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SPEECH
OF
THOMAS PLOMER, ESQ.
ADDRESSED TO THE
Committee of the House of Commons,
ON THE SUBJECT OF
THE WOOLLEN TRADE.

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OF
THOMAS PLOMER, ESQ.

ADDRESSED TO THE
Committee of the House of Commons,

TO WHOM A BILL TO
Repeal certain Regulations & Restrictions,
Contained in various Acts of Parliament,

RELATING TO
THE WOOLLEN TRADE,
HAD BEEN REFERRED;



ON HIS OPENING
THE CASE OF THE MANUFACTURERS,
At whose instance the Bill was brought into Parliament,
On the 24th and 25th of May 1803;



AFTER
Many Petitioners (chiefly Working People in the Trade)
Had been heard by their Counsel and Witnesses
in Opposition to the Bill.

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1804.

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MR. CHAIRMAN,

IT becomes my duty now, in support of the Bill, to advert to the subjects which have been brought under your discussion by the Petitions which have been presented; and to submit such answers as occur to me, to the observations of Counsel in support of those Petitions, and the evidence offered on their behalf. It is incumbent on me, knowing how valuable the time of the Committee is, and how much their minds must be occupied with other subjects, to detain you as shortly as possible: but I am sure you will

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will feel that the subject on which I address you, is one entitled to your serious attention. If ever there was a question of importance which came under the consideration of a Committee of the House of Commons, it appears to me to be the present, in every point of view in which it may be considered. It respects not a single individual—not one part of the country—but it relates to the whole of a very important branch of our trade, carried on throughout the whole kingdom.

The persons who consider their interests as affected by the present Bill, and who have petitioned against it, are very numerous. They have been induced to entertain opinions unfavourable to the measure, which has produced a considerable effect; and I beg it may be understood in the very outset of the cause, that, on that account, the measure is entitled to a very serious attention. I do not mean to hold lightly the objections of a very numerous and respectable body of artificers. Those for whom I appear, have never treated them lightly at any time; they have ever paid the most anxious and humane attention to the consideration of their interest and welfare. They may be mistaken, but it is a mistake only, if what they are seeking will not ultimately be found as beneficial to the

Petitioners

Petitioners as it is to themselves. Undoubtedly it is a subject which, on the surface, may strike persons of that description in another way. Left to themselves, perhaps, it would be easy to form prejudices against many parts of it—much more if there be any means used to excite discontent, to collect bodies together, to blow up a flame, and induce them to entertain unfavourable opinions of the measure, and of the persons engaged in the repeal. That it is a question of great importance, I am sure the Committee would feel at any time, and particularly at the present, when I undertake to make out, to the satisfaction of every gentleman who hears me, that the very existence—(I beg that may be distinctly understood)—that the existence of this important trade is now at stake; and that, unless this repeal takes place, and takes place in the present Session, it is quite impossible that those for whom I appear can carry on the trade any longer.—Nothing short of the Act they are now praying for, will be productive of the effect; and a very little reflection on the subject will convince every member, that I do not speak this rashly; for when the present state of this trade is considered, what are the penalties which every innocent and meritorious person engaged in it, in every part of the kingdom, is daily incurring, and to what

immense

immense sums they amount, if you were to stop here, and bring in a Bill of Indemnity for the past, but leave the trade open in future to the operations of the laws sought to be repealed, it is impossible that any man of sense, whatever be his circumstances, could think of carrying on the trade. No alternative is left. A Bill of Suspension has been rejected. You must therefore either repeal the Acts, or suffer them to remain in force. I am sure the Committee will feel this to be a subject deserving their particular and serious attention.

The Bill complains of four distinct subjects. In the first place, it proposes to repeal several ancient Acts of Parliament, which contain general *Prohibitions on the Trade*, and the manner of carrying it on. They are various, commencing at an early period; many so far back as four centuries ago, which have not been revised for ages, containing a multiplicity of obsolete prohibitions respecting this particular trade, restraining what is daily done by every person who carries it on, and what must of necessity be done from the present state of it.

Upon this part of the subject, I will not go into a particular detail. You have already fully examined these Acts, regulating the trade, with respect

respect to the length, the breadth, the weight of the article, the manner in which it is to be exported, the materials of which it is to be composed, the manner in which it is to be folded, and so on, imposing a penalty, in some instances, of 10% upon every piece of cloth; and, in some, with the confiscation of the article, if in any respect any of these restrictions are violated; Acts which nobody in the trade ever does or can observe. It is obvious, from the change in the fabric itself, its length, breadth, and weight, and the manner of folding and composing it; from the introduction of new materials, and particularly of Spanish wool, great alterations must be produced, to accommodate the manufacture (as trade always must be) to its customers.—There is no demand for an article adapted to these different statutes: the article that is now in demand every where, is of a different description; consequently, it is to prohibit altogether carrying on the trade at all, to compel an adherence to these different regulations.

There are three other distinct heads, to which it will be necessary more particularly to call your attention. They have been made the subject of distinct complaint by the Petitioners, who insist on the injurious consequences likely to result from repealing the Acts relating to them.

They complain, first, of the repeal of the statutes which prohibit the use of the *Gig-mill*— Secondly, of the repeal of the statute which prohibits more than a particular number of *Looms* to be employed by one person—Thirdly, of the statute of Elizabeth, which creates a necessity for all persons engaged in five different branches of this trade, which I shall by and by enumerate, to have, according to the letter of the Act, served an *Apprenticeship* under indentures for seven years, with other restrictions, which I believe are not generally attended to. It is to these three subjects, I am particularly called upon to attend— My duty is to answer the arguments, and the evidence adduced before you; to address myself to that part of the subject which is made matter of complaint; for long as this has been under the consideration of Parliament, now near six months, there being no other part specifically complained of, only generally we hear it stated, that you mean to sweep down a variety of Acts, without examining them; but no one comes forward to point out any other Act, the repeal of which is objected to—I shall confine myself entirely to the three heads above stated.

In considering this subject, I entirely agree with the learned Counsel who addressed you last, and whose arguments may be freshest in your recollection,

collection, that it ought to be discussed with grave and deliberate attention, without any prejudices operating to the injury of those who bring forward their case; and, I think I may add, without prejudice against those praying for the adoption of this measure. The learned Counsel has complained of our introducing topics to excite prejudice;—that we have examined some of his witnesses respecting Associations, which do not belong to the merits of the Bill, and introduced solely for the purpose of weighing down a numerous and meritorious body of persons, who are actuated by nothing but an honest motive to protect themselves and their families from ruin. I seek no such thing. On the contrary, I admit distinctly, they are entitled to every degree of favour and attention. Persons must be very little acquainted with any branch of trade, not to see how much it imports every person concerned in it, to consult the wishes, as well as the reasonable expectations, of all who are engaged in it.— There is a most anxious wish, on the part of those for whom I appear, to give every possible attention, and they have uniformly given it, to those who petition. If the introduction of Associations be an accusation against the Counsel, I believe it may be urged a little further. It will be an accusation against the Committee,

whose report preceded the introduction of the Bill;—there, I perceive, it was not thought an immaterial part of the enquiry. Is it not so? What are you considering? The necessity of the repeal. What does that necessity arise from? The existence of those statutes, and the impending threat to carry them into execution. How was that threatened to be done? By Associations formed in every part of the kingdom—Societies corresponding one with another, organized in the same manner, and directed to the same subject:—Is it not, then, material to consider whether there exists a necessity for the interposition of Parliament? Have we unnecessarily brought our complaints before Parliament? Is it not necessary, in order to convince you that we come with a real necessity before Parliament, to shew that we are threatened by numerous bodies of associated Labourers, with Attornies at their head, forming Associations to prosecute those who shall have violated the law, or, in the general terms of their rules, all who are exercising the trade illegally; particularly applying themselves to the law on the subject of apprentices, but proposing also to prosecute all who in their opinion shall have violated the existing laws? It is said, that these Associations are innocent; that they are to be assimilated to Associations on the game laws,

laws, or for the prosecution of felons. When it is considered who are the class of persons associated, corresponding in different parts of the kingdom—their passions warmly engaged in the immediate subject of consideration—their rate of understanding and education very little able to comprehend the true interests of trade, or their own interests—very liable to be misled by designing men;—will any man tell me, that it is not a serious subject of alarm to the country? Do we not know what effects have been already produced in one county, what serious depredations have actually taken place, and how the manufacturers are threatened in others? Will any one say, it is not a subject requiring the interposition of Parliament, to protect the trade against the terrible consequences that may follow from these Associations? I am afraid, in the prosecution of this business, there has not been much abstinence from intemperate measures: I am afraid, that indecent triumphs have taken place on the return of favourite witnesses into the country, from their examination here: I am afraid, that the minds of the people are kept in considerable inflammation; and it will be excessively difficult to allay the heat thus industriously fermented.

With respect to the innocence of these Associations, and the propriety with which some individuals

dividuals have made themselves members of them, when we are looking into old statutes, I would recommend to some of these members to look into the statutes against men of the profession meddling with concerns which do not belong to them, and endeavouring to excite suits amongst the people. Let them advert to the title, *barratry* and *maintenance*. I shall be glad to ask some of these professional gentlemen, what business they have to become members of these Associations? Are they cloth-workers? Are they shearmen? For what purpose is Mr. Jessop the President of an Association of this sort? What has he to do with it?—I should be very glad if that gentleman will consider what is his professional duty; if he is employed as a solicitor, (with reluctance as it is represented, with difficulty prevailed upon to leave his extensive business and to engage in this concern!) why did he become a member? Why did he become president? Why do we see him placed at the head of this Association, and hear that notices of prosecutions have been given to the amount of an hundred and fifty by this very gentleman? And yet we are told this topic is introduced to create prejudice, without any relevancy to the subject before you. I submit to the candour and good sense of the gentlemen whom

whom I address, whether it is not materially connected with the subject under consideration.

