfully discharged, or the welfare of the classes whose interests are now placed as a trust under his care can be effectually promoted.

NASSAU W. SENIOR.  
SAMUEL JONES LOYD.

WILLIAM EDWARD HICKSON.  
JOHN LESLIE.

## APPENDIX No. 2.

BILL to Amend and render more effectual the Laws, now in force in Scotland, for the Conviction and Punishment of the Resettlers and Fraudulent Receivers of Cotton, Silk and Woollen Yarns, and of goods made of any one, or any mixture, of these materials.

## Preamble.

WHEREAS by an Act, passed in the twenty-second year of the reign of His Majesty George the Second, intituled "An Act for the more effectual preventing of frauds and abuses committed by persons employed in the manufacture of hats, and in the woollen, linen, fustian, cotton, iron, leather, fur, hemp, flax, mohair, and silk manufactures, and for preventing unlawful combinations of journeymen dyers and journeymen hotpressers, and of all persons employed in the said several manufactures, and, for the better payment of their wages," it was enacted that any of the said persons guilty of purloining, embezzling, or otherwise unlawfully disposing of any of the said materials, should, on conviction by one or more of His Majesty's justices of the peace, be committed to the house of correction, and be publicly whipped. And, whereas by another Act, passed in the seventeenth year of the reign of His Majesty George the Third, intituled "An Act, for amending and rendering more effectual the several laws now in being for the more effectual preventing of frauds and abuses by persons employed in the manufacture of hats, and in the woollen, linen, fustian, cotton, iron, leather, fur, hemp, flax, mohair and silk manufactures, and also for making provisions to prevent frauds by journeymen dyers," the enactments of the first recited Act before specified, and other enactments thereof, were repealed, and certain punishments, by fine, were substituted in lieu thereof, and extended to the receivers, or resettlers, or purchasers at an undervalue of the articles aforesaid. And, whereas the provisions of the said two recited Acts have been found ineffectual to prevent, or even materially to check, the theft and embezzlement of cotton, silk and woollen yarns, and of goods made of any one, or of any mixture, of these materials, in Scotland; on the contrary, such theft and embezzlement are practised to a great and most injurious extent, particularly in manufacturing towns and districts, and have been much increased by the establishment of an extensive system of receiving, or resetting, or purchasing at an undervalue, the yarns and goods so stolen, purloined, or embezzled, and which yarns are resetted, received, or purchased at an undervalue, with almost complete impunity, from the difficulty of identifying and detecting the same, especially when the yarns are intermixed with each other, or with other yarns. And, whereas so far as regards the resettlers, or receivers, or purchasers, in Scotland, of cotton, silk or woollen yarns, or of goods made of any one, or any mixture, of these materials; and, with a view of putting an end to a system which has led to a great increase in the crimes of theft and embezzlement by tempting needy persons to steal, and weavers and other operatives entrusted with such yarns and goods, and servants employed in shops, warehouses and factories, in which such yarns and goods are kept or used, or sold, to purloin and embezzle the same, it is expedient that the powers conferred by the said two recited Acts should be extended, and the provisions thereof amended as after specified:

Powers conferred on one or more of His Majesty's justices by two recited Acts extended to sheriffs and magistrates of royal burghs.

I. Be it therefore enacted by the King's most Excellent Majesty, by and with the advice of the Lords Spiritual and Temporal, and Commons, in the present Parliament assembled, and by authority of the same, that the whole powers conferred by the said two recited Acts on one or more of His Majesty's justices of the peace, shall be conferred, and the same are hereby conferred, on all sheriffs and sheriff substitutes, and magistrates of royal burghs, within their respective jurisdictions, in Scotland, and, accordingly, it shall be competent to any one of the said sheriffs or sheriff substitutes, or magistrates of royal burghs, whether sitting in his ordinary court, or in a special court, or in a police court, to convict and punish resettlers and receivers of stolen, purloined or embezzled cotton, silk and woollen yarns, or goods made of any one, or any mixture of these materials, as provided by the said two recited Acts, and by this Act. And in all prosecutions brought under this Act, whether concluding for fines or imprisonment, where said fines, exclusive of costs, shall not exceed *ten* pounds sterling, or where such imprisonment shall not exceed four months, the procedure against offenders shall be of a summary nature, without its being necessary to preserve a record of any part thereof, except the charge and the judgment pronounced.

