

Proceedings of the Madras Government
W. Sept.
Read the following.

9TH FEBRUARY 1883, NOS. 329, 330, JUDICIAL.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—again G.O., dated 8th September 1882. No. 1246, Judicial.

READ—also the following papers:—

From the District Magistrate of Chingleput,	dated 23rd September 1882, No.	496.
” ” ” of Cuddapah,	” 24th ” ”	478.
” ” ” of Nellore,	” 27th ” ”	1098.
” ” ” of Godáviri,	” 13th October ” ”	48.
” ” ” of Nilgiris,	” 25th ” ”	238.
” ” ” of Kurnool,	” 25th ” ”	474.
” ” ” of Tanjore,	” 27th ” ”	6218.
” ” ” of North Arcot,	” 28th ” ”	102.
” ” ” of Salem,	” 1st November ” ”	21.

ABSTRACT.—Reporting that there are no factories in the district.

From Colonel W. S. DREVER, Commissioner of Police, to the Chief Secretary to Government, dated Madras, 4th October 1882, No. 48.

I have the honor to forward the report on factories submitted by Major Heming, the Inspector, called for in G.O., No. 1246, of 8th September 1882, Judicial Department. Knowing nothing myself of the subject as yet, I refrain from comment.

ENCLOSURE.

From Major D. HEMING, Deputy Commissioner of Police and Inspector of Factories, to the Commissioner of Police, dated Madras, 4th October 1882.

In accordance with G.O., No. 1246, Judicial, dated 8th September 1882, I have the honor to submit the following report upon the factories in the Presidency Town, with remarks upon Mr. Meade-King's proposed amendments of the Act.

I commenced work as Inspector of Factories by registering the Buckingham Spinning and Weaving Mill at Perambúr, the Madras Spinning Mill at Choolay, and the Southern India Spinning Mill at Ráyapuram.

None of the managers had then (9th March 1882) been furnished with the recent orders of Government passed under Section 18 of the Factory Act, and I caused copies to be printed for them in English and Tamil on broad sheets of paper which were affixed to boards.

Section 5 of the Act was gradually brought into operation at Choolay and Perambúr. Ráyapuram at once discharged all children under twelve, but obtained certificates for hands above, though about, that age.

I next registered three Crown Factories, namely, the Public Workshops, Powder Mills and Gun Carriage Factory, adding later on the Grand Arsenal, Massey's Iron Foundry, and the Cement Works.

I am glad to report that the Act has been brought into operation without friction, everybody co-operating to the best of his ability.

I append a list of accidents reported to me since the 30th March 1882, the date on which my appointment appeared in the *Fort St. George Gazette*.

None of these injuries are to be attributed either to defects in the machinery or to imperfect fencing.

That reported from the Public Workshops on 5th June 1882 was the only one attended with fatal results, tetanus having set in after the patient had been taken to hospital.

Steps have been taken at the Buckingham Mill to prevent the recurrence of accidents similar to the one reported on the 16th August 1882, the Manager having secured the coverings with padlocks.

The defects at the Ráyapuram Mill pointed out by Mr. Meade-King in his report on Madras Factories, dated 8th July 1882, no longer exist. The fly-wheel and mule quadrants have been fenced, and a lower temperature is maintained in the work rooms.

I have up to the present date visited the factories as stated below :—

The Buckingham Mill	..	..	..	..	..	3 times.
The Madras Spinning Mill	..	..	..	..	..	4 "
The Southern India Spinning Mill	..	..	..	..	..	5 "
The Gun Carriage Factory	..	..	..	..	..	Twice.
The Public Workshops	..	..	..	..	..	"
The Gun-powder Factory	..	..	..	..	..	"
The Grand Arsenal	..	..	..	..	..	Once.
Massey's Iron Foundry	..	..	..	..	..	"
The Cement Works	..	..	..	..	..	"

With regard to Mr. Meade-King's proposed alterations in the Factory Act, I have already submitted my opinion in favor of the first suggestion, namely, the extension of the

vide my letter, No. 21, dated 27th June 1882.

provisions of the Act to mills and factories employing more than twenty hands working in connection with mechanical power.

Touching the second proposition, I think that no objection can be raised to the substitution of thirteen years for twelve in the definition of a "child" and that the insertion of a class between the child and the adult would be a salutary provision. At present the period of labor for a child in his thirteenth year is the same as that which is required from a full-grown man. The substitution of the word "person" for "child" in Section 2 and the proposed addition to its last clause will increase the utility of the section.

The time appears remote when the Inspector of Factories in this city will require an Assistant; so I need say nothing on this head.

In Section 5 the omission of the words "desirous of being employed" and the substitution of the word "employer" for "parent or guardian" will impose the duty of obtaining the medical certificate upon persons who are less interested in the success of the application than those who directly benefit by the child's employment, and may afford a guarantee of physical fitness which the certificate of a Surgeon, enlarged as proposed, will place beyond doubt.

The curtailment of a child's working time from nine hours to six is a proposition that requires careful consideration, for it is open to question whether mill-owners would not decide that the arrangement called for a corresponding diminution of the child's present rate of pay, and in that case guardians or parents might not find it sufficiently profitable to send their children to the mills, the result being the cessation of juvenile employment altogether and with it the training of children to mill-work; still the plan, if feasible, is deserving of support, and the proposed emendation of paragraphs 2 and 3, Section 7, would

"No child and no young person under the age of fourteen years shall be employed for more than seven days in a factory unless the occupier of the factory has obtained a certificate of age and fitness for employment of such child or young person from the certifying Surgeon in the form prescribed by the Local Government."

prove a useful subsidiary clause. I do not think that the suggestion quoted in the margin is strong enough to secure what is aimed at. It is clear that a Manager wishing to evade the law might employ a succession of "young persons" week after week without certificates provided that the seven days were not exceeded. To

secure the object in view the employment without certificate of fitness of persons under fourteen must be prohibited for any period whatever; of course leaving it to the discretion of the Inspector to determine, in the event of an infraction of the rule, whether the case is one calling for his action under Section 4 or for Magisterial inquiry under Section 15. I support the proposed alteration of paragraph 4, Section 7, but, in the interest of the mill-owners, would retain paragraph 5, although, if the hours of labor are reduced from nine to six, no interval for meals would be required.

The alteration proposed in Section 8 would, in all likelihood, result in a legislative enactment that the day of rest should be Sunday; this would probably be received with favor by those establishments which are in the hands of Europeans.

Section 8 (a) contains a proposal the adoption of which I for one should view with satisfaction.

The addition proposed to Section 9 will doubtless greatly strengthen it.

An important omission is supplied by the proposed conclusion to Section 11. The absolute necessity for the addition detailed in the

"Where it appears to an Inspector under this Act that there is a contravention of this section, he may direct a fan or other mechanical means of a proper construction for preventing or carrying off such vapours, dust, or other impurities to be provided within a reasonable time, and, if the same is not provided, maintained, and used, the occupier of the factory shall be liable to a penalty not exceeding Rs. 200."

margin perhaps might not at once suggest itself to any one who has not witnessed the deleterious effects induced by the inhalation of the dust escaping from the grinding machines, which are coated with emery powder. Many of these instruments are provided with a pneumatic apparatus called a fan which draws

the dust downwards through a funnel, discharging it into a receptacle below. When these fans are not provided, the people employed at the machines work with a cloth over their faces, but Mr. Meade-King says that this protection cannot be compared in efficiency to that which is afforded by the fan. The apparatus is now, I believe, generally used in the factories of the United Kingdom.

The remaining alterations have been referred to in my allusions to the preceding sections.

Accidents from 30th March 1882.

Name of Factory.	Date of Occurrence.	Name of Person injured.	Nature of Injury.
The Buckingham Mill	28th June 1882	Moonesamy	Injury to eye caused by a piece of steel striking the eye.
Do.	13th July	Curryan	Loss of hand by putting it in the beater while revolving.
Do.	16th August	Theruvengadam	Injury to one of his fingers caused by lifting off the cover of carding machine and putting his finger in.
The Madras United Spinning and Weaving Mill, Choolay.	3rd April	Parthasarady	Got the end of one of his fingers nipped by one of the mules while in motion.
The Southern India Spinning and Weaving Company, Ráyapuram.	7th June	A man in the Mill Department.	Fingers slightly injured by a hobbin.
Do.	17th August	Ragaven	Skin bruised slightly by putting his left hand in the working machine.
The Napier Works	29th July	Patchay	Injury to one of his fingers through placing his hand on the crane wheel.
The Gun Carriage Factory.	27th April	Moonea Pillay	Was hurt at the sawpit while in the act of turning a slab of wood; the hamstringing of his right foot above the heel was hurt.
Do.	25th May	Alagappen	The index finger of left hand completely severed while sawing a piece of sal timber.
Do.	25th August	Mr. W. Spencer, Ordnance Artificer.	Left eye apparently being totally destroyed by the scoria from the iron which was then being worked under the steam-hammer.
Gun Powder Factory	6th May	Moonegaseen	Injured on the left foot by a fall of block of wood while removing.
Do.	3rd June	Narrainsamy	Top of big toe contused by a fall of machinery while removing.
Do.	6th June	Mooneappen	Tips of middle and ring fingers of both hands by a fall of machinery while removing.
Do.	6th September	Gooroosamy	Foot injured, a barrel of tar falling on it.
Public Workshops	6th May	Savaram Pillay	Injuries to the fingers of right hand caused while lifting some iron plate castings. Died on 29th May 1882.
Do.	6th June	Shunmooga Pillay	Foot injured by an iron bar falling on it.
Do.	20th July	Veerasamy	Right hand and foot crushed while placing cast-iron columns on a cart.

4th October 1882.

(Signed) D. HEMING, Deputy Commissioner,
Inspector of Factories.

Note on the Factories Act.

There are only three Railway Workshops in this Presidency which fall within the Factories Act.

2. At none of them are children employed, and in all of them the machinery that can be considered dangerous has been well fenced.