When the learned Counsel says, that he wishes there had been an abstinence from all endeavours to excite improper feelings, with respect to those who address you on the one side, I could have wished that learned Counsel had followed his own honourable feelings, instead of listening to the suggestions of such men as instructed him, when he permitted himself to animadvert on the honour and character of the gentlemen for whom I appear, and represented this application to Parliament to arise from a small body of men seeking to obtain a rapid fortune, at the expence, not only of the persons employed in the trade, but likewise of the character and reputation of the fabric, and of the permanent welfare of all the interests of the nation. A few covetous men are stated, by this measure, to be seeking nothing but the rapid advance of their own fortunes. Is this for the purpose of exciting prejudice, or the contrary? Is this imputation well warranted, or are not these topics calculated for a different meridian? I wonder at my learned friend, that he should have introduced topics of this nature, which I am sure his own good understanding must tell him are not only unwarrantable, but
addressed

addressed to a Tribunal which will instantly see their futility. It requires only to state the argument, to shew the fallacy of it—that, with a view to their own interests, these manufacturers are acting in a way, which, if the statements of the Petitioners were well founded, must produce effects directly contrary. Knowing that what they are seeking for, will ruin the character of the fabric—will be destructive to the manufacture, as soon as it is detected—if they have the smallest regard to their own characters and honour, as well as their most palpable and direct interest, they must deprecate, instead of praying for the legalizing the use of this reprobated machine, called the gig-mill. Although they might possibly hope to avoid detection, while carrying on in secret this practice of cheating their customers, imposing on them a bad article, which only escapes detection by the gloss put over it; yet still, to continue eager in the prosecution of this object, when the imposition has been detected—when the old woman, and the other persons brought forward as witnesses, have shewn what mischief the gig-mill is productive of, and how every person dealing with those who use it will buy a rotten, bad article; and yet, under such circumstances, persons seeking the introduction of the gig-mill are supposed

posed to have no other object than acquiring a rapid fortune for themselves.

I am sure I need not do more than state such an argument, to shew its futility. If any individual were mean and base enough to be actuated by such motives, he could not but see the folly of such a plan of dealing. Character in trade, is of the last importance. The manufacturer who should thus conduct himself, could never hope for another order; and therefore, if the gig-mill was attended with these consequences, if the imputations thrown out were well founded, it is quite impossible that any persons could present themselves as petitioners in favour of it, or have the effrontery to appear in such a Tribunal, praying to be protected in frauds of this nature. If no other consideration operated with them, they would be stopped by a regard to their own interest—the extensive interest they have in the prosperity of the trade, and the great fortunes embarked in it—the sums invested in the machinery of this trade alone, having, I think, appeared on a former occasion, to be not less than five millions sterling, and very much augmented since: I should have thought this would have been a little security, added to the characters and respectability of the gentlemen for whom I appear, against such imputations.

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But, Sir, it is a little extraordinary, that this accusation should be brought forward with respect to a measure which has undergone such an investigation. The gentlemen soliciting this measure, in the latter part of the last year, presented their petition to Parliament; the subject, from that time to the present, has been under the examination of Government, of the Board of Trade, and of the Committee of the House of Commons, and has been submitted also to the other House of Parliament. It has now been six months under the attentive consideration of Parliament. The Committee, who investigated the subject with more than common attention, in the earlier stage of it, reported in favour of the measure, and accordingly a Bill was brought in. The change to an Act of Repeal, instead of an Act of Suspension, arose from the consideration that, if these Acts were not fit to be enforced, it was only giving a temporary remedy to have a Bill of Suspension;—that many of them being inapplicable to the present mode of manufacture, and many imposing improper restraints and hardships on the trade, ought not to be suspended merely, but repealed. After all this investigation of the subject, it cannot surely be said, that the Committee, collectively and individually, have not bestowed every attention upon it which its magnitude required:

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nor, if the plan had been founded in the venal views of a small set of men, opposed to the wishes and true interest of the trade, could it have received the approbation of the gentlemen who have taken so much pains in the investigation of it.

I WILL now apply myself to the three distinct subjects of the Bill. The first which I shall consider, is the *Gig-mill*. It is said, that this machine is injurious in two respects: that it, in the first place, tends to throw out of employ a very numerous body of persons who now dress by hand; and, in the next, that if it were not productive of that mischief, it is attended with another, namely, a deterioration of the fabric; that it manufactures an article not fit for sale, which it would be disgraceful to the country to encourage the sale of, inasmuch as it will not stand the test of wear.

Now, with respect to the gig-mill—The importance of the repeal, or continuance of the Act of Parliament, by which it is prohibited, will appear, when the terms of the Act, the present state of the trade, and use of this mill, are considered. The statute is the 5 & 6 Edward VI. cap. 22. passed in the year 1552, two centuries and a half ago. It speaks of the gig-mill

mill as a machine newly devised, and the use of it to be for *perching* and *burling* cloth; but it is prohibited generally in the *working* and *dressing* of cloth. The gig-mill there spoken of, probably was not precisely the one now used; certainly not applied to the same purposes. It is described as newly introduced; whereas the gig-mill certainly existed in the reign of Edward IV.: it is spoken of by different authors of that time. In the next place, it is spoken of as applied to perching and burling cloth, a process antecedent to the cloth being sent to the fulling-mill; whereas it is now applied only to rowing, which is a subsequent process. But supposing the machine to have been precisely the same, and applied to the same purpose; what is now the state of the subject? The gig mill has been in use in the county of Gloucester for a period of more than 60 or 70 years, and in the county of York, from the year 1755: notwithstanding the obstacles presented by the statute of prohibition, the whole trade of Gloucestershire is now carried on by means of it; all the cloths made there, are dressed by the gig-mill; all the clothiers make use of it, I believe, without an exception. So it is in the county of York. What is it, then, that you are now desired to do? To remove the obstacles, the penalties imposed by the statute

statute of 5 & 6 Edward VI. by which a penalty is imposed of five pounds per piece, on every piece of cloth dressed by the gig-mill.

Now, Sir, consider a moment what would be the consequence of your not repealing these statutes? Consider the amount of the penalties daily incurred; what a rich harvest is fought for by the numerous class of *qui tam* informers and attorneys, who are now opposing the present repeal. The amount of penalties incurred, upon a very moderate estimate, in the county of Gloucester only, upon this subject, is 5000*l.* a week; there being not less in that county than a thousand cloths dressed per week by the gig-mill only, and a penalty of 5*l.* imposed by the statute on every piece so dressed. In the course of a year, therefore, penalties are incurred to the amount of 260,000*l.* for the use of the gig-mill in the county of Gloucester only. What the actual number in the county of York is, I do not exactly know; but the trade being very considerable, and the use of the gig-mill very general, you will easily make the calculation. Now, what is to become of the trade, if you reject the repeal, and the clothiers are exposed to prosecutions? It is quite clear, they are liable to be prosecuted, and they are threatened by exasperated people, stirred on by others, with a rich prospect

prospect of reward; one half the penalty goes to the informer. If you suffer the Session to elapse without this Act, prosecutions will be let loose on the manufacturers. Is it possible, then, to go on with the trade? If you could revive the Act of Indemnity for the past, still, if you stop there, there is an end of the trade. The whole trade is carried on by the gig-mill, and cannot be carried on without it. Is it not most obvious, that no fortune possessed by any manufacturer, however extensive, will be equal to the payment of the penalties which he must incur? Will you sanction the introduction of this machine partially? Will the gentlemen on the other side propose any measure, by which the manufacturers living in Gloucestershire and Yorkshire, who have used it time out of mind, shall be allowed to use it still, but prohibit the introduction of it into other counties? If it be a mischievous machine, is this the line Parliament will adopt? Surely not, for obvious reasons. If you permit the use of it in particular counties only, the consequences will follow which have already taken place in part. The success which has attended its active operation in those counties, has induced the manufacturers in Wiltshire and Somersetshire to send their cloths to be dressed in Gloucestershire. What are these gentlemen

gentlemen

gentlemen who are praying for the general repeal of the Act, praying for? Why, to transfer a portion of the trade from themselves to those counties, where the machine has not yet been introduced. Certainly, Sir, these gentlemen manufacturers, principally in the county of Gloucester, might, if they had considered their own individual interest, have confined their prayer to that county; but they have acted with no such selfish motives. They have no objection to generalize the repeal, and to give the benefit of it to their neighbours as well as to themselves. Take it in another point of view: if the gig-mill is injurious, if it be really productive of the bad consequences which have been stated, it ought to be totally repealed; it ought not to be tolerated in Yorkshire and Gloucestershire. This brings the question back to this point: you must have a general repeal, or none at all.

Let us then try the question fairly, whether there exists any reason for preventing the continuance of an engine which the trade have so long taken up. Notwithstanding the prohibitory Act, yet the necessity of adopting this best mode of dressing, has generalized the use of it throughout Gloucestershire and Yorkshire.— What is the complaint against it? Why, in the first place, that it is machinery; and we are

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treated

treated with general arguments against any introduction of machinery. The learned Counsel has looked into a dictionary, and has discovered, what I little expected to hear asserted in this country, that machinery is a nuisance; that it ought to be prevented; that it lessens the population and the natural wealth of a country; and in general is objectionable. Sir, I will not follow the learned Counsel into his arguments upon that subject: he has selected from the book he adverted to, topics of argument inimical to machinery, leaving behind passages in the very same author strongly favourable to it. In the part quoted of Savary's dictionary, (the edition by Postlethwaite,) I observe these words—
 "The more ingenious nation will likewise stand the best chance to gain the whole market; for besides that machines generally do the work better than the hand, the labour saved by them is so very great, that, if the materials are equally plentiful, they who use the machine must undersell the others in a vast disproportion:" and he adds, "a people without commerce, might adopt such and such arguments, and may refuse to admit stocking-looms, sawing-mills, throwing-engines, weaving or spinning-engines; mills for striking piles, cutting watch-wheels, making nails, and all the variety of inventions produced by a rivalry among

among nations contending for commerce, and private men for orders. Commercial states must have their eyes on their neighbours, and if they design to engross foreign markets, must provide for the cheapness of labour at home; goods must be made cheap to render them of general use abroad and at home." He states all the arguments *pro* and *con*, respecting machinery in general; but I hope we are not at this time of day to be imitating the policy of the old Duke of Muscovy, mentioned by the same author, who, when a person offered him a project for towing up a barge with 18 hands, which had employed 110, ordered him immediately into banishment for the proposition.