Persons in whose possession stolen, purloined or embezzled property found, unless they show that the same came there without their knowledge, or was received under circumstances not calculated to excite suspicion, to be guilty of reset of theft.

II, And be it enacted, that any person or persons in whose possession, or within whose premises, stolen, purloined or embezzled cotton, silk or woollen yarns, or goods made of any one, or any mixture of these materials, shall be found, and without its being requisite to produce evidence that he, she, or they knew that such materials or goods were dishonestly come by at the time they were received, shall in addition to being deprived of such materials or good without compensation, though they may have been purchased and paid for, or money advanced upon them, be deemed and adjudged guilty of reset of theft, and shall be punished in manner hereinafter-mentioned, unless he, she, or they shall prove to the satisfaction of the sheriff, justice of the peace, or magistrate before whom the case is tried, that such yarns or goods were purchased or received by him, her, or them, either under circumstances calculated to afford no ground of suspicion that they were dishonestly come by, or that they were clandestinely introduced into his, her, or their premises, without his, her, or their knowledge or consent, either direct or implied, and without its being intended that he, she, or they should ever possess or participate in the same: provided always, and be it further enacted, that if any such materials or goods be clandestinely introduced into any person's premises by a servant, or persons therein employed, or by any other individual, without the consent, either direct or implied, of the occupier or occupiers of said premises, and without it being intended that he, she, or they should ever possess or participate in the same, then, and in that case, the servant or person who clandestinely introduced the same into such premises, shall be the party

Those convicted of having clandestinely introduced such property, then to be held guilty of reset of theft.

who shall be deemed and adjudged guilty of reset of theft, and shall be punished in manner hereinafter-mentioned.

Appendix No. 2.

III. And be it enacted, that every sheriff officer, burgh officer, constable, and every police and criminal officer in any county, burgh or town corporate, or other place, and every watchman, during such time only as he is on duty, shall and may apprehend, or cause to be apprehended, all and every person or persons who may reasonably be suspected of having, carrying, or in any way conveying, stolen, purloined or embezzled cotton, silk, or woollen yarns, or cotton, silk, or woollen yarns, or goods made of any one, or any mixture of these materials, suspected of being stolen, purloined or embezzled, and together with the suspected property, may lodge him, her, or them in a police office or other place of security, in order that he, she, or they may be brought up for trial before the sheriff, or justice of the peace, or other magistrate, as soon as convenient; and if the person or persons so apprehended for having, carrying, or conveying such property, shall not give an account how he, she, or they came by the same, so as to satisfy the said sheriff, justice of the peace, or other magistrate, before whom the case is tried, that the property is honestly come by, and lawfully obtained from a person or persons duly entitled to dispose thereof, (meaning thereby either the previous rightful owner of said property, or an agent directly or indirectly authorized by the rightful owner to sell or transmit the said property,) or shall not produce, if required so to do, at least one credible witness to testify upon oath, or (being of the people called Quakers, or of those called Moravians) upon solemn affirmation, to the truth of the account given, and to answer any other questions that may be asked, in order to enable the said sheriff, or other judge before whom the case is tried, to determine whether or not the said property is honestly come by, then the said person or persons so apprehended shall be deemed and adjudged guilty of reset of theft, and be punished in manner hereinafter-mentioned, although no proof shall be given to whom such property belongs.

Officers, constables and others to apprehend persons suspected of carrying such property, and lodge them with the property in police office, or other place of security.