3. The hours of work at these factories fall within the limit, viz., 12 hours, suggested by the Inspector of Factories; all are closed on Sundays.

4. Ventilation and sanitation are sufficiently attended to.

5. I am not aware that any children have been dismissed from employment with a view to avoid the provisions of the Act, but, had children of tender years been employed, such would have certainly been the case.

6. I am of opinion that the smaller workshop establishments on Railways should be brought within the scope of the Act; the dangerous portions of the machinery are less likely to be kept effectively fenced there than at the larger shops.

7. I think the alteration suggested to Section 5 very desirable.

8. The alteration proposed to Section 8 will not affect Railway Factories in this Presidency, as they are closed on Sundays.

(Signed) C. J. SMITH, Lt.-Col., R.E.,
Inspector of Railway Factories.

No. 209-A.

Endorsement on the above.

Submitted to Government in the Judicial Department with reference to their Orders, No. 907, dated 9th August 1882, and No. 1246, dated 8th September 1882.

MADRAS,
6th October 1882.

(Signed) C. J. SMITH, Lt.-Col., R.E.,
Consulting Engineer for Railways.

From J. STURROCK, Esq., Acting District Magistrate of South Canara, to the Chief Secretary to Government, dated Kuttettur, 23rd October 1882, No. 2350.

With reference to G.O., dated 8th June 1882, No. 420, and subsequent remind-

* Dated 5th September 1882, No. 881, and 17th October 1882, No. 1147.

† Recorded with G.O., dated 9th February 1882, No. 193, Judicial Department.

I did not think an annual report would be required.

With reference to G.O., dated 8th September 1882, No. 1246, I have the honor to state that, so far as I am able to judge, the recommendations made by Mr. Meade-King seem well adapted for the class of factories referred to in his report. If a factory is of the kind for which the provisions of the Act are required, I do not think that the small number of the hands employed affords good ground for its exemption, but the exclusion of Section 2 (b) of the Act as recommended by him will, in my opinion, operate very undesirably in this district, unless the section is otherwise amended.

2. In the coffee-curing establishments in this town several distinct processes are carried on, in aid of some of which steam-power is used; but as the number of persons employed in connection with these processes is in all cases less than a hundred, I have held, as already reported, that the establishments are not factories within the definition as it now stands. But if the amendment now proposed be adopted, the whole establishment, including the parts totally unconnected with steam-power, will come under the Act, owing to the last clause of Section 2, which runs thus: "Every part of a factory shall be deemed to be a factory, except any part used exclusively as a dwelling."

3. To show how little any interference on the part of Government is called for in the interests of the women and children employed in coffee garbling, I cannot do better than quote from Mr. Webster's letter from Coimbatore recorded with G.O., dated 1st May 1879, No. 1003:—

"Most of these people are paid by piece-work. Mothers bring their young children with them, and these help to increase the earnings of the family. The work is light and particularly

suited to children, consisting, as much of it does, in picking out and sorting the berries. The children cannot be left at home, and, even if they were, they would be badly looked after, and would be constantly in mischief, whereas at present they are clean and happy; indeed, it is a pleasant sight to see the establishment at full work."

4. It is, I think, apparent at a glance that the industry above described stands on a very different footing from those dealt with in Mr. Meade-King's letter, and it is hardly possible that the same provisions can be suitable for the regulation of things so dissimilar. A reference to the other papers recorded with G.O., dated 1st May 1879, No. 1003, will show that there is a very general *consensus* of opinion that the conditions of the garbling portions of the coffee-curing industries are not detrimental to the health or well-being of the operatives, and that the extension of the Act would cause much less to the proprietors—and still more to the work-people—without any of those counter-vailing advantages which, as pointed out by Mr. Meade-King, do, in the case of factories proper, in the long run render the supposed losses an unquestionable gain both to the employers and the employed.

5. I see no reason why the portions of the premises of coffee-curing establishments in which machinery is used should be exempted from the operation of the Act; but I think that provision should be made for the exemption of the portions of the premises in which there is no machinery at work. This exemption might be general in its terms and not restricted to coffee-curing works; but to meet the case of apartments in large factories in which unwholesome processes are carried on without the immediate presence of machinery, Inspectors might be empowered to bring any portion of the premises within the operation of the Act, recording their reasons for so doing.

From H. Sr. A. GOODRICH, Esq., District Magistrate, Ganjam, to the Chief Secretary to Government, dated Chatrapur, 30th October 1882, No. 3847.

I have the honor to report as directed in G.O., Judicial Department, No. 1246, dated 8th September 1882.

2. I enclose a brief report from the Divisional Magistrate upon the factory at Aska.

3. I visited that factory myself when it was in full work last March, and paid particular attention to the machinery, as Mr. Walch (Superintending Engineer) and Mr. Pringle (Executive Engineer) were of the party, and were visiting it for the first time, whilst I was comparing the present machinery and process with those which I remembered in 1865—68 and 1874.

4. The factory at Parlákimedi, where Messrs. Young and Voss manufacture only indigo at present, employs but few hands and little machinery. I inspected it when in full work last July.

5. With regard to Mr. Meade-King's remarks, I have to observe that the sanitary arrangements at Aska are satisfactory to the extent that I have always found the interior of the factory clean, and the Factory Peons will not permit any nuisance within the walls; the work-people resort to the river bed and open ground near. I think the Inspector of Factories should have power to require the factory-owners to provide latrines (moveable screens being the most suitable). The necessity for cleanliness in a factory where sugar is refined will guarantee sufficient attention to the white-washing the buildings.

6. Mr. Meade-King has observed a temperature of 95°, and considers that high. The normal temperature in March, April, May, and June at Aska is considerably above this during a part of the working day, and not unfrequently 105°. The health of the employés does not suffer; they only work four hours at a shift, and only two shifts in each day.

7. The Civil Surgeon is at too great a distance from Aska to be constituted the Certifying Surgeon, though he might exercise general control over the Medical Officer of the Local Fund Dispensary at Aska, to whom the duties assigned by the Act would

fall for discharge in the first instance. The Aska Factory employs no very young children. Eight would seem to be a better limit than seven years, and the employment of children for as much as eight hours might, I think, be permitted, provided that the Medical Officer be empowered to refuse certificates on account of physical unfitness, as well as on account of extreme youth. Vaccination might, in my opinion, be required as a condition of employment for children.

8. The production of registers at the Inspector's or Assistant Inspector's demand, as well as their regular maintenance, should be provided for, and the ex-officio appointment of the Taluk Magistrate to be Assistant Inspector of Factories in his taluk seems desirable.

ENCLOSURE.

From M. R. Ry. A. SURYANARAYANA, Deputy Magistrate on General Duties, Ganjam, to the District Magistrate, Ganjam, dated Berhampore, 19th October 1882, No. 360.

I have the honor to report that on the 11th instant I inspected the Aska Factory.

2. At the time of my inspection there were 653 persons at work as follows:—

Adults	Males.	Females.
Children	616	37

It appears that no children under twelve years have been employed in the factory. Hence the registers (Forms D and E) ordered by Government have not been kept.

3. The work-people are divided into two parties. The first party work from 6 to 12 A.M. and the second party from 1 to 6 P.M. Again, the first party from 7 to 12 P.M. and the second party from 1 to 6 A.M. This is done every day, including Sundays and holidays.

4. During the sugar-cane time the work-people will be divided into three parties, each party working by turns four hours in the day and four in the night.

5. I inspected the machinery and did not find anything dangerous.

From H. G. TURNER, Esq., Acting District Magistrate, Vizagapatam, to the Chief Secretary to Government, dated Sálúr, 31st October 1882, No. 747.

I have the honor, in accordance with G.O., dated 18th September 1882, No. 1246, Judicial, to submit a report on the working of the Chittivalasa Factory in this district, the only factory in the Vizagapatam Collectorate that comes within the purview of Act XV of 1881.

2. I inspected the factory on the morning of 16th October 1882, between the hours of 9 to 11 A.M., and I was met at the factory by Mr. Elsworthy, the Agent to Messrs. Arbuthnot and Co., who are the Proprietors of the Factory, and to whom I had given notice of my intended inspection, and by Mr. Innes, who is the Manager of the Factory. These gentlemen answered my interrogatories with great willingness, and gave me every facility in my work of inspection.

The factory is a jute factory, employing some hundreds of hands in the manufacture of gunny bags. It is situated at Chittivalasa, some two miles from Bimlipatam, near the banks of the Chittivalasa river, and the various rooms in which work is carried on, together with the engine-rooms, boilers, tool-sheds, wells, chimneys, &c., are enclosed by a high wall which prevents access to the public.

3. I beg to be excused for any deficiencies of expression in describing the parts of the factory and the machines, engines, &c., as I have no technical knowledge of factories. I felt that I was very much in the hands of the two gentlemen above mentioned in this initial inspection, but I am ready to say that they made no attempts to take advantage of my inexperience.

4. I went seriatim through Mr. Meade-King's letter to the Secretary to the Government of Bombay, dated 24th June 1882, and questioned Mr. Innes on the various points raised therein, and have now the honor to submit the result.

5. *Sanitary Provisions.*—Factory whitewashed once a year; last whitewashed in May or June. Looked clean. Latrines in a corner of the enclosure at a distance of 100 yards from main building; scoured continuously by hot water escaped from engine. This arrangement is adequate in my opinion.

6. *Ventilation.*—There are no blowing-rooms in jute mills. In preparing-room, which seems to be akin to the blowing-room of cotton mills, there is a great deal of dust and fluff. There are no special arrangements for preventing this.

The temperature in the working-rooms varies from 88° to 103° according to time of year and state of weather. At time of inspection it was 91°.

No sizing done in this mill. There are plenty of windows, but some in the spinning and preparing room do not open except four panes about the centre of the windows. This I think should be altered. Besides the windows, there are iron gratings below each window for ventilation. Roof ventilation is also provided in the preparing-room and in the spinning and weaving room. There is very much dust in the preparing department. It would be a good plan to have a current of air through this room, and such could, perhaps, be effected by the use of flues and exhausting fans as are recommended by Mr. Meade-King.