I will not trouble gentlemen, such as I address, on the general utility of machinery, in a nation which has profited so much by it. If we continue, as I hope we shall, to engross the foreign market, it must be by supplying it on better terms than our neighbours. Instead, therefore, of amusing ourselves with general principles, our attention must be applied to the particular species of machinery respecting which the question arises. The gig-mill is now in full use; the whole trade depends upon it, and particularly the supply of the foreign market: the articles manufactured by it, have been sold for a

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period

period of 60 or 70 years, with the approbation of all the persons frequenting the markets, foreign and domestic. The question now, therefore, is, whether, "*rebus sic stantibus*," any nation in its senses will permit an Act to continue which is to have the effect of annihilating such a machine? Why do you declaim upon the subject of machinery in general? Will you now suffer penalties to be incurred to the amount of 260,000*l.* a year, besides the confiscation of the manufactured article, when your whole trade and commerce in this line entirely depends upon the use of it? Will you let loose prosecutions upon innocent manufacturers, who are carrying the article to foreign markets, with the approbation of all those foreign markets? My friends were instructed to state, that foreigners had rejected the cloth dressed by the gig, and uniformly ordered such as was dressed by the other mode. This they cannot prove. I will prove directly the reverse. Whenever specimens are sent out of cloths dressed by the hand, and by the gig, the foreign merchants have uniformly selected those dressed by the gig; nay further, the British manufacturer has actually driven France out of the Russian market, by the use of the gig-mill. Mr. Austin, a very extensive dealer in this article, has for a number of years supplied that market, and his

his cloth has undergone a most scrupulous investigation. You will hear by and by, by the testimony I shall produce of the most unexceptionable nature, that the British trader has the whole command of that market, entirely owing to the gig-mill; that in the article dressed by the gig, compared with that by hand, the fabric is in all respects so infinitely superior, that the manufacturers using it have gained the market, by being able to supply it on reasonable terms, and that, in consequence of those circumstances, the whole of the Russian market is in the hands of persons resident in England.

You will find, that in point of fact, those conversant with both modes of dressing, not only prefer the gig-mill, but in many instances, where cloths dressed by hand have been sent up from the country, they have actually sent them to be redressed by the gig. This happened to cloths sold by one of the gentlemen, called to speak to the preference of the hand-dressing; above a hundred of which were redressed by the gig, having been previously bought at an inferior price, and afterwards sold at a considerable advance. The evident utility of the gig-mill has been such, that it has attracted the business of two of the neighbouring counties. Wiltshire and Somersetshire have sent their cloths into Gloucestershire to be dressed

dressed by the gig. Those who formerly dressed by hand, have substituted the gig-mill, from the experienced superiority, as well as cheapness, of the manufacture. How is this to be reconciled with what has been insinuated by the opposite petitioners? Our manufacturers are accused of preferring the gig-mill, only because there is a great saving by it, and that without regard to the perfection of the manufacture; and though the gig-mill tears great holes in the cloth, it is sent in this miserable condition to market by these greedy, avaricious, and covetous adventurers. This has been represented as the constant effect of this machine—not an accident now and then. They assert that cloths thus dressed are constantly torn in the fabric, so as to create the necessity for flocks; and this not only at their own works, but at Mr. Jones's, and all the manufacturers who make use of the gig-mill. How futile and ridiculous this charge is, and how impossible that such a practice could prevail, is obvious to any one conversant with trade; since it is notorious that when the cloths are sent up to the London market they are damped, by which any holes stopped by flocks must be instantly discovered; an admirable trick this to impose upon their customers, when they know perfectly well that it will undergo this investigation and detection.

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In this mode they are to succeed in getting a great fortune by imposing on these gulls who are foolish enough, not only to take the article and to pay for it, but to continue employing these fraudulent traders, not for one year, but for ten, twenty, forty, fifty years, with a perfect notoriety all the time of the fraud to the meanest individuals in the trade, even to the old woman employed in stopping up the holes with flocks. This is the way in which they are to raise, nay and have raised fortunes; for you have been told the supporters of the Bill are opulent men, possessing very large fortunes acquired by means of the gig-mill; so that the gulls at home and abroad have never detected, or have never acted upon what every foolish old woman in the parish has known from the first, and what every man who has eyes must have found out when the cloth was examined. How is such egregious nonsense as this to be seriously addressed to such a Tribunal as I have the honour to see before me? Such topics as cannot weigh with any man of sense for a moment? What is it that you are desired to believe? That the real competitors in the trade have all deserted the hand-dressing which produces the cloth in a perfect state, and have taken up the gig-dressing, which injures it; and that the mischief done thereby, in one man's trade, has

has not operated to prevent another taking it up: that this mischievous mode having been for a length of time practised in Gloucestershire, now Wiltshire and Somersetshire are desirous of adopting it, seeing their own trade carried on by hand-dressing declining, and in danger of being transferred entirely to Gloucestershire. You are desired to believe that manufacturers are all ignorant of their business, or that they hope to succeed in a mad project of manufacturing a rotten, torn, miserable article, against a competitor, who still adheres to the old, perfect method, and thereby sends his articles to market in a state to bear the examination, and receive the approbation of his customers. I do not mean to enter upon an explanation of the nature of this reprobated engine: it would be great presumption in me to make the attempt, who have not served seven years or seven months, in the trade; but from the little I have learnt of the gig-mill, it appears to me there never was a more unfair prejudice against any machine. The fallacy of all the arguments against it is, that they are founded wholly on the abuse, and not on the proper use, of it.

Whom have they called to impeach it? — Some who never saw a gig-mill at work in their life, or who affect not to understand much of

of it, or who speak of a dressing by hire, but have you heard skilful persons examined who understand the use of the mill? Do they come and represent such to be the injurious consequences? The gig-mill I understand to be nothing more than an instrument which has teases upon it, adapted with respect to sharpness and bluntness according to the texture of the cloth, and the velocity of the motion. Not being regulated with judgment, skill, and care, the teases will give the cloth a scratch, or pull a hole in it, but there is no such danger, if the workmen know how to raise the wool by the judicious application of the teases, by the proper selection and skilful use of them. On the contrary, the cloth is dressed with an evenness and regularity which cannot be attained by hand-dressing, where four persons scratch up the wool with unequal skill or unequal attention. No doubt the machine may be injurious, if you do not know how to use it. That argument may be applied to every machine. You might as well in the china manufacture, forbid putting the clay into a hot oven, because it is apt to crack, if not properly managed. In the case of the cloths mentioned which are gig-dressed by hire, where the object is to get them out of hand, an injury may result from too much haste; but

but that this must be the constant effect of the gig-mill, the experience of the counties in which it is used, and the universal and long-continued preference of their cloths effectually negative, and show it cannot possibly be true. Therefore, with respect to the injurious effects of this very meritorious engine, it cannot be necessary to go into further detail. We shall prove, that those who understand it and have been long acquainted with it, admire and approve the result, that the cloth is found to be excellent; that Mr. Edridge, who has one thousand cloths dressed in this mode every year, and persons who have examined them, will tell you how ill founded all the complaints of the opponents are; that in respect of straining there is not one strained above the legitimate length, and that many are short of it; that in respect to the nature of the texture, on being carefully examined, as every one is over the perch, to see whether any part is amis—that from long experience of his cloths, and Mr. Austin's cloths, and all the cloths manufactured in Gloucestershire, for years and years in the same mode, examined as they carefully are by the manufacturer, and by the buyer, they are found uniformly to exceed those dressed by hand in strength, beauty and perfection.

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But it is said, this may be the effect in Gloucestershire on the sort of cloths there manufactured; but what do you say to the finer cloths, the medley and wool-dyed, which will less bear the application of this engine? I answer exactly in the same manner: I appeal to experience, the best mode of determining the merit, or demerit, of any particular machine. It has been tried for years with the finest article, even that which is called the seraglio, from the place of its destination: the finest article of cassimere known to the trade, has been dressed by the gig-mill, and the result found as superior to the hand-dressing in this as in any other sort of cloths. The vindication of the gig-mill is the same, to whatever species of cloth it is applied, whether stouter or finer; it depends upon the way in which the engine is applied; for if different sorts of teazles are applied to, and the cloth is brought properly into contact with them, and proper attention is paid, the finest pieces of manufacture may be dressed without the least danger.

But it is said, this machine is guilty in producing another injury to the country: it throws men out of work. It certainly lessens the number of hands engaged in the dressing a piece of cloth. I think a gentleman stated in his evidence, that three persons do the work of twenty-four;

form, a topic of accusation pressed against the gig-mill, which I should urge in favour if it: I admit the charge, the gig-mill pleads guilty to it, and by that means it lessens the price of the cloth in the foreign market. Is this an evil? Is it an evil of a magnitude sufficient to counterbalance the good? If the gig-mill were to be introduced all at once into a country where it has not been used before, so as to supplant the hand-dressing, many persons might be without employ in that particular branch of business. Now supposing this to be an evil in a certain extent, and for a limited time—has not the same argument been used against machinery in every period of time? Was it not against Arkwright's machinery? Against the spinning-jennies; in short, against every mechanical invention, by which the manufactures of the kingdom have been improved? Did not the manufacturers always decry them at first, from the same fear of being thrown out of employ?

In the first place, I must say, on behalf of those for whom I appear, that every effort has been made to prevent this temporary inconvenience. They have made repeated offers to employ in other branches of the trade, those who shall be thrown out of employ by the gig-mill. They are willing now to repeat that offer, to employ

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all able and willing to be employed, in other branches of the business. But supposing that were not the case, and I were to admit this to be productive of a temporary evil, it can be only temporary: how soon do persons thrown out of employ by the introduction of machinery in one branch of a trade, take up another? A similar objection has been made against the reduction of the army, on making peace, viz. the fear of throwing a number of persons on the public out of employ. Yet how soon do they become blended with the general mass of the people, and engaged in the various occupations of civil life, notwithstanding the sort of service in which they have been employed for a time is extremely opposite to the qualifications required for any manufacture or trade.

But let me address a few topics on this subject, to the gentlemen who oppose us on this ground. What must be the consequence of succeeding in their opposition? Directly the reverse of what they desire: they are seeking the very evil they would wish to avoid. If they could be gratified in their object, if Parliament were to reject our suit, the consequences to these very persons would be the most injurious, in producing an evil of a greater magnitude than that which they fear. Do they wish that the repeal of the statute should

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be only partial and local, or that it should not be repealed at all? If you repeal the statute so far as respects Gloucestershire and Yorkshire, where the gig-mill has been long used with impunity, what is to become of all the persons engaged in the trade in other counties? Will not the immediate consequence be, that the whole trade of Wiltshire and Somersetshire, which has already felt a decline, as Gloucestershire has an increasing prosperity, be effectually and completely transferred into the latter county? If you confer the right of using this machine in one place, and deny it to another, what is to become of the manufacturers of Wiltshire? They must follow the trade into that other county, or they must consent to lose the whole of their employment. If, therefore, they look to their own interest, they must be desirous of putting their county on the same footing as the neighbouring counties, and of procuring for it the same right of using this important engine that others have.