IV. And, whereas, cotton, silk, and woollen yarns are frequently purchased from persons whom the purchaser has every reason to believe could only come to be possessed thereof by dishonest means, be it therefore enacted, that any person or persons who, after the passing of this Act, shall purchase, or who in any other way shall receive into his, her, or their premises or possession, silk, cotton, or woollen yarns, from hand or power-loom weavers, winders, warpers, or other operatives, or who shall purchase, or under any attempted evasion of this law shall receive such articles from persons of any description, except regular and *bonâ-fide* public selling dealers in the said yarns, or manufacturers thereof, or persons directly or indirectly authorized by the aforesaid regular and *bonâ-fide* public selling dealers in, or manufacturers of the said materials, to sell or deliver the same on their account, shall be regarded as indirectly encouraging the dishonest retention, theft, purloining, or embezzlement of said materials, and for every such offence shall be deemed and adjudged guilty of reset of theft, and shall be punished in manner hereinafter-mentioned.

Persons purchasing certain manufacturers' materials, except from regular dealers to be guilty of reset of theft.

V. And be it enacted, that any person or persons who, in conducting their business, shall either by themselves or their servants, or others employed by them for the purpose, purchase, or receive, whether in pawn or otherwise, or sell or barter cotton, silk, or woollen yarns, or goods made of any one, or any mixture of these materials, in such a manner that the person who purchases, receives, sells or barter, is intentionally concealed from the view of the person with whom he or she is dealing, shall be deemed and adjudged guilty of reset of theft, and for every such offence shall be punished in manner hereinafter-mentioned.

Persons buying or selling, &c. in such a manner that seller is concealed from the view of the purchaser to be guilty of reset of theft.

VI. And be it further enacted, that all superintendents of police, and procurators fiscal in Scotland, upon receiving information that stolen, or purloined and embezzled cotton, silk, or woollen yarns, or goods made of any one, or any mixture of these materials, or that such yarns or goods suspected of being stolen, or purloined and embezzled, are deposited in certain specified premises, shall henceforth have power by their officers or by constables, or by other persons specially appointed by them, to search the said premises, and to seize such yarns or goods, and either, at their earliest convenience, to summon the person or persons within whose premises the same shall be found, and who shall be bound to answer said summons, under a penalty not less than ten, and not exceeding forty pounds; or to apprehend the person or persons within whose premises the same shall be found, and to lodge the yarns or goods so seized, and the person or persons within whose premises the same shall be found, in a police office, or other place of security, in order that they may be brought to trial before the sheriff, justice of the peace, or other magistrate, as soon as convenient; and if the said person or persons, upon being brought up for trial, shall not give an account how he, she, or they came by the seized property, so as to satisfy the sheriff, justice of the peace, or other magistrate, before whom the case is tried, that it is honestly come by, and lawfully obtained from a person or persons duly entitled to dispose thereof, or shall fail in proving to the satisfaction of the said sheriff, or other judge, that the seized property was purchased or received either under circumstances calculated to afford no ground of suspicion that it was dishonestly come by, or that it was clandestinely introduced into his, her, or their premises, without his, her, or their knowledge or consent, either direct or implied, and without its being intended that he, she, or they should ever possess, or participate in any benefit or profit arising therefrom, then, and in that case, the person or persons so offending shall be deemed and adjudged guilty of reset of theft, and shall be punished in manner hereinafter-mentioned, although no proof shall be given to whom the seized property belongs.

Superintendents of police and procurators fiscal empowered to search the premises of resetters and receivers of purloined or embezzled property.

VII. And be it enacted, that whoever shall be deemed and adjudged guilty of reset of theft, agreeably to any of the previous sections of this Act, shall be fined in a sum not less than *five*, and not more than *ten* pounds, for each offence, if tried in a summary manner as hereinbefore provided for, and in a sum not under *twenty*, and not above *forty* pounds, if tried otherwise; and, in default of the immediate payment of the fine, the person or persons so found guilty

Penalties for reset of theft.