In the preparing-rooms, but not in the other departments, operatives tie cloths over their mouths to prevent dust getting in. No steam penetrates into the rooms where the people are at work, consequently no inconvenience is felt from acrid vapour.

7. No "child, a person under the age of twelve years," is employed in the factory. A few were employed before the Act came into force; but on its introduction, the child under twelve years was dispensed with (compare Mr. Meade-King's note on Section 7 at page 6). Mr. Innes dismissed "children" because, under the Act, they could only be employed nine hours a-day, and it would have been necessary to have employed another set to complete the day's work of about three remaining hours—obviously a most inconvenient arrangement from the points of view of wages earned, wages paid, of interruption of work in the middle of either the morning or the afternoon spell, and no doubt of processes of manipulation with which I am unacquainted.

8. Mr. Innes considers that the proposal made by Mr. Meade-King (at page 7, paragraph 6, beginning "my proposal is") is good, but does not bind himself to employ children, if the change be made in the law, without further consideration. There are 363 young persons, over twelve years of age, now employed in the factory I am reporting on.

9. These are passed by the Government Apothecary of Bimlipatam who comes over once a week to inspect the young persons who wish to join. This officer was not present at time of my inspection, but I gathered from Mr. Innes that he has no means of knowing how old the children really are, and apparently "makes a shot" at the age by looking at their physical appearance.

10. This procedure seems to me to be an excellent interpretation of the spirit of Sections 4 and 5, Act XV of 1881, though it is not quite in accord with the law therein contained. Virtually, this is the compulsory certification which Mr. Meade-King recommends at page 4 of Proceedings I am commenting on, though the use the certification is put to is to keep "children" out of the factory instead of letting them in. I saw several of the young persons over twelve. They looked well and hearty, but I have no possible means of telling their ages, and they might be either ten or thirteen, without my being able to detect it.

11. As to the recommendation of Mr. Meade-King that the ages of "children" should be raised to "thirteen," I regret that I am unable to follow his reasoning on the point. It appears to me that unless factories employ *children* (and we have no guarantee that they will take to employ them even if the hours are altered), the effect of raising the standard will be to deprive all such young persons in their thirteenth year, who belong to this class of operatives, of their livelihood, and no one who knows what the conditions of growth are in this country will say that a boy after completing his twelfth year is not old enough to help to keep the family-pot boiling.

12. *Wages (page 4 of Proceedings).*—The work-people are paid once a-month; this, Mr. Innes thinks, may have the effect of causing operatives to resort to sowsars; but, on the other hand, it is the custom of all employers of labor in the country, except perhaps field labor, to pay once a-month, and weekly payments would cause great inconvenience. In my opinion there seems no reason at present to legislate on this point.

Section 11.—A register of young persons is kept, but none of children, as none are employed.

13. The fly wheels and engines are fenced, in accordance with the requirements of the Scotch Act, as I was informed by Mr. Innes. There is, no doubt, a considerable amount of iron fencing and shields over many wheels and other moving machinery, whether it is sufficient or not I have no means of judging. There are plenty of wheels and revolving bands and whizzing things which are not fenced and which cannot be fenced if work is to be conducted. To my inexperienced eye they look anything but pleasant, but the work-people moved about among them with much familiarity, and I dare say my apprehensions will wear off after I have visited the factory a few more times. Mr. Innes admitted that there was danger in working the cylinders, and none but experienced men are allowed to handle them.

14. I think that the looms are too close to each other in one or two cases, and that there is not enough room provided between them for a gangway. There have been three serious accidents within the last three years:—

1st Accident.—A man lost his hand in setting up the hydraulic press by one of the weights falling on it. The weights are now fenced in.

2nd Accident.—A man got his arm entangled as he was readjusting a broken belt and was whirled about and injured so seriously that he died.

3rd Accident.—A boy got his hand in the wheels of a machine in the preparing-room. I inspected the place which seems fairly protected. The boy had no business at the spot.

I leave comment on these accidents to experts.

Notice of these accidents was sent to the District Magistrate in accordance with Section 13, Act XV of 1881.

15. A copy and translation of the rules published at pages 429, 430, and 431 of the *Fort St. George Gazette** should be

* Dated 15th August 1882.

stuck up in a prominent place in the factory. I called Mr. Elsworthy's attention to this omission, which he promised to rectify.

OPERATIONS OF THE ACT AND PROPOSALS FOR AMENDMENT.

16. I now proceed to notice categorically the several suggestions made by Mr. King and the alterations proposed by him in the Act. I will take his arrangement at page 11 and go seriatim through the sections to be altered.

17. Section 2 (b).—There are no factories in this district that will fall within the provisions of the Act if this clause is repealed. But as there may be some hereafter, I notice the proposal to repeal the clause with acquiescence.

18. Section 2 to be inserted.

The object of defining "young person" is to provide for the proposed alterations in Sections 8 and 8 (a), by which one day

Definitions of "young person," "child." in seven is to be a holiday, and the hours of work in any day are restricted for "young persons" from 6 A.M. to 6 P.M. It will be observed further that Mr. Meade-King proposes yet another class of "young persons under fourteen years"—see alterations in Sections 7 and 11. We have therefore, setting aside "women," three classes of juveniles to be treated in three different ways, viz., "children," "young persons under fourteen years of age," and "young persons," that is, three different sets of rules for ages—first, above eight years; second, above thirteen years; third, above fourteen years and under sixteen years.

For instance, a gang of children under thirteen years may only work six hours a-day. A gang above thirteen and under fourteen must obtain a certificate of fitness from the certifying Surgeon if employed for more than seven days in a factory, and while a gang of juveniles, above fourteen and under sixteen, may be entertained without a certificate, they can only work eleven hours a-day and must have one holiday in the week.

My opinion is that this complication of rules, which would bear further illustration, will cause the dismissal of all young persons under fourteen if not under sixteen.

19. Mr. Meade-King proposes the compulsory certification of young persons under fourteen. Now, in Vizagapatam, the certifying officer is the Civil Surgeon who lives at Waltair, 20 miles distant from Chittivalasa. It would be quite impossible for him to attend once in seven days at Chittivalasa to pass this class.

20. In his note on Section 7 at page 6 in the Proceedings under discussion, Mr. Meade-King says—

"The section restricting the daily employment of children to nine hours and requiring certain intervals to be given for food or rest seems to be incapable of enforcement . . . and the practical effect of it has been the absolute dismissal of some hundreds of children for whose protection the Act was passed;"

and lower down—

"The fact is that being neither 'half-timers,' nor 'full-timers,' there is nothing to mark their time of commencing or finishing work, nor the intervals to be allowed to them, &c."

This is precisely what I found at Chittivalasa. The result of the introduction of the Act was to cause the dismissal of several children.

21. It will be seen that Mr. Meade-King proposes, in order to work the sections applicable to children, that they should be allowed to work either six hours before noon or six hours after. Mr. Innes, of the Chittivalasa Factory, agreed that this was feasible. While therefore Mr. Meade-King admits the difficulty in working a class of children nine hours a day, he would create a new class of "young persons" whose work should be restricted to eleven hours.

22. It might be said that it is easier to supervise a timer beginning at 6 A.M. and ending at 6 P.M. with an interval of an hour, than a nine hours' timer, and so it would; but this is not all. From the Manager's point of view there is the very serious consideration that he must provide a hand to take the restricted timer's place before he comes and after he leaves. I think it is pretty clear that he will take no such trouble, and would rather dispense with this class altogether in the way that he has done with children.

23. Then, as regards the one day in the week rest (Section 8), the other object in introducing the "young persons" class, I think it would be too sweeping a measure to prohibit work being done in any factory by a female, young person, or child on any one day in the week. Probably Sunday would be the day selected by the Legislature. All the working classes in this country work on Sunday, and if they can and may work outside a factory, it is hard to see why they should not work inside. If a factory stops work on Sunday to allow machinery to be cleaned, why should not young persons, women, and children be employed on this work? Why should not Managers avail themselves of cheap labor in such operations? I apprehend that Mr. Meade-King only objects to hard work, to routine manipulation, continuing week in week out, without cessation. He cannot well object to any sort of work being conducted by our millions on Sunday.

24. Holidays are excellent things, and the more we can afford to take the better we are, but they are awkward things for the Legislature to interfere with, and, in my opinion, the less we have to do with the Sunday question, however brought up in India, the better.

25. It might be worth while to consider whether the law could provide for the stopping of the engines and machinery for one day in the week to ensure their being properly inspected. This would give cessation once a week to the monotonous routine work depending on machinery, not only to Mr. Meade's favored classes, but also to

men, and at the same time it would not prevent other and, perhaps, harmless work being done in the factory.

26. If these arguments against the time regulations for "young persons" and against the Sunday or other holiday regulation be deemed worth considering and adopting, it would follow that there would be no need for the definition of "young person" being inserted in Section 6 as proposed by Mr. Meade-King.

27. "Child."—"Thirteen" to be substituted for "twelve." The effect of the Act has been to deprive hundreds of children under the age of twelve of work.

At page 7, paragraph 5 of these Proceedings, Mr. Meade-King says, "many of those (Managers) who determined to dispense with the services of all under twelve will very probably arrive at a different conclusion when the question relates to all under thirteen."

28. One of the reasons, therefore, for raising the age from twelve to thirteen is to induce Managers to re-employ the under-twelve children, whom they have got rid off, to avoid the trouble of having to comply with the requirements of the Act.

29. With great respect for Mr. Meade-King's experience, I am bound to say that I doubt very much whether this result will follow. I believe that Managers will rather get rid of all children under the age of thirteen and so throw a larger and a more capable class out of employment than has already gone. I made some inquiries regarding the rate of wages given in the Chittivalasa Factory. I doubt whether I should make these public, but I am certain that the Manager is not likely to pay a child under twelve years much less than he now pays a young person between the ages of twelve and sixteen. Labor is very plentiful in this district and uncommonly cheap.