Take the other point of view, that the statute is not to be repealed at all any where, but a universal prohibition to continue. The gentlemen have a great deal of humanity for the persons engaged in the hand-dressing; have they no compassion for those who depend, with their wives and families, on the use of the gig-mill? If you suffer

suffer this law to stand, the gig-mill must stop directly: the consequence of that is, that all these persons engaged in it must be thrown out of employ; orders for gig-dressed cloths will be stopped; all those engaged in the gig-dressing must hold their hands: then what becomes of all the persons in Gloucestershire and Yorkshire, who have been so long engaged in the branches connected with it? How are they to find employ? The trade is gone; the orders are gone; the article itself is stopped. All the weaving, in short every branch from its commencement to its close, is put an end to, and all are to be thrown out of employ. Then see what you are required to do, for fear you should throw out of employ in Wiltshire and Somersetshire those employed in the hand-dressing: you are to throw out of employ all those engaged in that branch of trade, which now employs thousands and thousands; you are to throw all out of employ, to gratify some of the dressers of cloths in Wiltshire and Somersetshire, or persons who think their interest may be affected by the adoption of the gig-mill.

What is to become of the shearers of Wiltshire and Somersetshire? Does not their quantity of work depend on the quantity which is made ready for the shearers? Do not they
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depend on the dressing, and on the subsequent stages, being of manufacture confined to their own county? Therefore, if you are to adopt any measure which tends to lessen the quantum of dressing in the county, by transferring it to another county, you necessarily throw out of employ all who are engaged in any of the subsequent stages of the manufacture. The argument, therefore, of providing for the employment of the manufacturer, makes directly against the plan of our opponents, whether it be that of confining the use of the gig-mill to particular counties, or of prohibiting it universally. The evil which is deprecated is infinitely greater, looking generally to all the persons concerned in the trade. You are desired to effectuate with certainty an evil of enormous magnitude, to avoid the chance of an evil, which, even if it takes place, can only be of a very limited extent and duration.

Sir, permit me to say, the great object in which all are interested is to secure your trade, and the full demand for your cloth; but if you make the article either so expensive, or so imperfect in the mode of its manufacture, which would be the infallible consequence of prohibiting the use of the gig-mill, after the trade and their customers have experienced the difference produced by it, what will

will become of this valuable trade? Now that we are engaged in an ardent struggle for the commerce of the world, we shall lay aside a machine which has given us the command of the market, and we shall transfer to others the principal means by which we have excluded France from the Russian market, and other nations from the foreign trade. We are called upon to lay down this source of our pre-eminence, and to let foreigners take it up, and thereby supply the markets themselves. Is it possible, that such a subject can admit of a moment's consideration or doubt? That you should be deliberating, whether the use of this most important machine ought to be suffered, not *de novo* introduced, after so long an experience of its utility and value? Whether persons following the trade by means of it most successfully and beneficially, are therefore to be harrassed with a multiplicity of penalties for what is so honourable to themselves, and so beneficial to the country? I hope there can be no doubt on the subject.

I have been particularly anxious to examine the complaints respecting it, that the true nature and foundation of them should be distinctly known. Out of this room, it is difficult to find temperate minds disposed to listen fairly to the argument. It is extremely easy to get together

persons who look at the subject only as it respects themselves, and to inflame their minds with exaggerated and ideal descriptions of eventual injuries, such as it may be convenient to represent to them; but it is not so easy to convey the same impressions to any one who will fairly and candidly consider the subject. Of the latter description only, are those I have the honour to address; and with them I have to apologize for having dwelt so long on so plain a case.

I am persuaded you have long drawn the conclusion, that the petitions of the manufacturers for whom I appear, ought to be granted; that this old statute, made two centuries and a half ago, and laid aside in actual operation, from experience of the utility of the engine prohibited, ought to be totally repealed; and every person left at liberty either to use the gig-mill or not, according as he shall see best for the advancement of his own and the public good. That is all we ask.

THE next article made the subject of complaint, is that which respects *Looms*. By the second and third of Philip and Mary, cap. 11, which was passed within four years of the other Act, in 1556, (the other having been in 1552,) two centuries and a half ago, there is not to be more than

than one woollen-loom kept by any cloth-worker out of the limits of a city or corporate town, on pain of incurring a penalty of twenty shillings a week; and no woollen-weaver is to have more than two woollen-looms, under a like penalty of twenty shillings a week.

The penalty here, if it be measured by the loom, will in some instances rise to a very large sum; if it is to be considered only as a penalty on each person, it will be less, but it will still operate to the entire ruin of the class and description of persons whom it affects; and when the Committee hear who these are, they will be quite astonished, that those who take up their cause should make an objection to the repeal of a law, which, if put in force, will leave them exposed to the mercy of the most rapacious prosecutor, who might visit with prosecutions more than one half of the weavers innocently offending against the provisions of it. A weaver now living with Mr. Edridge who has eleven children, works three broad looms, which furnish them with employ: he might have, and very frequently has, four or five narrow looms, furnishing also employ for others. Now, unless you interpose, this man is liable at least to the penalty of 5*l.* a year, for an extra loom or looms.

Now, let us hear these advocates for humanity, who profess to be anxiously protecting this class of persons, on what ground they wish to retain this statute, which exposes each of these weavers to penalties beyond the possible amount of his earnings, which makes them liable to pay 5*l.* for every year, to Mr. Jessop, or any *qui tam* informer. Their own evidence, on this part of the subject, has proved how many persons stand in the predicament of offenders against this old statute; how universal has been the neglect of it; how many instances appear in the list they have given in. The Act makes no distinctions between broad and narrow looms, and applies therefore to all the weavers who are in the regular habit, in every county, of having more than two looms of either description.

On their behalf, therefore, as well as the clothiers, I earnestly seek a repeal of this statute. If I understand the argument against the repeal, it is altogether founded, not in any inconveniencies which have been hitherto experienced, but from an apprehended danger, if this restraint is taken off, and every man is at liberty to have as many looms as his convenience may dictate, that the consequence will be the universal adoption of factories, and thereby an inconvenient congregation of work people

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drawn from their cottages, where they now prosecute their work, to the injury of their morals and health. Those are the dangers apprehended: let us see whether there is any foundation for them; and, for this purpose, again appeal to experience.

As the statute is worded, the prohibitions contained in it do not extend to any city, borough, market-town, or corporate town: then a clothier is at this moment at full liberty, and is to be permitted to continue still to be so, to establish his factories in any city, borough, market-town, or corporate town, with an unlimited number of looms. Have these mischiefs, then, been ever experienced in those places? Have great factories been established in cities, boroughs, market, or corporate towns, supposing them to be injurious to the country? Upon extraordinary occasions, they have been formed, and with great advantage to the trade; as, where a new manufacture has been introduced, as in the instance of cassimeres, with the manufacture of which a number of persons were to be taught under the inspection of the inventor, who wished to confine that improvement to himself, for a time, and to a certain degree. Surely this is an innocent, and very meritorious object, which, if you were to endeavour to prevent, you would

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break in upon the fair and beneficial exercise of the trade. But consider what foundation there is for the alarm, respecting the general introduction of factories. Is it practicable, that what is apprehended should take place? From the magnitude of a loom, and the space it must necessarily occupy, a room of twenty-five by twenty would not hold more than five or six broad looms, at which five or six persons are to be employed. Can it then be for the convenience of the trade, if there were ever so strong a wish in favour of factories, to introduce them?—Would it not impose an obligation on those carrying on the trade, to enlarge their buildings, to the exclusion of the uses to which they are now appropriated?

But have any of these evils been experienced? Have they, in this branch of the trade, had to encounter any such injury? Why is it supposed that factories will instantly be established, and that every body will be forced to work at them, (an alarm sounding now through every village in Gloucestershire,) at less profit, harder service, and under a hard master? Surely, the total impracticability of this plan sufficiently negatives those ill-founded apprehensions. Perhaps I shall have but very little credit for the declaration, but I am authorised to state the confident

confident assurance of those who employ me, that there is no such object in view; that at this moment they prefer the employment of the workmen at their own homes, provided they can sufficiently guard against the evils attendant on it, particularly that of embezzlement, which certainly is considerable.

But let us consider this subject in another point of view. Is the Act, as worded, more calculated to prevent, than to increase the evils that are apprehended? The weavers live chiefly in the villages; if, then, you establish (as the Act permits) a factory in a market-town, do not you thereby draw the weavers from their homes, more than if it was allowed to be established in the village, if there was really a wish to establish factories at all?

What we propose is that the weaver and the clothier who carry on their business in the village, may be put on the same footing with the weaver and clothier in a town. The woollen trade has of late years been extended into villages, in consequence of the importance of water and falls, by the introduction of machinery; and it appears to be a considerable hardship that the manufacturer should not be permitted to carry on his business in the same way in a village, as in a town. Two centuries ago, there might be reasons

reasons for this distinction. In the next year after that in which this Act passed, the legislature enacted a prohibition against carrying on any trade out of a market-town; which, however, was soon found so objectionable that it was repealed the following session. We wish, that an honest man who has a family, and a number of looms, to employ them under his own roof in the village, may be relieved from the penalties of the present law, and put upon the same footing as the weaver who is prosecuting with impunity the same objects in the town. We wish also, that the clothier, who, when his trade requires a number of persons to be assembled together to prosecute it to advantage, may be at liberty to adopt that mode, as well in a village as in a town. There is no sense, no propriety, in the present distinction. The prohibition ought to be general, or it ought not to exist at all. To encrease the absurdity, certain counties are wholly exempted from the operation of the Act, as York, Cumberland, Northumberland, and Durham. We propose to abolish these restraints every where, that the number of looms may be regulated at the choice of the manufacturer, according to the demands of the trade, the number of his family, or any other circumstance which may make it convenient to him to have an augmented

mented number. There is no danger of this growing into an evil; it will be time enough to regulate it, if it should. From past experience, as well as the nature of the subject, it is evident, that the alarm excited on this occasion is totally without foundation.

I trust, therefore, the Committee will be of opinion, that it is reasonable the repeal of this Act should take place, and the trade be wholly freed, in every part of the kingdom equally, from the penalties which it inflicts.

CONCLUSION OF THE FIRST DAY.

to be regulated in such manner as shall be thought fit by the said Council, and to the laws of the said Kingdoms, and to the Statutes in that behalf made, touching the said Mystery, Art, or Occupation, being not a Workman at the time, except he shall have been apprentice, as is aforesaid; or else, having served as an apprentice, should or would become a journeyman to be hired by the year; on pain, that every person willingly offending, or doing the contrary, should forfeit and lose forty shillings a month." The Act proceeds further to recite,

I AM very happy to inform you there is only one subject remaining for your consideration. Feeling, as I ought to do, very thankful for the attention with which I was honoured yesterday, I hope to trespass very little further on your valuable time. The remaining subject has been treated as one of considerable importance: it appears to have been very much laboured on the part of those who oppose the present Bill; it made a prominent feature of attack in the Associations which were formed. This business of *Apprenticeships* is brought forward in the rules as one of the most objectionable; and on that account, it is the more necessary that I should say a few words upon it.