## Appendix No. 2

shall, if the trial has been conducted in a summary manner, be incarcerated in the county or city gaol, bridewell, or house of correction, for a period not less than *three*, and not exceeding *four* months; and, if the trial has been conducted otherwise, shall be incarcerated for a period not less than *six*, and not exceeding *twelve* months, as the judge, in his sentence of condemnation, shall fix and determine, and a certified copy of the judgment pronounced, under the hands of the clerk of court, countersigned by the procurator fiscal of such court, certifying that the fine has not been paid, shall be a sufficient warrant for the gaoler or keeper of the house of correction, to receive and detain the person or persons so sentenced for the prescribed period of imprisonment, or till payment of the fine; and, upon expiry of the said period of imprisonment, or upon payment of the fine, the person or persons so found guilty shall be liberated: Provided always, and it is hereby further enacted, that the procurator fiscal, who takes up the case for the public benefit, is hereby exclusively entitled to decide, and to exercise his discretion, as to whether he shall take it up in a summary manner or otherwise.

Persons refusing when required to give up suspected property, to be guilty of an additional offence, and liable to an additional punishment.

VIII. And be it enacted, that if cotton, silk, or woollen yarns, or goods made of any one, or any mixture, of these materials, which have been stolen or fraudulently obtained, shall be found in the possession of any person or persons, they are hereby required, on being informed by any officer, constable, or other duly authorized person, that such yarns or goods were stolen, or fraudulently obtained, to deliver up or deposit the same with the superintendent, or other superior officer of police, or with the fiscal, in order that they may be produced in such manner as may be necessary for the ends of public justice, and restored to the proper owner or owners thereof; and every person or persons who shall not instantly deliver up, or deposit any such yarns or goods, stolen or fraudulently obtained, on being required so to do, as aforesaid, shall, for every such offence, forfeit the sum of *five* pounds; and this fine shall be additional, and without prejudice to the penalty imposed, for being adjudged guilty of reset of theft; and, failing payment of this additional fine, the said person shall be incarcerated for *two* months beyond the period of imprisonment for default of payment of the fine, imposed for being adjudged guilty of reset of theft.

Actions to be in name and at the instance of procurators fiscal.

IX. And be it also enacted, that all prosecutions brought under authority of, and in virtue of this Act, shall be in the name, and at the instance of the procurator fiscal of the court before which the case is pursued, who shall have power, and power is hereby conferred upon him, and who is hereby required to take up and conduct for the public benefit the prosecution of all cases of reset, included under this Act handed him, or occurring within his jurisdiction, where sufficient evidence to convict is or can be obtained. And the fines awarded in all such cases, and all forfeitures incurred, and the proceeds of the sale of all unclaimed property, confiscated under this Act, shall be made payable to, and be recoverable by the said procurators fiscal, respectively, they being accountable for the same as hereinafter provided.

Appropriation of penalties for rewards, &c.

X. And whereas to facilitate the conviction of the reseters of stolen property, and the receivers of purloined and embezzled property, it is expedient to create a general interest among the community, to give information against them, and also to make it the interest of those whose assistance and services are required, in order to their prosecution, to further the object and intention of this enactment: be it therefore, and it is hereby enacted, that when any person shall be convicted of reset of theft, and fined agreeably to the previous sections of this Act, and the fine shall be paid, or, in case of bail entered either by pledge, bond, or letter of security, being forfeited, then one-half of all said fines and forfeitures shall be divided into two equal shares, and disposed of in premiums as follows: one-half of the sum allotted for premiums shall become the property of the burgh or county fiscal, or other public prosecutor who conducts the prosecution of the resetter or receiver for the public benefit, and in consideration thereof, is to do so without expense either to the informer, or other person seizing stolen, purloined, or embezzled yarns or goods aforesaid, or such yarns or goods suspected to be stolen, purloined, or embezzled, or to the apprehender of a person reasonably suspected to have such property in his or her possession, and this half of the premium hereby allotted to the burgh or county fiscal, or other public prosecutor, who shall have conducted the prosecution, is over and above, and not in lieu of expenses incurred in prosecuting reseters or receivers aforesaid, which are to be paid in the same manner, and from the same source as expenses incurred in prosecuting other criminals, were paid before the passing of this Act. The other half of the sum allotted for premiums shall be paid free of all deduction to the informer who gives information where stolen, purloined, or embezzled yarns or goods aforesaid are deposited, and in order to obtain a right to this portion of the premium, such information must be communicated, either to the superintendent of police, or to a burgh or county fiscal, or to a procurator fiscal in a justice of peace court, or to some person acting as substitute for one or other of these persons. Should a person or persons be fined for having stolen, purloined, or embezzled yarns or goods aforesaid, found within his, her, or their premises, or should a person be fined for having, carrying, or otherwise conveying such property, and there happens to be no proper informer, the officer, constable, or watchman, who searched the premises, and discovered, and made seizure of such property, or in the other case who arrested the person having, carrying, or otherwise conveying such property, shall be entitled to the informer's half of the premium, and, should the aforesaid officer, constable, or watchman, who searched the said premises, and made seizure of such stolen, purloined, or embezzled property, or who arrested the person having, carrying, or otherwise conveying such property, be then employed and paid by a police establishment, the superintendent of said establishment shall, in that case, be entitled to a moiety of his half of the premium. In case of a person convicted of reset of theft, being unable, or refusing to pay the fine imposed on him, and in lieu thereof incarcerated, the total amount of premium to be given upon the conviction of said person, is hereby reduced to one pound, which is to be divided into two equal parts of ten