30. The re-employment of the under-twelve children is the only argument I can find in these papers for raising the standard from twelve to thirteen, and I do not think the argument a sound one, because the alteration in age may not, in my opinion, have the effect of causing the employment of children under twelve, and it is obviously unjust to deprive the twelve to thirteen aged children of work on the problematical possibility of such an effect coming to pass.

31. I observe at page 5, note on "child," Mr. Meade-King says he has referred elsewhere more fully to the ages, condition, and employment of children, ... and will therefore only suggest that the age of *thirteen* is quite young enough to commence "full-time" employment. But I regret that I have failed to find in these papers any further allusion to this matter than that which I have commented on above. Perhaps there are some other reports from his pen on the subject which have not been communicated. My conclusion is that I would retain the age of twelve years, and would reject the alteration to thirteen years now proposed by Mr. Meade-King.

32. The proviso to be added to Clause (2) would also disappear if my views are admitted.

33. Section 2, "Employed."—Mr. Meade-King proposes to alter "child" into "person." I do not see his reason for this. An alteration to "young person" would be necessary, if his "young person" class is to be created, but I cannot trace his object in proposing the word "person."

34. "To be added."—I do not think the added clause here meets the whole of what Mr. Meade-King wants; as it stands in the proposed alteration, children under eight might, by representing themselves to be learners, be, with impunity, in a room of a factory where the machinery is in motion.

35. But I take an objection *in limine*, and this is that the children instanced by Mr. Meade-King in his note on this subject at page 5 were employed therein within the meaning of the Act as it now stands, and that the Manager, in ignoring the employment, had made himself liable to the penalty laid down in Section 15. The words "whether for wages or not" meet, in my opinion, every end; and I am not sure that the prohibition against unemployed children entering a room when the machinery is in motion will not prove an unnecessary curtailment of many innocent actions.

36. Sections 3, 4, and 4 (c).—"Assistant Inspectors of Factories" will be very useful, and the proposed alterations in Sections 3 and 4, bearing on this innovation, have my acquiescence. So has the restriction of the powers of Inspectors by repeal of Section 4 (c).

37. Section 5, *Certifying Surgeons*.—By a Notification in the Gazette, dated Ootacamund, 7th July 1881, No. 229, the certifying Surgeon of this district is the Civil Surgeon. I have already stated that this officer resides at Waltair, 20 miles distant from Chittivalasa, and his services are not therefore available for certifying the age and the fitness of candidates for employment in that factory.

38. The difficulty has hitherto been met by the non-employment of children and the consequent absence of compulsory certification. As I have said, a Government Apothecary is in the habit of visiting the factory once a week from Bimlipatam, and of examining the young persons who present themselves for admission. But this is simply a precaution exercised by the proprietors, and it is neither enjoined by the law nor would the certificate of this Medical Subordinate be admissible in evidence under Section 16 of this Act.

39. I have used this argument already as a reason against the introduction of the "young persons" class, and I would here only add that it may be very likely necessary to notify Apothecaries for certifying, if children come to be employed at Chittivalasa and at similarly situated factories.

40. The alterations proposed for this Section (5) seems very judicious except, of course, the alterations of "seven" and "twelve" to "eight" and "thirteen."

Section 6.—Mr. Meade-King would have the title of the following sections changed from "children" to "women, children, and young persons." My reasons for objecting to the change are to be found in my comments on Section 2. The word "eight" is to be substituted for "seven." I shall say nothing about this, because I have had no experience at all of the subject. If children of seven years are more liable to injury than children of eight years, no exception must be taken to the alteration.

41. Section 7.—"Nine" to be altered to "six." This Mr. Innes thinks, and I agree, will provide for an amendment that is worth trying. I think, however, that before it passes into law, it would be well to ascertain whether it will actually have the effect of inducing Managers to employ juvenile labor as Mr. Meade-King hopes for. Mr. Innes, it will be observed, approved the measure, but was not able to say whether it would be advantageous to bring into practice or not.

42. Section 7, Paragraph 2.—The alteration proposed will be necessary if the six hours' time be accepted.

Paragraph 3.—I have noted above my objections to the change proposed by Mr. Meade-King. I will reiterate my opinion that compulsory certification will be most difficult in the present state of the Medical Service; and that the creation of another protected class among operatives will prove fertile of annoyance.

Paragraph 4.—I suggest that this paragraph end with—
"Showing the day on which the machinery is stopped (or the holiday appointed by the Legislature), and the intervals allowed for food and rest to all persons employed therein."

Paragraph 5.—If this paragraph be repealed and the fresh paragraph added to Section 2, as proposed by Mr. Meade-King, no restricted "timer" will be able to rest or take meals in any room or part of a factory, except while all the machinery is stopped, at the peril of the Manager having to include these hours of repose in the working hours. This may cause great inconvenience and may interfere unnecessarily with many harmless arrangements for food and relaxation.

43. Section 8.—I have discussed this matter above.

Section 8 (a).—As I have said, I see no necessity for this added section.

44. Section 9.—I apprehend that a parent or other person who made a false statement as to the employment of a child would be liable under the Penal Code for *cheating*; and the insertion of the new clause here might tend to shift the responsibility of employing a child in another factory on a morning or afternoon from the shoulders

of the "occupier" to those of the parent. I think that if any more stringent sanction is required for the due observance of this law, it should take the form of an injunction to the occupier, who might be penally bound to make the best inquiry in his power before employing children.

45. *Section 11.*—"If any" seems to be of no use, but I would not admit the proposed alteration for reasons stated above.

46. The proposed concluding clause is very necessary.

47. *Sanitary Provisions.*—The proposed insertion is excellent.

48. *Penalties, Section 15 (a).*—To stand as it is.

(b.)—If one holiday per week be allowed to children (and women and young persons) by the Legislature, the alteration is desirable. If the machinery be ordered to be stopped once a week, the day should be left to be fixed by the Inspector or Assistant Inspector after consultation with the "occupier."

(d.)—The alteration proposed is necessary.

49. *Section 16.*—My views on this proposed alteration go, of course, with my opinion on the whole question.

ENCLOSURE.

Note from J. HEWETSON, Esq., Assistant Magistrate, Vizagapatam, to the Chief Secretary to Government, dated Vizagapatam, 2nd November 1882.

(Reference.—District Magistrate's Report, dated 31st October 1882, No. 747.)

In paragraph 14 of the above report three accidents are described, the official report of the third of which is in the District Magistrate's Circuit Office.

2. Reports of four accidents are on the records of the District Magistrate's Office at head-quarters:—

- (1) On the 23rd August 1881 a boy of thirteen was struck in the face by a broken spinning frame belt.

This may be the second accident described in the body of the report, but the official report describes the boy as likely to return to work in a few days.

- (2) On the same day a boy of twelve, "while working a rope-stretching machine driven by himself, allowed his arm to be drawn in along with the rope, and consequently his arm was broken." The boy is said to have been amusing himself at the time.
- (3) On the 18th October 1881 a young man, "in the discharge of his duty, accidentally set a silver can too near the delivery roller of a drawing frame, and in consequence the thumb of his right-hand has been rather badly hurt."
- (4) On the 4th November 1881 a man, while endeavouring to remove a little sliver from a pair of small spur wheels he was attending while in motion, has in consequence lost one of his fingers.

3. The first of the accidents described by the District Magistrate probably occurred prior to the Act coming into force, and the second perhaps is the first described in this note.

4. The other three are, I suppose, passed over as not being serious.

5. Messrs. Arbuthnot and Co. will be asked whether the above supposition is correct, but I have not felt at liberty to detain the report any longer.

From A. CRUICKSHANK, Esq., District Magistrate of South Arcot, to the Chief Secretary to Government, dated Cuddalore, 3rd November 1882, No. 86.

With reference to G.O., dated the 8th September last, No. 1246, Judicial, I have the honor to forward, herewith, the report of the Assistant Magistrate who is at present the only Inspector of Factories in this district.

2. With respect to the Assistant Magistrate's remark that he was appointed Inspector on the 3rd September last, I have to observe that there are two factories in this district, viz., one at Nellikuppam, in the Assistant Magistrate's division, and one at Tiruvannanallur, in the Deputy Magistrate's division. At the time the rules were published there was an Assistant Magistrate, and as Government ruled in their Order

of the 10th March last, No. 271, Miscellaneous, that the Deputy Magistrate could not be Inspector of the Factory in his division, the Assistant Magistrate was desired to inspect it. Very soon after he left the district, and a native Temporary Deputy Magistrate was appointed. As he could not be Inspector of the Factories, the Head Assistant Magistrate was requested to inspect them. Both are at considerable distance from his head-quarters, and before Mr. Wedderburn could inspect them, he reverted to his appointment of Assistant Magistrate. As it is much easier for him than the Head Assistant to inspect the factories, I put them again under him.

3. Copies of the rules and forms, both in English and Tamil, which should have been supplied before, will now be supplied to the agent at each factory.

ENCLOSURE.

From F. E. K. WEDDERBURN, Esq., Assistant Magistrate of South Arcot, to the District Magistrate of South Arcot, dated Cuddalore, 23rd October 1882, No. 216.

I have the honor to forward, herewith, my report on the Factory Act under Section 6, called for in Proceedings, No. 193, dated 9th February 1882, of the Madras Government, Judicial Department.

As Assistant Magistrate, I was appointed 3rd September, under the Factory Act, as Inspector of the two factories of Messrs. Parry and Co., the one in my division at Nellikuppam, the other in the Deputy Magistrate's division at Tiruvannanallur.

Form A shows the nature of the factory. Form B the dates of inspection and remarks passed by me on inspection.

On giving notice under Rule III, no objection was made by the Manager to the placing of these two factories on the register.

No other factories were included in my register, and no appeals were made under Rule IV.

Under Rule VII the factories have only once been inspected by me, the official year not having yet closed.

Children.—As the agent proposes to employ no children under twelve in either factory, the Registers D, E, and F were not kept by the Managers in either factory.