The clause in the Act which relates to this subject, is in page 4, which recites, that by the statute of 5 Eliz. "No person is allowed to occupy, use, or exercise, any craft, mystery, or occupation, then used or occupied within the realm of England or Wales, except he shall have been brought

brought up therein seven years at least, as an apprentice, in manner and form in the statute mentioned; nor to set any person on work in such mystery, art, or occupation, being not a workman at the time, except he shall have been apprentice, as is aforesaid; or else, having served as an apprentice, should or would become a journeyman to be hired by the year; on pain, that every person willingly offending, or doing the contrary, should forfeit and lose forty shillings a month." The Act proceeds further to recite, "That there are many persons who carry on the business of clothiers, or woollen manufacturers, in the counties of Gloucester, Wilts, and Somerset," (and I must add here, Yorkshire likewise, because that county is proposed to be introduced,) "to a large extent, several of whom use their own wool and cloth, and who, in the prosecution of such business, have embarked large capitals; and many persons are now employed in the said counties in the woollen manufacture, in weaving, dying cloth, dressing, and otherwise, who have not served a regular apprenticeship, as required by the last recited Act, whereby they are become liable to the penalties inflicted by the said Act; and divers vexatious prosecutions have been commenced, or are threatened to be commenced, on that account, which it is expedient to prevent."

vent." Then it proposes to enact, "That all clothiers or woollen manufacturers so carrying on business on his or their own account, in the said counties of Gloucester, Wilts, or Somerset, (to which we propose to add Yorkshire,) and all persons by them employed as weavers, dyers, cloth-dressers, or in any other branch of the woollen manufacture, and against whom any action, bill, plaint, or information, hath been or shall hereafter be brought, for any fine, penalty, or forfeiture, heretofore incurred, or hereafter to be incurred, by him, her, or them, for or by reason of his, her, or their having so entered into and carried on the trade of a clothier, weaver, and so on; or having employed any person whatever therein, contrary to the intent and meaning of the said last recited Act, shall be, and is hereby, indemnified, freed, and discharged from the same." And there follows another section declaring, that it shall be lawful for persons to carry on these trades without serving as apprentices, and legalizing the employment of persons in that predicament.

As the law now stands, this restraining Act embraces five distinct branches of the woollen manufacture: first, the clothiers, or cloth-makers; secondly, the cloth workers; thirdly, the shearmen; fourthly, the woollen-cloth-weavers;

weavers; and, fifthly, the dyers. These are enumerated in the Act; but the Act will also extend to every other craft, mystery, or occupation, relating to this trade, which was in existence at the time that the Act was passed; for it has been determined, that in the construction of this Act, it extends to trades though not specifically mentioned, if they were in existence at the time of the making of the Act; consequently, every trade in existence at that time is comprehended within the Act; and every person who has not yet served seven years as an apprentice, being brought up to it as such, or having served as such, is liable to suffer the penalty of forty shillings a month, as long as he practises it, and, unless he ceases to do so, will still continue to be subject to that penalty.

It is already proved that there are a number of persons throughout the different counties mentioned in the Act, who have not served a regular apprenticeship, and who consequently have incurred these different penalties. It is proved on the part of the Petitioners, that this is the case in the several counties which they have spoken of; and we shall establish it to be so in Yorkshire, as it is in part proved to be already. You will find, that more than eight-ninths have been un-indentured, taking the whole country; and, if

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we descend into particular instances, a still greater proportion. There is not one in sixty, in the neighbourhood of Saddleworth, near Manchester;—indeed it is not the custom to serve apprenticeships. I shall prove to you a number of instances of men and their families working, without having ever been bound, one with ten children, all unindentured, working at this trade, and each earning thirteen shillings a week. I shall prove, that at Bradley-mill not one in fifty of the croppers serving a gentleman now in the room, have complied with the law; and from the whole I think this is clear, that the Act has not in any one of the counties we are considering been carried into execution; for though many have been bound apprentice, parish-apprentices particularly, yet much the more prevailing practice is for a manufacturer to take his own children, without indenture, to teach them the trade, and to employ them in it as soon as they have learned it; or for persons to be engaged, both male and female, in the trade, as soon as they are competent, without any indenture of apprenticeship.

In mitigation of the severity of the Act, it has been said, that a number of persons are protected from the penalty of it, by having served seven years to the trade; and by the construction put
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on the Act, the penalty has been considered not to attach in such cases. It certainly was a very extraordinary determination, the Act having stated that every person shall serve seven years as an apprentice, which is further explained to be as an apprentice under indenture; and it is only a proof of the anxiety of the Courts of Justice to mitigate the severity of that which has always been considered a very impolitic law. By this singular decision, the length of time that a man has violated the Act is made a reason why he should be allowed to continue to violate it with impunity; and from the extreme anxiety to get rid of an odious statute, introduced in restraint of the common law right which every individual has to follow the trade he has learnt—in restraint of the natural patrimony of the poor man, depending on his bodily strength and dexterity, which he has a right to apply to whatever purposes of honest industry he chuses to afford him and his family the means of subsistence; it has been decided, in the very teeth of the Act, that this originally illegal usage is ultimately to constitute the right in the individual to contravene the Act, during the whole period of his life, and it is now said, you ought not to interpose in favour of all that numerous class of persons who are in the progress towards acquiring the same
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right in the same mode, having been employed in the trade short of seven years. Every master who is in that predicament, who is employing others, not having himself been apprenticed, and not having actually served seven years in it; every journeyman employed; every person, young and old, male and female, shall now be arrested and visited with prosecution for the past, and with prohibition for the future. That is the avowed object of the prosecutions which are threatened, and of the resistance now made to the repeal of this Act. They have in their mercy scattered their notices to individuals; "if you leave off your trade you shall not be prosecuted;" but threatening, "if you proceed, it is at your peril; Mr. Jessop will prosecute you." And the question now is, whether all these persons are to be thrown out of their trade and business, by those who make such loud and anxious clamour against throwing men out of employment?

The immediate effect of this will be, to expose a great number of individuals to vexatious prosecutions.—There can be no doubt that it will be attended with ruin and distress in many branches of the trade, and to individual sufferers; it being the habit to employ without indenture, young children from the age of six years and upwards, great numbers of whom must now be obnoxious

noxious to the Act: not one can be employed, unless he be indentured, and a penalty has been incurred by every father who has employed his son, or by any manufacturer who has employed any person, in that situation. This will be attended with a scene of very extensive misery and distress in every county in the kingdom, according to the state of the trade as already proved. That this custom has long existed, the exigencies of the trade having created a necessity for employing persons not in that situation, is not disputed; it will be more clearly and strongly proved on our part; though in some places many have served out their seven years, yet it is proved, that binding by indenture is a very rare thing; that there are at this moment a number in the situation I have stated; and it is only a kind of consolatory argument in favour of the continuance of the Act, that some have been fortunate enough to escape the vigilance of Mr. Jessop, and *qui tam* informers, in former periods, and are now secured from prosecution by the duration of their offence.

With respect to the question raised as to the master, I will not detain you by going into it; I will assume it to be as they have stated, though I believe the law to be otherwise; that the master *quâ* master, having set others to work, but not

having worked with his own hands, would be exonerated, by having so carried on the trade for seven years. I rather believe that is a mistaken inference from the case referred to, which would in the terms of it at first view, undoubtedly seem to import that doctrine. The case is cited from 2 Wilson, wherein there is a reference to an opinion of the Judges, which I take to have been that given in *Wallen v. Holton*, 1 Blackstone, 233. Now that determination respected a master baker who had with his own hands followed the trade, not merely lending his capital, and setting persons to work. It must not therefore be taken as a clear proposition that all masters are safe, who have been masters seven years, without having actually served seven years to the trade.— Such masters would undoubtedly appear to fall within the spirit of the Act, which is to prohibit unskilful persons carrying on the trade; and a master who has not served seven years, working with his hands, can rarely possess any practical knowledge of the trade, so as to enable him to carry it on himself. But I will assume that the law is as our opponents have stated, that all who have served seven years are not exposed to penalties, but that all who have not served seven years are; that there are a great number in the latter situation no one doubts; that it is quite impossible

impossible the trader who is in this predicament can go on, if this penalty is to be continued, is quite clear, for no one can afford to pay the penalty of forty shillings a month, twenty-six pounds a year, for every person, male or female, he employs. A scarcity of hands frequently is felt in time of war, and particularly when the hands are called off to a new species of trade, such as cassimere, which required a number of new manufacturers to be engaged to satisfy the public demand. That such is now the situation of the trade you will find abundantly proved, and that there is an absolute dearth and scarcity of persons in the different branches, ready to be employed, qualified according to the precise terms of the statute, even in its mildest interpretation; that the rigorous execution of this law will therefore raise very inconvenient obstacles in the way of this important trade, there can be no doubt, and that it will be attended with great personal ruin and distress, and a temporary stop at least, how long we know not, to the prosecution of the trade.

Surely, Sir, this is a question of considerable importance to numerous individuals; of importance to the trade; of importance to the public. But it is said, that whatever hardships may be produced by the revived execution of this law,

still the policy and utility of it demand its continuance. It is contended to be a wholesome, salutary law; securing not only the advancement of trade, and the exclusion of persons unskilful, but favourable to the morals of youth, placing them under subordination and control when the storms and tempests of their passions are at a dangerous height; that to take off this restraint would be to let loose unbridled youth prematurely into life, and to introduce into the business a number of persons not possessed of competent skill; that it will be additionally injurious in the present trade, because it will place on the same footing a number of unqualified competitors, with those who have already borne the burden and heat of the day; who have submitted themselves to this injunction of serving a seven years apprenticeship, and have thereby acquired an exclusive title to employment; that this is an act of injustice, and ought not to be done without a compensation to those who are qualified under the statute. Am I stating fairly the arguments which have been used against the proposed repeal? Let us see whether there is any solid ground for any one of them. If I have the good fortune to be honoured with your attention for a short time, I hope to satisfy the Committee, not only that these arguments are not well founded, but that on the very principles

principles on which those who urge them profess to reason, the furtherance of the good of the youth brought up to the business; his morals, skill, and right education; the good of the trade; and the important advantages the public derive from it, in every point of view—the most pressing and imperative arguments may be deduced for the immediate appeal of this absurd and impolitic Act. It has been further stated, and I would not be supposed to suppress the argument used by Mr. Adam, that if the statute is to be repealed at all, it ought to be wholly repealed, because if the restraints imposed by it are an evil, they ought not to be partially but wholly removed. I will advert hereafter to this argument, and shew how well it applies in favour of the continuance of the Act.