shillings each, and allotted in the manner previously mentioned in this section. And should any difficulty, doubt, or difference of opinion occur, relative to the mode of allotting and dividing the premiums intended by this Act, the sheriff, justice of peace or magistrate, before whom the case is tried, is hereby authorized and required to decide and finally settle every such question: provided always, and be it further enacted, that it shall be no objection to the admissibility of any witness, that he or she is to share in the fine that may be imposed, the judge being to determine upon the credibility of the evidence.

Appendix No. 2

XI. And be it enacted, that each procurator fiscal shall keep an accurate account of all fines, forfeitures, and expenses recovered by him, under proceedings taken under authority of this Act, and of the proceeds of all property sold under authority of the same, and out of the sums so recovered he shall, in the first place, be bound to pay the rewards allowed to informers and other persons as hereinbefore enacted: next, provided no other sufficient provision be made for payment of the expenses he may incur in criminal prosecutions, he shall be entitled to retain his own expenses incurred in prosecutions taken under this Act, as the same shall be modified and ascertained by the judge in each case; and should any surplus remain, after satisfying such rewards and expenses, the same shall be paid over by the procurators fiscal respectively, annually, into the fund from which they respectively draw the expenses of such proceedings, as they may severally follow out in the exercise of their respective offices, and the costs whereof they may not recover directly or indirectly from the party or parties prosecuted, and it shall be the duty of the court, before which the procurators fiscal respectively act, to see that this enactment is strictly complied with: provided always, that if the funds levied and money received under authority of this Act, by such procurators fiscal, shall be found insufficient to defray such costs as may be incurred by them, in following out proceedings taken under this Act, the balance remaining unsatisfied shall be defrayed from the fund or funds, out of which payment for the other business of their office is allowed.

Account of fines and proceeds of confiscated and unclaimed property, &c. to be kept by procurators fiscal, and farther provision as to application thereof.

XII. And be it enacted, that, before a person who is apprehended, and is to be tried, under the authority of this Act, can be liberated, bail must be given for his or her appearance at the time appointed for trial, to the amount of no less than *ten*, and not more than *forty* pounds, and that either by pledge or letter of security from a responsible person, in such form, however simple, as may be satisfactory to the person receiving the same, it being hereby provided and declared that all such letters of security so given and received shall be valid and binding on the granter thereof, and it shall not be competent to state any objection thereto on account of any informality therein: provided always, that nothing herein contained is to prevent the immediate liberation, without giving bail, of any person apprehended by mistake, or against whom there appears to be no evidence.

Bail to be taken from persons apprehended.

XIII. And be it further enacted, that it shall be competent for the party accused, in all prosecutions brought under authority of this Act, to move for and obtain an adjournment of the diet fixed for trial, for such a reasonable time as may appear to the judge to be necessary for the party accused to obtain evidence to forward the ends of justice; but the party or parties accused and requesting such adjournment shall be bound to find satisfactory security, under such penalty as the judge may fix, that he, she, or they will appear, and answer at all future diets of court, and he, she, or they may be detained in custody, or committed to prison, till the day of trial, or till such security be given.