Boys above the age of twelve are still retained in both factories. They were shown to me on inspection. Some appeared to be about twelve. Two only were objected to by me; but it is difficult to state whether a child is under eleven, twelve, or thirteen. Children under twelve are employed in building work about the factories, but it is not clear that these would fall under the definition not "being employed in manufacture of any article" and at present working in the open air.

Fencing.—The machinery in both factories is fairly fenced, with the exception mentioned in the remarks in Form B. As the Manager promised to have this fenced, I have not yet passed an order under Rule XI.

Rule XXII.—No accident has as yet been reported upon to me.

Rule XXIII.—Copies of the rules and forms have not yet been placed in the factory. No prosecutions have been withheld under the Act.

The result of the working of the Act so far has been to exclude children under twelve for employment, the Manager preferring to dismiss such children to subjecting himself to the regulations concerning them.

From A. CRUICKSHANK, Esq., District Magistrate of South Arcot, to the Chief Secretary to Government, dated Cuddalore, 3rd November 1882, No. 85.

With reference to G.O., dated the 8th September last, No. 1246, Judicial, I have the honor to state that I desired the Divisional Magistrates to report on the several alterations proposed by Mr. Meade-King in the Factories Act.

2. The Joint Magistrate says that as he has had no experience in the matter, he can give no opinion that would be worth recording.

3. The Head Assistant Magistrate is of opinion that instead of taking the age of a child as a standard of fitness for employment, the health and the strength should be taken, these being determined by height, by weight, and by some system of chest measurement, and that the sanitary provisions proposed should be included in the Act.

4. The Deputy Magistrate thinks that all factories, where steam or other mechanical power is used, should be brought under the provisions of the Act without any regard to the number of persons employed.

5. The Assistant Magistrate states that he has not had an opportunity of inspecting any of the smaller factories excluded from the Act, but the arguments for the protection of children and the fencing of machinery appear to be as applicable to a small place as to a large one, and of the two factories under his inspection, the larger is the cleaner and the better managed of the two; that he does not think that the Managers of the factories will be induced by the raising of the age of children to bring themselves under the Act by taking in children; that the change in Section 4 (c) will withdraw from the Inspector power to exclude any children he may consider under age; that the addition to Section 5 appears beneficial, but there appears to be no provision for excluding such physically weak children as may be found at the time of inspection; that it will be almost impossible for an Inspector, without medical assistance, to determine whether a child is under thirteen, fourteen, or sixteen; that it is not impossible that the Managers will exclude women and boys up to fourteen in order to get rid of this regulation; that there is no need to fix holidays, as work-people in this part of the country have holidays of their own, which they have no difficulty in getting; that women are no doubt employed before six, but they only work in relays and are not kept on the whole day; and that it would be well to be able to call the attention of Managers to the sanitary state of factories, though there is plenty of fresh air in both the factories under his inspection.

6. The factories in this district are well managed, and, so far as they are concerned, there appears no necessity for any modification of the Act now in force; but others may spring up under native management (in fact there is one now in the district which does not at present come under the Act in consequence of less than a hundred persons being employed in it), and it would be well to have the more stringent rules now proposed in force. I think the proposals of Mr. Meade-King should be given effect to with the exception of those regarding the ages of children and the repealing of Section 4 (c). It would be impossible for an Inspector to determine, with any degree of satisfaction to himself, what children are under thirteen years of age, what under fourteen, and what under sixteen, and it is desirable that an Inspector should have power to order the discharge of children employed in contravention of the Act.

From N. A. ROUPELL, Esq., Acting District Magistrate of Anantapur, to the Chief Secretary to Government, dated Anantapur, 4th November 1882, No. 303.

Government Order, dated 8th September 1882, No. 1246, Judicial, calls for reports from District Magistrates of the working of factories in their districts, as well as categorical notice of the suggestions made by Mr. Meade-King and the alterations proposed by him in the Act.

2. As already intimated in my letter, No. 146, dated 31st July last, there are no factories in this district falling within the scope of Act XV of 1881, the number of persons employed in the premises at Guntakal and Tadpatri falling short of one hundred in each case; as, however, the entire repeal of Clause (b) of paragraph 2 of the Act is strongly urged, and the Act, if so amended, would include all such premises as are defined in Section 2, irrespective of the number of hands employed in them, I would beg leave to submit the following report.

3. At Messrs. Arbuthnot and Co.'s Cotton Press at Guntakal, the establishment consists of forty-one persons. At the Tadpatri Presses, belonging to Mr. R. C. Walker and to Messrs. Harvey and Sabapathi, the numbers are forty and thirty-seven respectively. The working season at each press is from March to September, but work is occasionally carried on at other times.

4. So far as can be ascertained no accidents have occurred in any of these presses.

5. The hours of work are generally from 6 A.M. to 6 P.M. No hour is fixed for taking meals. This is done by the employes in turn so as to prevent interruption to the work. As regards holidays, no uniform system is maintained. In Mr. Walker's Press, Sundays and a few of the principal native holidays are allowed. In Messrs. Harvey and Sabapathi's Press no holiday is given unless particularly desired by the work-people. This is rarely the case, as it involves loss of pay. The press at Guntakal is closed, and the practice there is not known.

6. The sanitary provisions are not satisfactory. The attention of the press owners will be invited to this matter. The ventilation appears to be sufficient.

7. It would seem that no child under twelve years of age is employed in any of these presses.

8. Having given careful attention to Mr. Meade-King's suggestions and proposed amendments of the Act, I would beg leave to express my entire concurrence with them, and would merely suggest, with reference to the alterations proposed under Section 11, that the direction of the Inspector or Assistant Inspector should be by a *written* order.

9. I observe that the Act and Mr. Meade-King are alike silent regarding the hours of employment for adult males, in respect of whom, moreover, no day of rest is proposed. I venture to suggest the desirability of some legislative provision to protect these factory hands also from over-work and exhaustion.

From G. D. LEMAN, Esq., District Magistrate of Coimbatore, to the Chief Secretary to Government, dated Coimbatore, 6th November 1882, No. 100.

With reference to G.O., Judicial Department, No. 1246, dated 8th September 1882, and the reminder,* I have the honor to point out that the Order, No. 193, of 9th February 1882, directed that at

* Official Memorandum No. 1147, dated 17th October 1882, Judicial Department. the end of the calendar year every Inspector was to forward his report through the officer to whom he is officially subordinate, and that therefore I have no material at hand to make the report called for as full as it might have been.

2. Of factories that are factories under the Act there are none in the subdivision, nor in the General Deputy Collector's division. One has been registered in the Head Assistant's and one in the Assistant's division.

3. No accidents have been reported up to date, nor have any copies of orders of Inspectors been received by me. The registered factory in the Head Assistant Magistrate's division is reported to be carried on in accordance with the Act, but he brings to notice the unguarded state of a cotton-cleaning establishment worked by steam which does not come under the Factories Act. The machinery is in charge of a native, who calls himself a skilled engineer, and whose pay is Rs. 20 a-month. He says he has fifteen years' experience, but whether he has that knowledge which will insure the safety of the boilers and the employes in the establishment is a matter on which neither I nor Mr. Welsh can give an opinion.

4. The registered works in Coimbatore, belonging to Messrs. Stanes and Co., are safe, humanly speaking, from any accident. I have not received any Inspector's report, for Mr. Rawson has only recently replaced a Deputy Collector. I have, however, inspected the factory myself, and I found everything there carefully managed with a view to the safety of the persons employed.

5. In regard to smaller factories, there are none in the two divisions where no factories exist. There are two in the Head Assistant's division and one in Coimbatore town. These are cotton screws or cotton-cleaning establishments, or the two combined. Of one in Mr. Welsh's division I have already spoken. I do not think any supervision is necessary for the others and would limit, for the present, the Government inspection to factories where steam is the motive power.

6. I have no experience to guide me in giving an opinion on Mr. Meade-King's proposal to alter the Act, but I think that his complaints of small factories will not apply to this district where there are no such small factories as bone-crushing, grinding or other mills.

7. Taking his suggestions categorically—

In regard to Sanitary Provisions.—The internal whitewashing of factories should, I think, be made compulsory, and also where the factory is large or situated in a town at a distance from a public latrine, one should be provided on the premises, and, as a consequence, be kept in a proper state.

Hours of Work should, I think, be limited with children to six hours a-day. One day of rest should also be compulsory after six days' work. The Managers of factories might be allowed to fix the day. The latter rule of one day's rest should apply to adults also. I do not think Mr. Meade-King's distinction of "young persons" is necessary.

Certificates of Age and Fitness.—I do not think that the proposition, that the Manager of a Factory should be the applicant for a certificate, is quite safe. I would make it a joint application by the parent or guardian of the child and the Manager of a work.

Obstruction.—I have not the English Factory Act to refer to. I do not think in the Mofussil that an Inspector need fear obstruction.

Registers should be kept and shown as proposed by Mr. Meade-King.

Wages.—I do not think the changes proposed would be enforced by the Government in the Mofussil with any good effect, or that they are necessary.

Commission of Medical Men.—This would apply only to large towns I presume.

8. In regard to the operation and working of the Act, the objections taken by Mr. Meade-King have not, as far as my experience goes, any force in the Mofussil. Factories are not worked at night or by sleepy work-people. Children are hardly used at all, save in the coffee works where garbling is done by women, who, if they have small children, have nowhere to leave them and so bring them to the work. Children are not paid by the Managers. Whatever they garble goes into the mother's heaps. The children are not overworked and, in fact, please themselves whether they work or not.

Assistant Inspectors are not wanted in the Mofussil.

Section 4 (c).—I do not think there is much fear of this section being abused.

An order to stop a child's work, if the child be over age, can only be of effect during the time which may be necessary for a reference to a medical man.

Section 6.—I think the age of a child may be increased from seven to eight; but I would leave the adult age at twelve. I have already said that I do not think the introduction of Mr. Meade-King's "young person" is necessary.

Section 7.—Children are not employed in any of the factories here, and I cannot give an opinion on the necessity for the change proposed by Mr. Meade-King.