First, I will examine the general policy of the Act; on which subject it will not be necessary to trouble you long, because if our opponents are right, the opinions of the wisest men in all times, of all the Judges who have had it under contemplation ever since the Act passed, have been uniformly erroneous. There is hardly a case respecting it which has come under the attention of any one of our Courts of Justice, where the Act has not been reprobated. Lord Coke in his 4 Inst. says, "Acts of Parliament which restrain

the liberty of trade never live long." In the case of the Queen *versus* Maddox, in 2d Salkeld 613, the Court, very ably filled, expressly declared this to be "a hard law." Lord Mansfield, in remarking on the case of Raynard *versus* Chase, the first case that great Judge decided when he came on the bench, justly says, "the restraint introduced by this law was thought so unfavourable that in 33 Elizabeth in the Exchequer, 4 Leon. p. 39, it was construed away, for it was holden clearly by the Judges in that case, (which construction, however, I take not to be law now,) that if one had been an apprentice for seven years, at any one trade mentioned within the said statute, he may exercise any trade named in it, though he had not been an apprentice to it." To be sure, a more extraordinary decision never was made, for the Act being supposed to make it necessary to have skill and knowledge in the particular trade, the Judges declared that he was entitled to follow it if he had been an apprentice to a trade of a totally different nature; for instance, an apprentice to a baker might set up that of a hat-maker. They must have been strongly convinced of the absurdity of the law, when they could put such a construction upon it, and make such a decision to counteract it. What did Lord Mansfield think of the Act: "It is a penal law (says his

his Lordship, in the case already quoted); it is in restraint of natural right, and it is contrary to the general right given by the common law of this kingdom; and I will add, the policy upon which the Act was made is from experience become doubtful." Why, in the opinion of that great Judge, and other of the Judges, had it become doubtful? Because want of skill and knowledge will always punish itself, and as Lord Mansfield remarks, "*bad and unskilful workmen are rarely prosecuted*; it is only *skilful workmen* that are the objects of this fear on the part of the other workmen, and are in consequence prosecuted."

Mr. Adam had supposed that the restraint which I am now arguing against had existed from the earliest period—a mistake which he was led into by confounding two things perfectly distinct. We are not desiring you to repeal the Act which makes it proper to bind infants by indentures of apprenticeships. Apprenticeships may be entered into, if persons find it convenient to introduce them, they may bind their sons apprentices to any person or trade they please; but what we complain of is, that there should be a restraint imposed by law from setting up a trade as soon as it is learnt, and the youth is able to follow it; that he should be precluded from setting up his trade in less than seven years; that he

he must of necessity be in bondage seven years, although there is no reason to be so; although those who employ him find that he is sufficiently conversant in the art, and capable of making a good workman. Mark the good sense of our ancestors on this subject, at so early a period as the 7th of Edward III. "If he who takes upon him to work is unskilful, his ignorance is a sufficient punishment for him, for *imperitia est maxima mechanicorum poena, et quilibet querit in qualibet arte peritos*"—a sound and excellent principle quoted by my Lord Coke, in 6. Coke 53; in the case of the taylor of Ipswich. He mentions a pretty remarkable circumstance, which shews the vehement reprobation of this restraint on trade; it is rather a curious picture of the manners of the times, and the mode in which persons expressed themselves even from the bench: in the 2d of Henry V. a dyer was bound that he should not use the dyers craft for two years; and there Hull, who was one of the Justices, held, that the bond was against the common law, and he there expresses himself in a way certainly very unusual—"by God if the Plaintiff was here, he should go to prison till he paid a fine to the King." The Judge appears to have been hurried by an honest indignation at the attempted restraint upon trade, and forgot the decorum

decorum of the place in which he sat. The fact is, this restraint was first introduced in the 5th of Elizabeth. Persons might take apprentices before, as they may still do after the Act has been repealed; but the prohibition from entering into a trade, without serving a seven years apprenticeship, arose out of the narrow monopolizing spirit in the 5th year of Elizabeth, which prompted interested persons to impose fetters and restraints on trade. In the same spirit it was forbidden to follow trade except in a corporate town: men engaged in trade wished to keep it to themselves. By this same statute there is also a positive restriction, that no man shall put out his son apprentice, who has not a landed estate of three pounds a year, a provision which appears to be still in force.

Mr. Jessop will find out by and by, I have not the least doubt, there is such a clause, though it has never been enforced, on account of the gross hardship and folly of it: yet Mr. Adam says that the statute of Elizabeth is universally enforced; his expression was, that it is "*in viridi observantia*." I suppose he means there is a little green mould over it, for certainly in the woollen trade it is no where observed. You will find, in the 5th Elizabeth, cap. 4, sec. 29, these words: "provided always, and be it enacted, that it shall not

not be lawful to any person dwelling in any such market town, using or exercising the feat, mystery, or art of merchant, trafficking or trading into the parts beyond the seas, mercer, draper, goldsmith, embroiderer, or clothier, that doth or shall put cloth to making and sale, to take any apprentice, or in anywise to teach or instruct any person in the arts, sciences, or mysteries last before recited, after the Feast of St. John the Baptist aforesaid, except such servant or apprentice shall be his son, or else that the father or mother of such apprentice shall have lands, tenements, or other hereditaments at the time of taking such apprentice, of the clear annual value of three pounds of one estate of inheritance, or freehold at the least, to be certified under the hands and seals of three Justices of the Peace of the shire or shires where the said lands, tenements, or other hereditaments do or shall lie, to the head officer or officers of such market-towns where such apprentice or servant shall be taken, there to be enrolled by such head officer, always to remain a record."

In the 30th section this restraint is qualified in the case of woollen-weavers weaving housewives, or household cloths only, and no other cloth: "wheresoever he or they shall dwell or inhabit, to have or receive the son of any person as apprentice in manner and form aforesaid, to be taught

taught and instructed in these occupations only, and in none other, albeit the father or mother of any such apprentice have not any lands, tenements, or hereditaments."

You will find it further qualified in the 32d section, as to what sort of persons woollen-weavers may take apprentices; and there it is provided, that "no person or persons using or exercising the art or mystery of a woollen-cloth weaver, other than such as be inhabiting within the counties of Cumberland, Westmoreland, Lancaster, and Wales, weaving frizes, cottons, or housewives' cloths only, making and weaving woollen cloth commonly sold or to be sold by any clothman or clothier, shall take and have any apprentice, or shall teach or in anywise instruct any person or persons in the science, art, or occupation of weaving aforesaid, in any village, town, or place, cities, towns-corporate and market-towns only excepted, unless such person be his son, or else that the father or mother of such apprentice or servant shall at the time of the taking of such person or persons to be an apprentice or servant, or to be so instructed, have lands or tenements, or other hereditaments to the clear yearly value of three pounds at the least of an estate of inheritance or freehold, to be certified under the hands and seals of three Justices of the Peace of the shire or shires

shires where the said lands, tenements, or hereditaments do or shall lie, the effect of the indenture to be registered within three months, in the parish where such master shall dwell, and to pay for such registering four pence, upon pain of forfeiture of twenty shillings for every month that any person shall otherwise take any apprentice, or set any such person on work, contrary to the meaning of this article." Now this provision is, together with the rest of this Act, to be continued in force, if our opponents can succeed.

I wished to shew what was the spirit and temper with which this statute of Elizabeth was made; that it was intended to narrow and restrain competitors in trade; it did not leave a liberty to be supplied with an ample number of persons to carry on trade, through an extreme jealousy of competitors; it was meant to prevent the common labourer, or even the common journeyman, or any person who had not a landed estate, from bringing up his son to trade, unless he was himself in the trade, so as to be able to apprentice him to himself.

This law being made on this narrow, jealous policy, wholly incompatible with the true interest of trade, and with the freedom established by the common law of the land, has uniformly received the strictest interpretation.

My Lord
Mansfield,

Mansfield, in the case of *Raynard v. Chase*, observes, that this Act was made early in the reign of Queen Elizabeth: afterwards, when the great number of manufacturers who took refuge in England from the Duke D'Alva's persecution, had brought trade and commerce with them, and enlarged our notions, the restraint introduced by this law was thought so unfavourable, that in 33d Elizabeth it was construed away. All these observations shew, that this Act has ever been held to be taken strictly; therefore, if my friend's argument was correct, that the policy was a wise one, all those who have interpreted it from the earliest period to the present day have been mistaken.

There is another broad and clear view of the subject, which shews how unfavourably, and with what odium this statute has ever been considered; viz. *that it never has been extended to any one trade which was not then in existence.*

Now I revert to my friend's observation; he says, "why make it a partial and not a total repeal?" I retort the question to him; if this be a politic law, why is it not universal? Why has not the policy of the law been extended to the trades since established? You know, Sir, that the most exquisite of our trades have had their existence since this Act passed: all the trades of Birmingham and Manchester, now
carried

carried on with so much skill and ability, with such immense advantage to the manufacturer, and to the country in general, have sprung up long subsequent to the 5th of Elizabeth. If there be some general principle, requiring a binding by indenture for seven years, to produce skill and perfection in workmanship, and to controul the impetuosity of youth, that is a principle applying to all the mechanical arts: why, then, has not the statute been extended, as the words would naturally bear, to comprehend every trade, as well those created since, as those in existence at the time the Act passed? Or if it could not be extended by construction, why not by a new law for every trade since invented, or practised, in the kingdom? I hope I am warranted in turning my friend's argument against him, and shewing that the objection as to partiality applies more fully to his reasoning than our's, the Act of Elizabeth being certainly confined to particular trades, and in general applying to trades of less importance. Are these trades, the inventions of modern times, prosperous and successful without the restraints of the statute of Elizabeth? Is not the skill and workmanship complete without them? And are not the youth engaged in those trades equally well governed? Here I appeal, not to argument, but to experience. Has not experi-

ence

ence shewn that there is no necessity for any such regulations, from the important trades which are thus carried on most extensively and advantageously to the individuals and to the country, without the interference of this Act? It appears, therefore, that not only has the statute, in relation to those trades to which it applies, been uniformly considered by the wisest men in all times, a hard and impolitic law; not only has the construction of it confined its operation to the trades then existing, but ever since the reign of Elizabeth you have the strong and decisive proof of the universal reprobation of the principle, in the silence of the Legislature, and the non-enactment of any similar law for all the numerous and important trades since established.