Adjournments of diets allowed on prisoner finding bail.

XIV. And be it enacted, that it shall be lawful for the sheriff, magistrate, or justice of the peace aforesaid, to grant warrant for selling such yarns or goods as shall be seized and forfeited, or seized and not claimed, under authority of this Act, but such sale shall not take place sooner than four months after such forfeiture or seizure, and shall be duly advertised: the proceeds to be paid to the procurator fiscal of the court under whose authority the same is made, to be applied as hereinbefore provided, with respect to fines recovered under authority of this Act: provided always, that if it appear to the judge that the said yarns are of such a kind as, if sold in an unwrought state, would be liable to be purchased by fraudulent dealers, to be used by them as a cover for their fraudulent transactions, the said judge may ordain the same to be delivered to the keeper of the nearest house of correction, to be wrought up and disposed of under his inspection, the free proceeds of the same, when sold, being to be paid to the procurator fiscal of the said court, to be applied as before-directed.

How property which has been seized, and is unclaimed or confiscated, to be disposed of.

XV. And be it enacted, that the said sheriff, magistrate, or justice of peace, respectively shall be, and they are hereby empowered, in all cases, as they may think fit, to decern not only for the pecuniary penalties awarded, under authority of this Act, but also for the costs of suit.

Cost of suit may be decerned for.

XVI. And be it enacted, that no sentence or judgement, interlocutory or final, pronounced under authority of this Act, shall be liable to be suspended, advocated, or submitted to the review of any superior court, every such judgment pronounced being, to all intents and purposes, final and conclusive: provided always, that it shall be competent for any person or persons considering himself, herself, or themselves aggrieved by any sentence pronounced, or anything done in virtue or in pursuance of this Act, to appeal against the final judgment of any sheriff or magistrate, to the next ensuing Circuit Court of Justiciary of the district in which the sentence is pronounced, or to appeal against the judgment of any one or more justices of the peace, to the next quarter sessions for the county where the trial takes place, the appellant or appellants giving sufficient caution to the amount of the fine awarded, besides security to pay any expenses of the appeal which may be decerned for to be paid by him, her, or them, to the party prosecuting.

Sentences and interlocutors pronounced under this Act to be final, or only reviewable by the Circuit Court of Justiciary or Quarter Sessions.

XVII. And be it also enacted, that no action of damages for injury suffered, in any manner of way, by any person or persons, by means of any proceedings taken or followed out, or anything done in pursuance of this Act, against any judge, prosecutor, officer of court, informer,

Limitations as to actions of damages for things done under this Act.



- Appendix No. 2. or other person acting under authority and in virtue of the provisions of this Act, shall be sustained, unless raised and executed within one month of the time when the injury complained of is alleged to have been caused, and to have been suffered, and unless ten days' previous notice of such prosecution shall have been given to the party or parties complained against: provided always, that, in all such actions of damages, the pursuers shall be bound to establish not merely that damages have been suffered by them, but that the same have been wilfully and maliciously caused by the person or persons against whom they complain: and, provided also, that, if the pursuers shall fail in their action, he, she, or they, shall be subjected in double costs.
- Former laws to be still in force. XVIII. And be it enacted, that nothing herein contained shall extend or be construed to extend to repeal any former law or laws now in being for the punishment of any of the offences hereinabove specified; but that the same, with the alterations thereof and additions thereto, herein contained, and so far as not altered by, or inconsistent with the provisions of this Act, shall remain in full force and effect.
- Act may be altered in present session. XIX. And be it enacted, that this Act may be amended, altered, or repealed in the present session of Parliament.
- Act to be deemed a Public Act. XX. And be it enacted, that this Act shall be deemed and taken to be a public Act, and shall be judicially taken notice of as such by all judges, justices, and others, without being specially pleaded.