Section 8 presents no difficulty in the Mofussil.

Section 11.—Where children are employed, no doubt a register should be kept.

Section 12, the fencing of Engines, Fly Wheels, &c.—I have no reason to suppose that an Inspector's order would not be attended to.

From H. P. GORDON, Esq., District Magistrate of Bellary, to the Chief Secretary to Government, dated Bellary, 10th November 1882, No. 3797.

In accordance with G.O., of 8th September 1882, No. 1246, Judicial, I have the honor to report on the working of the factories in this district.

2. The establishments here, falling under this head, are all Cotton Presses, and are situated at Bellary and Adóni. There

1. *Adóni.*—Brunton Press Company.

2. *Adóni.*—Messrs. Harvey and Sabapathi's Cotton Press.

3. *Adóni.*—Messrs. Dymes and Co.'s Cotton Press.

4. *Bellary.*—Brunton Press Company.

5. *Bellary.*—Messrs. Harvey and Sabapathi's Cotton Press.

6. *Bellary.*—Messrs. Dymes and Co.'s Cotton Press.

7. *Bellary.*—Messrs. Arbuthnot and Co.'s Cotton Press.

are seven such presses belonging to the Companies shown in the margin. Nos. 2, 3, 5, 6, and 7 have been registered under the Act. The greatest number of persons employed in No. 4 being only 83, it has not been registered. The question of registration of No. 1 is still before the Inspector.

3. The period during which the presses are most busily occupied embraces the months of April, May, June, and July.

At other times they are worked only occasionally and with a less number of hands, but during the months indicated there is great pressure of business. The Head Assistant Collector, then recently appointed Inspector, was absent on privilege leave during the greater part of this period of the present year and did not therefore inspect the presses at the time most favorable for drawing conclusions as to the conditions under which they are worked.

4. The number of children employed here appears to be very small. The total number of persons employed in and about any press this year did not exceed 130. The ventilation of the buildings appears to be good.

5. I am in favor of the repeal of Section 2 (b) of the Act, and the application of the protective provisions of the law to factories, without regard to the number of persons employed, being of opinion that the danger of abuse is fully as great in small as in large factories.

6. I see no objection to the proposal to extend the minimum age for full time employment from twelve to thirteen years.

7. The appointment of Assistant Inspectors of Factories is very desirable in the circumstances of this district, where the factories are situated entirely outside the division of the Inspector, but as regards this district there is, in the absence of an Assistant, no European official who could be vested with the powers. There are, however, some duties connected with the post of Inspector which could be performed by a native official without risk of undue interference or collision. The Assistant Inspector's duties would presumably be confined to such as he was authorised by the Inspector to perform, and might be further limited by rule.

8. I concur in the advisability of repealing Section 4 (c) as unnecessary.

9. As to the proposed alterations in Section 5 (read with amendment to Section 7), the simplest plan I think would be to require a child applying for a certificate to produce a memorandum containing a sufficient description of the child and signed by the person employing him to the effect that the one proposes to employ the other, subject to his age being certified as above, eight or thirteen, as the case may be. I do not think such memoranda would probably be forged. To require the employer or his agent to produce the child before the Civil Surgeon would probably be equivalent to preventing his employment.

10. I think eight years is an improvement upon seven as the age for commencing factory work, and that the restriction on over-working of children can best be effected in the manner proposed by Mr. Meade-King. The result of the alterations proposed in the number of working hours will, however, I conceive, be the non-employment of children (under thirteen).

11. *Section 8.*—I think that the fixing of a particular day of the week by the Legislature, although that course has obvious advantages for inspection purposes, would, on the whole, be a mistake, and that the present arrangement is better. If the Legislature fixed a day, Sunday would probably be preferred, and this choice might be misconstrued. It is better, in my opinion, to allow the employer to take advantage, as he can do now, of the occurrence of recognised holidays, feasts, &c. It might

perhaps be advisable to provide, in the case of *children* and *young persons*, that no child shall be employed for more than six days continuously.

12. The addition of Section 8(a) and the appendage to Section 9 seem to me advisable.

13. Section 11.—The proposed alteration introduces a third class of youthful people, viz., “a young person under the age of fourteen years.” This seems to me an undesirable complication—the words “under the age of fourteen years” might, so far as I can judge, be struck out. Sixteen years of age does not seem an age too advanced for protection.

14. The proposed sanitary provisions will doubtless be found necessary when manufactures are extended.

From J. G. HORSFALL, Esq., District Magistrate, Kistna, to the Chief Secretary to Government, dated Masulipatam, 11th November 1882, No. 810.

I have the honor to submit my report upon the working of the Factories Act in this district. The only factory that comes within the purview of the Act in this district is the Department of Public Works Workshop at Bezvada, which was officially inspected by Mr. J. P. Fiddian on the 17th August last.

2. Mr. Fiddian writes that that rules seem to be very imperfectly understood and carried out. There was no notice of the working hours, &c., required by Section 7. On a scrap of paper pointed out to him, the working hours were entered as ten instead of nine. No notice had been received up to that date of the holidays allowed in each month, but this has since been rectified. The copies of the rules and forms in English and Telugu were not posted up as required by Rule XXIII, and Forms D, E, and F, were not kept.

3. Four of the children working full time were found to be under twelve years of age, but one of these has since been declared by Mr. Bonner, the Apothecary, to be fourteen years old.

4. The stunted growth of the children employed particularly attracted attention, and it was said that some of them had not grown at all since their first employment in the factory five or six years ago. If this be true, it is strong confirmation of the necessity of the Act and of the strict enforcement of its provisions.

5. Mr. Fiddian states that the notice of working hours, put up subsequently to his official visit, allowed ten hours for work, and that, on his pointing this out to the officer in charge, he was informed that the children were all bellows boys and had intervals when the furnaces were cooling, but that the exact time of these intervals could not be fixed. He rightly remarks that this means that no check can be exercised by the Inspector.

6. In Guntur, Mr. Mackenzie, the Joint Magistrate, examined, although these do not come under the Act, the five factories there. He found no children employed and but very few women; but many women and young children were at work in the neighbourhood sorting refuse cotton. The heat inside the building was intense, and the dust very great. Mr. Mackenzie is of opinion that all these factories, though not employing one hundred hands, should be brought under the Act. In one he observed dangerous machinery which ought to be guarded, and adds that, when occasion arises, the people are worked for very long hours, all day and all night, including Sundays, until the men are compelled to stop from sheer exhaustion or the boilers prime.

7. I consider that all the alterations in the Act suggested by Mr. King are advisable, and in this view Mr. Mackenzie concurs. Mr. Fiddian is of opinion that the suggestions as to Sections 2, 3, 4, except as to (c), 5 (except as to the first two clauses of alterations), 6, 7 (as to leaving out paragraphs 2 and 3 and inserting “and no child,” &c.), 8, 8(a), 9, 11, 15(a to d), 16 may be carried out with advantage. He opposes as premature the reduction of the working hours for children from nine to six, and the requirement of a certificate of age and fitness from every one under fourteen.

From C. S. CROLE, Esq., Acting District Magistrate of Madura, to the Chief Secretary to Government, dated Madura, 13th November 1882, No. 671.

With reference to G.O., No. 1246, dated 8th September 1882, I have the honor to report that, with the exception of a workshop in connection with the South Indian Railway in the town of Madura, which is under the control of the Consulting Engineer for Railways under Notification of Government, dated 9th February 1882, there are no factories employing machinery in this district. I have already communicated the latter fact in my letter, No. 550, dated 18th September 1882, and I have therefore no remarks to offer in regard to the suggestions and proposals referred to in the Government Order under reply.

From L. R. BURROWS, Esq., Acting District Magistrate of Malabar, to the Chief Secretary to Government, dated Calicut, 21st November 1882, No. 3582.

I have the honor to submit the report called for by Government in their Order, dated 8th September 1882, No. 1246, Judicial Department. I regret that, owing to most of the factories in this district being at work only from November to April, there was not sufficient time for Inspectors of Factories to inspect the operations after the promulgation of the factory rules. I have, however, directed them to conduct the necessary inspection during the present working season, and I hope that the next report on the subject will contain the detailed information desired by Government.

2. In the subdivision there are seven factories, of which one is located at Cannanore and the rest at Tellicherry. The former is employed in the manufacture of cotton fabrics of various kinds, while in the latter the garbling and preparation of coffee for shipment are usually carried on.

3. In the Calicut Division there are five factories, none of which turns out any work at present, save bone-crushing to a limited extent, and the work, on the usual scale, will be resumed only about the end of this month.

4. In Cochin Mr. Brodie served notices on four firms, intimating his intention of placing their factories upon his register of factories; but one of these was subsequently removed from it on a statement of objection being made under Rule IV of the Rules.

5. In regard to the alterations proposed by Mr. Meade-King in the factory law, I beg to submit the following extract from the Acting Head Assistant's report, which seems to contain suggestions deserving of careful consideration:—

“9. With reference to the alterations in the Act suggested by Mr. Meade-King, taking them seriatim, I beg to state that I concur with him in thinking Section 2 (b) not necessary. Whether a large or a small number of hands is employed appears to me to be a matter of detail, and the main points to be regarded—the security of the operatives from accidents and from working under insanitary conditions. In the largest works we have, as far as the number of employés goes, accidents by machinery cannot happen to more than twenty persons, as that number alone have anything to do with it or near it; whilst in the Callai Works, which are not a factory, forty to fifty persons are daily working in connection with machinery, and so liable to accidents.

“I think the making of such an intermediate class advisable with reference to night work alone. As far as ordinary daily work is concerned, in our West Coast factories such a classification is unnecessary, as the work in which such persons are employed is of a light nature and the ordinary hours not excessive (about ten). In the case of night work, a rule that no ‘young person’ (between sixteen and twelve years of age) should be employed on night work on the same day that he has been engaged in day work would be beneficial.