Undoubtedly, the statute has not yet been totally repealed, nor is it difficult to discover why it should have been long a favourite with a particular class of men. Mr. Jackson says, that a celebrated author, who has strongly condemned this statute, has spoken also unfavourably of corporations, and has endeavoured to shew the obstacles which they also have occasioned to the progress of trade. The learned author of *The Wealth of Nations* has indeed observed wisely, that the restrictive prohibition from setting up trade of all who were not members of this or the

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other

other corporation, is an impolitic and mischievous restraint on trade; and on this principle I have no doubt that many corporations would oppose the repeal of these restraints. That is the principle I am now attacking. I contend that I have a right to infer, that neither the experience of manufacturers, nor the wisdom of the Legislature, have discovered the necessity or the policy of extending the provisions of the 5th of Elizabeth to other trades. The principle which prevailed in the reign of Edward III. has been noticed, and is conformable to what we contend for—that no one will employ a man who is not skilful, and that unskilfulness will punish itself. All we apply for is, that you will take off the statutable restriction which the trade have by degrees shaken off, in spite of the law, from which they have absolved themselves by general custom; that you will sanction by law the exoneration of this great manufacture from these restraints. We require for this trade, that it should be put upon the same footing with the trades at Birmingham and Manchester; that you should encourage competition, and not monopoly, and enable every man to employ without restraint any one who possesses competent skill for the employment. With the view to secure skilfulness in trade, how ridiculous are the provisions of this law! Is the length

length of servitude made to depend upon the difficulty of learning the trade? No; there is one and the same rule of law applying to all the trades in the kingdom, whether easy to be learnt or not. Seven years is the fixed period in all cases, during which the youth is subjected to the cruel injury of being excluded from making the most of his labour, notwithstanding there may and must be an infinite variety in the time necessary to learn different trades; and consequently that it ought to have varied with every trade. It is a hard and crooked principle, absurd and ridiculous. I think I recollect a case where it was ruled, that the business of a pippin-monger was within the Act, and that a man must have served seven years in it, before he could set up in the trade; that is, be deemed to possess a competent knowledge in the discrimination of pippins.

Can it be doubted, that if a boy were led by the hope of early gain, by the rewards and punishments you may set before him, he would not sooner be able to get a knowledge of his trade, and earn a livelihood by it, than by a prescribed length of unprofitable servitude? This was put most intelligently by one of the members of the Committee, and reduced to figures. "What do you give," he asked one of the witnesses, "to this boy for the first year?" The answer was, "four

“four shillings per week.” With but a tardy desire to bring him forward, and making it penal to practise the trade under seven years, they begin with four shillings a week, and creep on with the advance of sixpence per week each successive year. “Does he not acquire a sufficient knowledge of his trade at the end of four years? Is not he then “able to acquire fifteen shillings a week?” Yes. Mark then what is the difference: he is allowed only five shillings and sixpence per week, when he earns fifteen shillings. What cruelty thus to deprive a boy of the fruit of his labours! and what discouragement to active industry, when he sees that it is “*vos non vobis*,” that he is working, not for himself, but for another! Is it not obvious that a treatment the directly opposite to this should be observed? How are you to encourage in youth the habits of industry? By allowing them early to gain a profit from it for themselves. What is the history of run-away apprentices? A discovery that they have acquired a knowledge of the trade, and that if they remain with their masters, they must carry it on for others, and not for themselves. If you take off this restraint, you encourage the youthful mind to put forth all its vigour and industry, when he tastes the sweets of it himself, and the quantum of his earnings is made to depend upon his skill and labour. Are these

these idle and visionary speculations? Are not they founded in the nature of man?

As to the necessity of seven years for practically acquiring the knowledge of the woollen-trade, nothing can be more contrary to experience and truth. The length of time occupied in learning any art or trade depends on the degree of attention, activity, and industry, as well as the aptitude of the learner. Let us look at the unwieldy ploughman, called from his daily labour to be converted into a soldier. Can any change be greater or more difficult? If this were to be effectuated by binding him to an apprenticeship, his master would say, “this awkward fellow will not know how to carry himself in less than two years, but to go through the whole of the manual exercise with precision, will take him at least seven years; it will be perfectly impossible to teach him in less time.” Yet placed under a drill serjeant, this man will be qualified for the ranks in six months. By what apprenticeship is the countryman instructed in his labours in the field? And yet he is obliged to consult the seasons, the soil, and the climate, and the temper and disposition of the living engines he works with. If you were to make a law that a man shall not follow this occupation, or come into the ranks as a soldier in less than seven years, the tardy operations of

the human mind would keep pace with your rules; but if you leave things to their natural course, the countryman will soon qualify himself for his work, and the recruit in a short time becomes so totally metamorphosed, that the father will not know his son to be the same who came up an awkward ploughman from the country. How is that to be done? By the active exertions of the body and mind, called forth into vigorous energy, and trying how much industry and attention can effect.

To tell us it is impracticable to learn the woollen trade in a shorter period than seven years, is ridiculous in the extreme. Some of their own witnesses have proved, that even in the tardy and languid mode in which youth are now instructed, four years is found abundantly enough; and several of them have proved a less period to be necessary for the learning of the trade, and this without any proper stimulus to excite an earlier acquirement of it. If it is acquired in four years without a stimulus, how long would it take with the stimulus? Hold out to a youth this encouragement: as soon as you have learnt your trade, your earnings, or a portion of them, will be your own; and then see whether he will be seven years or seven months in learning it; whether he would not soon be able to set up for himself, and to imitate

imitate the example of a most industrious and respectable manufacturer, now present in the room, who has raised himself and ten children by his early application and industry, having learnt the branch of the woollen trade in which he is engaged, in six months, at the age of twelve years, certainly with a general knowledge of the trade before, but without the assistance or instruction afterwards of any relative or master of any description whatever; fortunately, most fortunately, because Mr. Jessop and his associates did not live near the scene of his exertions, so as to arrest him in his progress. Untaught, except for six months; unfurnished with any means but the labour of his own hands; without friends or capital, he was able, at the end of that short period, to support himself, and by degrees to acquire a knowledge of the business in its different branches, so as to raise himself to the high station he now possesses in the trade. This gentleman by experience has found, that a similar progress may be made with other boys whom he has casually and promiscuously taken under his care; therefore, that it is practicable to acquire the art in a much shorter period of time, if you will take off the restraints of the statute, and leave every one to the free exercise of his industry and genius, there cannot be the least doubt.

Sir, I will not detain you with an enquiry into what is done by other nations; I will only refer you to the unanswerable arguments for the repeal of this statute, contained in the work already alluded to. I should be most anxious, if the time admitted, to read the passages which have exposed the impolicy and futility of these restraints on trade. I mean Adam Smith's celebrated *Treatise on the Wealth of Nations*, in which you will find this subject fully discussed, and the absurdity and mischief of this law stated in a manner which must forcibly impress the mind of every one who reads it. He has decisively shewn it to be, not only injurious to trade, but tending to cramp the early efforts of the human mind, to induce apprentices to become fugitives, with all the mischievous consequences attendant on such conduct, to them and to society. Instead of habits of industry and regularity, you establish the strongest motive, the most powerful stimulus to the boy to get a knowledge of his trade, and then to go to some more friendly house, where he may prosecute it with advantage: that such have been the consequences whenever the Act has been put in force, that author has clearly shewn; he has instanced the wiser system established in Scotland, where the apprenticeship is determined in two years, and in other countries where the duration of the apprenticeship

apprenticeship is made to depend on the proof the boy gives of his knowledge of the trade. He has proposed, that instead of a fixed term of servitude, the young artist shall be rewarded for his proficiency in skill and industry, and be made to pay for the materials which he spoils by his inattention or unskilfulness. Why should we not try these means? The result probably will shew, that seven months instead of seven years will be sufficient to qualify a youth for working in the woollen-trade. If there is a chance of such a result, is not the interest of the public deeply concerned in the repeal of this law? Not only as it may probably tend to promote a spirit of industry at that period of life, when, if it is not acquired, it never can be afterwards, but because the quantum of labour in the country is increased, if you accelerate the period in which the youth is made useful. If, by taking off the obstacles of apprenticeships, or applying the stimulus I have mentioned, or any other, you can make a youth learn as much in six months as he would, in the present tardy mode, in as many years, you acquire for the public, and for every one dependant upon it, so much to be added to the general public stock of labour and wealth; it is therefore a highly important consideration, and will I hope apologize for addressing you so long upon it.

Having

Having been called on to bend my mind to this subject, I cannot but feel great astonishment that in a commercial country famed for its wisdom, after it has been so long seen and acknowledged how this statute militates with every principle of good policy, we could have been contented with declaring it a hard law, with reprobating it from time to time, and yet suffering it to remain on the statute books. I have yet to beg pardon for having dwelt so long on this subject in the presence of persons, whose experience and superior knowledge and wisdom will have already presented it to them in every light, in which it is capable of being considered. Some few topics and facts relied upon by our opponents I would still entreat permission to advert to.

In the first place, the partial repeal of this statute, which has been so much condemned by them, is certainly not now proposed for the first time. A similar indulgence was granted by the Legislature in the 17th year of the King, in the case of the hat-makers and felt-makers, under the patronage of persons most conversant with the true interests of trade. I see the names of Mr. Alderman Harley and other merchants of eminence on the Committee in the House of Commons. One of the Acts passed on this occasion was the 17 Geo. III. cap. 43, enabling them to employ

employ other persons than apprentices in the trade; and in the same year was passed the Act of 17 Geo. III. cap. 55, entitled "an Act for the better regulating the hat-manufactory," the fifth section of which says, "Be it enacted, that so much of the Acts passed in the 5th year of the reign of Queen Elizabeth, entitled, "an Act containing divers orders for artificers, labourers, servants of husbandry, and apprentices, as extend, or may be construed to extend, to restrain any person or persons from setting up, using, occupying, and exercising the craft, mystery, and occupation of a master hat-maker, hat-maker, or felt-maker, unless such person or persons have been brought up as apprentices therein," be repealed, and the same is hereby repealed."