“Child.—I think the present limit of twelve quite sufficient, as the work done by persons of that age and under is very light (carrying light loads, turning over coffee to dry, garbling coffee or sorting coir), and the hours at present in force very moderate.

“‘Employed.’—I approve of Mr. Meade-King's suggestion to substitute the word ‘person’ for ‘child’ as more general, and also of the proposed additional clause, with the exception of the age which might remain seven.

“Section 3.—I would recommend the appointment of Assistant Inspectors, or that power be given to Inspectors to depute others to visit factories. Speaking for myself, I find it difficult to inspect the factories placed under me frequently, as they are all situated at a great distance from my head-quarters and out of my division. Also, in the event of an accident at Cochin, I might

have suddenly to leave my division for several days at a time when it was most inconvenient for me to do so in the public interest.

"I think Section 4 (c) liable to entail a double punishment, and therefore unfair. If it is to be retained, I think a proviso should be added disallowing prosecution in cases in which such an order is given.

"Section 5.—I think the first two alterations proposed reasonable and proper, but I see no sufficient ground for raising the age standard.

"Section 6.—This section will, I fancy, more than any other, be considered a source of hardship by the poor women who are in the habit of adding to their incomes by garbling coffee during the season. At present such women are, I believe, invariably paid by piece-work (so much per bushel), and many take their young children to the works with them, as they are too young to be left at home alone and keep them beside them at work. These children, as soon as they are old enough, are in the habit of assisting their mothers to the best of their ability, and whatever they do is included in the latter's store. Is then a child of five or six, whose mother takes it to the works with her because there is no one at home to take care of it, to be prohibited from touching a bean although the work would interest her and keep her quiet? Or are such children to be refused admission to the works altogether, which is the way in which Managers will probably get out of the difficulty? Either way the effect of the rule can only be that mothers with such children will resort for employment to establishments which are not factories, of which there are many, but in which they are neither so regularly paid nor so indulgently treated. I think, therefore, that coffee-garbling may, as an industry, be entirely left out of the scope of the Act, as it lasts only for some three or four months; the hours are short (between five and six), and not compulsory in any case; and children under eleven or twelve earn no pay, but whatever they do is added to that done by their parent or guardian under whose protection alone they are admitted to the works. In the case of other employments in our factories, I think the rule a good one as it stands.

"Section 7.—Whether nine hours in the course of the day is excessive or not appears to me to depend in great measure upon the nature of the work done by such children. This, as I have already stated, is of a very light description in our factories, and, with the exception of garbling, an interval in the middle of the day is always allowed. In the case of garbling, no interval is allowed, though the garblers occasionally take something to eat with them; but then the hours do not exceed seven or eight, the work is very light, and, whether the garblers stay a long time or a short, work diligently or the reverse, is left entirely to their own discretion.

"Such children are also never employed in any responsible work or work even indirectly dangerous. I would suggest 'not more than six hours without an interval, or nine hours with an interval of one hour.' This would almost cover the case of the garblers who begin work at any time between 8 and 9-30 A.M., and leave between 2-30 and 4 P.M. The first suggestion of Mr. Meade-King would be impossible in any of our factories, as no children begin work till 7 A.M., and the midday break takes place at noon, and I think paragraphs 2 and 3 need not be repealed so far as coffee works and coir presses are concerned.

"Section 7, Paragraph 4.—I approve of the proposed alterations.

"Section 7, Paragraph 5.—I disagree with Mr. Meade-King, and so far as Malabar industries are concerned, the repeal of paragraph 5 is unnecessary.

"Section 8.—I approve of the proposed alteration with the exception of the words 'young person,' and propose 'any Sunday in any week' as the termination.

"Section 8 (a).—I think it would be enough to say 'no female and no child,' and would add 'no young person shall be employed upon night work who has been employed upon day work upon the previous day.'

"Section 9.—This section hardly affects most of our factories, but it is useful, and so also the proposed addition.

"Section 10.—No remark.

"Section 11.—I would propose 'and young persons under the age of sixteen years who are engaged in any employment in which night work is ever demanded.' Such an addition would entail only unnecessary labor in the case of garblers and coir sorters who can only work in daylight.

"Section 14.—I approve of the proposed addition.

"Sanitary Provisions.—I think the proposed sanitary provisions highly desirable, as in some of the factories I have inspected improvement in this respect is highly necessary. Though bad smells are rare, there is often a great deal of unnecessary dust flying about, and factory premises are not always kept so clean as they might be.

"Sections 12, 13, and 14.—No remark.

"Section 15 (a), (b), and (d).—I approve of the proposed additions, and the proposed omission in (b) if Section 8 is altered.

"Section 16.—I do not approve of the proposed alteration as far as regards 'coffee-curing and coir-sorting,' as it would put the regular factories, which are very much superior in all respects, at a disadvantage compared with the many establishments that have no machinery, or none save what is worked by manual labor.

"Sections 17 to 19.—No remark.

"10. Summary.—To sum up, I am of opinion that the duties of an Inspector, as far as the coffee-curing industry is concerned, should be limited to seeing that machinery is properly fenced, that boilers are tested once in six months where employed all the year round, and once a year when worked for not more than six months in the year, and that a safe pressure is not exceeded. To seeing that premises are kept clean and that dust and other insanitary conditions are kept down. That children are not employed at night in connection with machinery, and young persons not day and night in succession, and that women and children are not employed upon some fixed day in the week. A minimum and maximum age to be insisted upon for children, except when employed in the open air as in drying coffee on barbecues or in garbling where labor is not compulsory. In the case of all other industries in vogue in the district, such as coir pressing and making manure, the provisions of the Act and Rules to be strictly enforced.

"11. I regret the delay in submitting this report, but was under the impression, till I received your order, that no report was required of me till the close of the calendar year. I would also remark that my opinions in this report are only given because I am asked to give them. I am quite without practical experience of the working of factories at home, and have deprecated the provisions of the Act as far as regards the coffee industry only, because I think it calculated to handicap the best-conducted establishments unfairly and because of its being only a temporary industry and requiring no heavy work (the heaviest work in connection with coffee-curing is the peeling, and so factories with machinery are much preferable to establishments where the peeling is done with rice-pounders). The work, with the exception of work in immediate connection with the machinery, is not, I think, calculated to injure the growth and constitutions of the workers. I think, therefore, that all labor in coffee works might, with the exception of engine-room labor, be well excluded from the Act."

From L. R. BURROWS, Esq., Acting District Magistrate, Malabar, to the Chief Secretary to Government, dated Calicut, 30th November 1882, No. 3720.

In continuation of my letter, No. 3582, dated 21st instant, I have the honor to

* Dated 2nd October 1882.

" 16th " "

" 13th " "

forward, for submission to Government, copies of letters* from Messrs. Hinde and Co., Peirce, Leslie, and Co., and Mr. Brunton on the subject of the Indian Factories Act.

2. The coffee-working season has not yet commenced, and I am not able to offer any suggestions founded on actual experience as to the necessity for bringing coffee-curing works under the operation of the Act. All the above and many other owners of such works have lodged objections which will be disposed of in due course. I have, in fact, already passed an order to strike out the premises of Mr. Brunton from the Factory Register. A copy of my proceedings in that case will be submitted to Government separately.

ENCLOSURES.

From Messrs. HINDE AND CO., to the Collector of Malabar, dated Calicut, 2nd October 1882.

We have the honor to acknowledge receipt of your letter, No. 2926, of the 30th ultimo, enclosing G.O., No. 1246, dated 5th September 1882, which we now return.

2. The Indian Factories Act was evidently framed with a view to regulate the labor in factories different in every respect from coffee-curing works, with which alone we are connected. At the same time we admit that several clauses of the Act are applicable to coffee works in common with all manufactories where machinery is used and large numbers of people employed. We refer specially to Sections 6, 7, 10, 12, and 13.

3. The alterations proposed in Section 7 we consider impracticable and unnecessary in coffee works.

4. The addition to Section 11 under the head of "Sanitary Provisions" we consider will be of benefit alike to employers and employed.

5. In conclusion we would observe that the "forms" to be filled up by owners of factories are quite unsuitable for coffee works, and should be modified to meet the circumstances and terms in which the major part of our laborers are employed.

6. In reply to the concluding portion of your letter, we may state that Calicut coffee works were commenced in the year 1851 on a small scale, and were increased in size, and machinery driven by steam-power introduced in 1860-61.

7. In 1870 we erected the newest and most approved description of peeling, winnowing, and sizing machinery, driven by an additional engine of 25 H. P.

8. When erecting a very heavy fly-wheel connected with this engine a man was most unfortunately killed: his family have ever since drawn a monthly pension from us. With this exception we have enjoyed perfect freedom from accidents since the works were first erected.

9. The season for curing and shipping coffee may be said to begin in November and terminate in May. When the season begins, our works are opened at 6 A.M. daily (occasionally on Sundays) and work commences at 7 o'clock. There is an hour's interval from 12 to 1 o'clock when work is resumed and continued until 5 or 6 P.M., varying according to the quantity of coffee which has to be collected from the barbecues and put into store.

10. The coffee is "garbled" or "picked over" exclusively by women and children; the work is done by contract, and a woman can earn from 2 to 4 annas daily.

11. A fixed quantity of coffee, after passing through the sizing machine, is placed in bags, and 500 to 800 of these bags, containing generally three-fourths of a bushel each, are every morning placed in rows in large, roomy, open-sided sheds. The garbling women generally come to work at from 8 to 9 o'clock A.M.; each woman takes a bag of coffee (or two women may take three bags) and at once commences work under male and female garbling inspectors. The garbling women enter and leave the yard whenever they like, but generally remain at work until they have completed the task they commenced in the morning, and this they do between 4-30 and 5-30 P.M., very few hands remaining up to the latter hour, so practically they are only at work for eight or nine hours daily.

12. That these people like the work is pretty evident from the long distances many of them walk in daily during the season so as to reach our yards in good time. They are very easily managed, and we have the same hands year after year; the greatest punishment we can inflict for any rare case of insubordination or gross neglect of work being to prohibit the offender from entering the works for the remainder of the season.