It may not be quite irrelevant to refer to this precedent for another purpose. The Act was opposed, as the present is, by mischievous combinations of persons; upon which the Legislature passed an Act to prevent mischievous combinations of the trade, to obstruct the persons getting together, to prevent what was thought right to be done. I hope there will be no necessity for any familiar enactment here; but I am sure it is not to be overlooked, that Associations throughout the whole kingdom have been formed under auspices not the most favourable, with organized constitutions

constitutions and rules, in which it is to be feared persons may be easily roused into acts of violence and depredation. It is certainly an object of some alarm, and it becomes necessary to watch narrowly combinations of this kind; especially when we consider what dreadful consequences have followed the institution of Societies of Free and Easy Clubs, as they were called, under the pretext of rules which appeared to have nothing wrong in them, with their Corresponding Societies, their union throughout the kingdom, for the carrying a favourite object. It is quite impossible to explain the propriety of the measure now proposed to all the Associators. It may therefore be a question, whether it may not be necessary to accompany the repeal of a law which the lower classes of manufacturers in great numbers, and with heated imaginations, thus seek to uphold, with a similar provision to that which was made at that time. It is observable, that in that case there was a petition from a number of persons, stating the impolicy of laying the provisions of the statute of 5th Elizabeth aside, the number of persons who would be thrown out of work, and so on, much in the same terms as in the present case. It is not therefore true, that a partial repeal is without precedent. When the necessity of the trade, and the propriety of the measure has appeared,

peared, the restraint has been taken off, and liberty given to employ persons not having served a regular apprenticeship.

Now, Sir, with respect to the peculiar hardship in the present case, which it is supposed will be the consequence of repealing the statute, so far as it affects the woollen trade—it is said there are in this trade already numbers out of employ; that the repeal will encrease the number of competitors, and therefore injure the persons not employed; that if you let in a number of persons who have not followed the business seven years, the manufacturers who are now groaning for want of work will be still more certainly and permanently excluded from the chance of being again employed. We are at issue on this fact. Very gross misrepresentation has been brought forward on this subject, by representing to the Committee, that at the different places spoken of there is a deficiency of work; that is not true; a very few circumstances will abundantly prove clearly to you, that so far from there being a want of employ in most of the variety of places mentioned, there is a great want of workmen; that the weaver is able to secure a constant source of employ; that he takes in a great number of chains from different masters, and is not able to finish his work by the time it is wanted; that in
point

point of fact, the weavers and the shearmen in different places, instead of acquiring eight or nine shillings a week, as they used to do, are gaining fifteen or eighteen shillings a week; that in point of fact, in Yorkshire and Gloucestershire, and even in Wiltshire, there is a pressing demand for workmen in the different branches, which cannot be supplied; and it is in proof that this very necessity has produced a departure from the strict letter of the law, and has occasioned the taking into employ a variety of persons who have been for a less period of time actually employed in the business, because a sufficient number could not be procured of men longer acquainted with it.

I recollect one of the witnesses said, that some of these men out of employ were obliged to work on the highways, and, for want of labour, were themselves and their families destitute of all support: with respect to which, I will call to you, from the very place where this is said to have happened, the surveyor of the highways, who pays twelve shillings and sixpence a week to each of the persons he employs; who has wanted sixty persons at a time to be employed under him, and has gone round the district without being able to obtain them, in the very place where they say there are so many persons out of employ. I shall prove persons having visited these very places where

where they pretend there are such a number of looms out of employ, who found all the looms employed. It is extremely easy for a person to go, as Collins did to the meeting of the Association first, and then to go round for the purpose of giving evidence what looms and persons are unemployed, and find things in the state he described. How easy is it to remove work to a distance, and to take disjointed parts of looms not actually set up, and to reckon them as looms out of actual employ. He proved, that the same individual had five or six looms; but he has not represented how many of these were in a state of employ, it being certain that a man who is working on a narrow loom will have his broad loom standing idle, and *vice versa*, if his family is not sufficient to employ the whole number. You may easily find instances of some looms standing idle, though the country is full of trade. It may have been the case, that there were a number of looms unemployed when a visit was expected. I believe I shall prove, that there is not a broad loom unemployed, even in the very places to which Collins spoke. I shall prove, that the masters cannot keep pace with the rapidly encreasing progress of this trade, because they cannot get workmen: therefore, I deny the fact of a scarcity of work at this present time, and shall negative it by those who

who must best know the subject, and who are willing and desirous to employ a greater number of workmen, if they can find them. But on this subject we have already discovered some insight into the art which has been used; we have heard, though they wished to conceal it, that when individuals have been out of work the Association has supported them, if they have served their seven years; but the fact has been, that those who worked after the gig-mill have not only been reprobated, but treated with personal violence for such conduct. That it is a fact, I will put out of all doubt. Then these Associators come here, after there has been a threat held out to deter persons from working after the gig-mill, and state that some are out of work. It is astonishing that there are not more; that any will venture to follow the gig-mill, which is now the object of popular resentment. Therefore, I have no hesitation in admitting, that from this particular cause there may be individuals actually out of employ; but that it is not referable to other causes, and that there are plenty of masters ready to employ them, I will prove distinctly.

Therefore, this argument against the repeal of the statute of Elizabeth, is not founded in fact; and if it were, the conclusion contended for would not follow. Am I going to take from you the right

right to prosecute your trade? If I were, then I admit it would be just to give you a compensation; but if I am only going to permit others to follow it, is thine eye evil because mine is good? What harm do I do to you, by permitting others to follow this trade, who are capable of following it, before the seven years are expired? Why should you be jealous at their obtaining it at an earlier period? If you have by your longer application to it, made yourselves better capable of the business, of course the master will prefer your services? The repeal of this statute will not give those who have not served an apprenticeship the preference. If another can in two or in three years acquire the knowledge which the apprentice has been seven in acquiring, there can be no harm in introducing competitors; and even if adding to the numbers of competitors operated in some respect injuriously to individuals, the Committee are to consider the general interests of the trade, and not to abstain from what is politic and necessary, because it will diminish the profit of monopolists, if it will be of advantage to the trade, and to the country in general.

Sir, I really most unfeignedly beg pardon for having detained you so long: there are a great number of subjects which present themselves for discussion; but I will rather leave them to be supplied

supplied by the knowledge and wisdom of the Committee, than trouble them longer. I would wish to impress upon them what it is we require, and under what circumstances.

With respect to these subjects of *Looms, Apprentices, and Gig-mills*, we complain of the infinite danger of reviving—not of enacting, but of reviving, which will have the effect of an enactment *de novo*—an obsolete law long since fallen into desuetude by the necessity of the trade; and when trade has found its own level, and in spite of these restrictions has established its own immunities, and has in the present way adapted itself to the manners and customs of the present times, we pray of you not to revive statutes made two centuries and a half ago, in the reign of Queen Elizabeth; unless you can also revive the manners of that period, and command every body to assume the dress of the reign of Queen Elizabeth. Will you oblige every individual to purchase cloth of the same kind as was then worn, when a man's coat lasted him for half his life, when his wedding-coat stood upright for seven or for ten years, and was his favourite coat throughout his life? Will you direct the manufacturer to place in the shops of his customers that which he can get nothing by, except in the way of shewing it as a curiosity, now when a gentleman

gentleman has as many coats as there are weeks in the year? It would be hard and unnatural to force upon us these legislative regulations, which were adapted to a different state of society, and to different manners: we must keep pace with the manners of the times, and you might as well ring the curfew, and order every one to go to bed at eight o'clock at night; you cannot do it unless you can make fixed laws to regulate fashions, which are so variable.

Then, when we require you to repeal Acts inapplicable to the present state of the trade, to leave them unrepealed, and to say we would be satisfied with indemnity, is quite ridiculous; we must carry on the trade as we do, or not at all. If you will not allow us to carry on the trade as we are now carrying it on, to employ the persons whom experience has taught us it is necessary to employ, with the number of looms, and the sort of mills, which we are using, you arrest and stop the trade altogether, and destroy all those different interests which are now engaged in it. This has made me press the subject with peculiar anxiety: the question is not whether individuals are to be free from penalties, but whether the trade is to go on at all.

My friends have said eloquently and justly, look at your trade; they say, how dangerous it

is to repeal laws under which it has thus flourish-
 ed. I beg here again to retort the observation
 upon my friends. I also desire you to look to
 the flourishing state of your trade; but I ask, is
 that owing to the observance or the neglect of
 these laws? Is it owing to them that the trade
 is thus prosperous, or is it owing to the rejection
 of them that it has made a way for itself, to
 establish itself by the very means of rejecting the
 restraint which these laws had imposed on the
 subject of the *Looms*, the *Gig-mill*, and the *Ap-
 prentices*? Look to the flourishing state of your
 trade. I appeal to that experience to shew the
 mischief of these Acts, and the danger of now
 reviving them. Would any nation in its senses
 endanger the possible consequences of the enact-
 ment of these laws, which might be right in the
 reign of Elizabeth, but are not now? Unless
 you will stop the rapid advances of the trade, and
 throw out of employ all who are dependant upon
 it, let it go on as it is. That is all I pray; I
 pray you to do nothing, but to take off these
 obstacles and restrictions which time has taken
 off—which the trade have taken off, from an
 experience of their inutility; that you will not
 expose individuals to be harrassed with prosecu-
 tions for having meritoriously and laudably
 pursued the trade in the only way in which it is
 practicable.

practicable. I pray you, for the whole country,
 considered retrospectively, and prospectively, that
 you will give your aid by freeing the whole trade
 from all these impolitic antiquated shackles;
 throw away all these absurd obstacles, and let
 this important trade be pursued, as it is now
 pursued, throughout the kingdom, and as other
 trades are pursued throughout the world, in the
 works of the greatest skill. I ask this for the sake
 of the trade, and for the sake of the country; for
 if the foreign market is possessed by these means,
 it will be lost if the requisitions of these petitioners
 are complied with, having been proved to be un-
 necessary and hurtful by the experience of every
 one who is acquainted with the trade. On these
 grounds, we pray that these impolitic restrictions
 may be taken off and laid aside.

I have now concluded what I have to say; I
 have only to express on the part of those for
 whom I appear, their humble gratitude to the
 Committee for the unexampled patience and at-
 tention they have given to the subject, though
 certainly not beyond the importance of it; they
 have seen with the liveliest emotions of gratitude
 and satisfaction, hour after hour, devoted to the
 subject by gentlemen who possess not only general
 skill and sagacity on all subjects, but also particu-
 lar knowledge and experience in this important
 trade;

trade; they feel a great reluctance at this advanced period of the Sessions, and after the length of time already occupied, in being obliged to engage your attention further; but, for the vindication of themselves and the trade, they hope you will pardon them if they wish to satisfy every one by the evidence they have to produce, that things have been misrepresented, and that there exists in the state of the trade the most cogent necessity for the repeal of these laws. I hope the evidence will not detain you very long; but I am sure when you hear it, the importance of the testimony we shall offer will compensate for the time which it will unavoidably consume.— With these observations I close the case, returning thanks for the abundant attention you have given me, and only expressing a sincere regret for the imperfect way in which I have discharged the important duty committed to me.



Walker, Printer.

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