13. As you are aware, we have coffee works at Tellicherry, but do not think it necessary to refer especially to them, as the general remarks made above apply with equal force to both establishments.

From G. BRUNTON, Esq., to the District Magistrate of Malabar, dated Cochin, 13th October 1882.

In reply to your letter, dated 30th September 1882, I have the honor to state, with reference to the alterations proposed in the factory law, that so far as regards Cochin there are no factories which can be compared with cotton mills. No excessive hours of labor are enforced, and, as far as my knowledge goes, there has been no necessity shown for extending the Act to this place.

2. My own factories consist of two hydraulic presses driven by steam for pressing coir-yarn, fibre, &c., and a fitting shop with automatic tools for repairs, &c. I employ regularly not more than twenty-five to thirty hands, all male, and not one less than sixteen years of age. These men are the engine men, stokers, press-tenders, and lathe and other tool men directly concerned in the working of the machines. All the others work on contract and are paid in proportion to the work done. I begin work at 7 o'clock in the morning, knock off for an hour in the middle of the day and cease work at 5 P.M., unless there is a great demand for bales, when the presses are kept at work till dark; but this happens seldom. I never work on Sundays, unless unusually busy and to save ships from coming on demurrage, which may be three or four times in a year. I have no bell or other means of summoning the hands to work, and the door is always open. I pay every workman regularly once a week, and never retain even one day's pay in my hands; there are sufficient latrines over the water (tidal backwater), and as my buildings consist of sheds open to the atmosphere on two sides at least, there is no want of ventilation.

3. I should strongly protest against the substitution of the word "person" instead of "child" in the second section, because the persons employed within the premises of the factories are mostly working by hand, doing that which could be done, and is done to a large extent in premises which are merely yards and sheds with no machinery whatever in them, and though for convenience sake the owners of factories give the workers room for working, still there is no connection whatever between their work and the work that the machine does, as an example, I can instance my own case.

4. During the coir season a large number of women and children are sent into my premises (by the owners of the goods which I press) to sort the yarn or pick the fibre. With these people I have nothing whatever to do but to provide them room. I do not pay them and have no control over their movements. They do not work for me; their numbers vary constantly 15 or 20 to 200 or 300 from day to day; the women are paid by contract, that is, they have to sort or pick so much a day for a certain hire. If they fail, they complete the task next day; they bring their babies and infants with them whom they suckle or put to sleep while they squat on the ground

picking or sorting, chew betel, quarrel with their fellow-workers, attend to one another's coiffure in the native manner, or amuse themselves in some such innocent way; they come in at all hours, keep up an incessant jabber, and go out when it so pleases them, or they arrange comfortable beds of fibre and go to sleep; in fact, do just as if they were in their own premises. They certainly are never over-taxed with work, nor do they exact from their children more than the merest pretence of work. To ask me to keep a register of these people would be as reasonable as to require a list and description with age, &c., of all the crows that fly in to drink up the oil or pick up the grains of rice dropped by these females at their meals.

5. During the last forty-three years I have worked machinery of almost every description in this country. I have never killed a single man, nor had an accident whereby any one has been permanently lamed or maimed so as to incapacitate him from earning his rice as well as ever. In all cases of injury to the person, even where such has been attributable to the man's own carelessness or stupidity, I give him half pay until cured. I have never had a complaint of any description made against me in any Police Court by a servant or workman in my life.

6. I am not aware that there has been any cause in Cochin for the action of Government in protecting laborers from the rapacity or hardheartedness of their employers, and I should respectfully suggest that until the latter are proved to be incapable of acting fairly with their work-people, they should be left in peace, except so far as insisting on their machines being sufficiently protected.

From Messrs. PEIRCE, LESLIE, AND CO., Calicut, to the District Magistrate of Malabar, dated Calicut, 16th October 1882.

We have the honor to acknowledge the receipt of your letter, No. 2926, dated 30th ultimo, enclosing G.O., No. 1246, calling for reports on the working of the factories in the Madras Presidency.

2. Whilst we fully recognize and appreciate the benevolent intentions of the promoters of the Indian Factories Act, we fail to see the necessity for such an industry as ours being cramped and hampered by what appears to us to be unnecessary restrictions.

3. Our works at Calicut and Tellicherry are used principally for the preparation and shipment of coffee, and, on a more limited scale, of pepper, ginger, coir-fibre, coir-yarn, and other coast produce. Our Cochin works embrace, in addition to the articles above named, the preparation and shipment of cocoanut-oil.

4. The work is carried on principally in open sheds (and partly in the open air) supported on pillars, and having asphalted or wooden floors. The masonry is carefully whitewashed each season, and the floors are kept scrupulously clean, coffee being a delicate article requiring cleanliness and great care in its preparation and shipment.

5. The working season is from December to May inclusive; during the intervening months very little work is carried on.

6. A very large proportion (say 80 per cent.) of the work—people employed consists of women and their children. They arrive not earlier than 8 A.M., and leave from 4 to 5 P.M. The work on which they are engaged is picking discolored and broken beans from the good coffee, and as they are paid at a fixed rate per bushel, they are not required to work for any definite number of hours in the day.

7. When that praiseworthy philanthropist, the late Miss Mary Carpenter of Bristol, visited some of our produce-shipping works on this coast a few years back, she remarked to the writer of this letter that she was particularly struck with the cleanly appearance of the works, and with the good sanitary arrangements, as well as with the lightness and suitability of the work to women and children, and only suggested that it would be a great boon if female schools could be established in connection with such establishments.

8. In conclusion, we venture to remark that the amendments by which Mr. W. O. Meade-King proposes to assimilate the Indian to the English Act seem to ignore all differences of race and climate. We would suggest that the present Act should at least be fairly tested before it is altered to suit the views of visionary philanthropists, who have never had the opportunity of learning from actual experience the habits and requirements of natives in this country.

From J. B. PENNINGTON, Esq., District Magistrate of Tinnevely, to the Chief Secretary to Government, dated Tinnevely, 23rd December 1882, No. 1289.

I have the honor to submit the report called for in G.O., No. 1246, dated 8th September 1882, so far as Mr. King's suggestions are concerned. The report on the working of the one factory now under inspection has not yet been received from the Joint Magistrate, and he has been asked to expedite its submission.

2. The Joint Magistrate says he has consulted Mr. Milligan, the Manager of the only Factory, brought under the operation of the Act in his division, and remarks:—

"The alterations proposed seem to be unobjectionable and beneficial with the exceptions of those noted below."

"Section 2.—The addition to this section, to the effect that all above eight years of age found in the factory while the machinery is at work shall be deemed to be employed in the factory till the contrary is proved, is, I think, unnecessarily vexatious, at all events in the class of factories to be met with in this Presidency. The addition could only be useful where either the factory was so large that inspection would otherwise be difficult, or where no confidence could be placed in the statements of the Manager. The former state of things does not probably exist in the Presidency; while the latter, even if it does exist, is sufficiently provided for otherwise. I do not think it advisable or fair to tell all Managers of Factories that we won't believe them, without absolute proof, merely to save the Inspector a little trouble, and because an odd black sheep may, occasionally at the risk of almost certain detection sooner or later, try to evade the rules."

I think the presumption raised in the revised draft is right and would let it stand.

3. The Joint Magistrate further states:—

"Section 7.—Mr. Milligan objects to the first alteration to Section 7. On this point I can offer no opinion, being entirely without experience. I should say it was a question for the Doctors."

I entirely agree with the draft Bill; I think six hours in a factory in this country is as much as any child ought to be condemned to.

4. With reference to Section 11 the Joint Magistrate says:—

"The second paragraph of the sanitary provisions proposed to be added to this section is, I think, vexatious and unnecessary. As pointed out by Mr. Milligan, it does not follow that the Inspector will be qualified to direct how proper ventilation is to be secured. He may, of course, easily detect defective ventilation where it exists, and recognise the necessity of improving it, but his ideas of the way to improve it may be radically wrong and absurd. Under the proposed alterations, therefore, an Inspector, unacquainted with Mechanical Engineering, might, with the best intentions, easily put the Manager of a Factory to a considerable expense which he must undergo under a penalty of Rs. 200. It will be much better, I think, to leave the details of the improvements to the Managers of the Factories themselves, making them responsible only for the results. The first paragraph of the sanitary provisions is sufficient to attain this end, if a penalty for the breach of the provision is added to Section 15."

I concur in the justice of this criticism.

5. The only other suggestions received are from the Deputy Magistrate who says:—

"Section 5.—In his introductory remarks Mr. King insists that the certificates should be issued by the Civil Surgeon alone. Not to speak of the additional work and trouble that will be caused to that official, I submit this restriction will cause immense inconvenience to the parties concerned, and I would have every Inspector to issue the certificate in question. Though not a professional man, an Inspector is, for all practical purposes, as good an officer as any man of the medical service to certify the age and physical fitness of the persons to be employed in the factory."

This seems worthy of consideration, at any rate, the Inspector and the nearest Medical Officer might be trusted to decide the point.

6. The Deputy Magistrate adds:—

"There is only one Cotton Factory at Virudupati in the whole division which I would suggest might be brought under the Act."

I agree with him.

ORDER—dated 9th February 1883, No. 329, Judicial.

The foregoing replies to G.O., 8th September 1882, No. 1246, which will be communicated to the Government of India, contain reports on the working of the Factories Act in those districts where there are factories, as well as the opinions of officers concerned on the several alterations in the Act proposed by Mr. Meade-King.

2. The appended statement, compiled from the foregoing reports, shows that the Magistrates have not been as careful as they might have been in reporting on the various factories under their control and supplying information on the more essential points. Their attention will be directed to this matter, and they will be requested in their next annual reports, which should reach Government by the end of March, to furnish the fullest information possible, taking the several heads of the statement attached as indicative of the points on which information should be furnished. The statement shows that at Madras there are nine factories falling within the purview of the Act, and that the remaining twenty-eight are situated outside the Presidency Town. By the amendment of Section 2 of the Act, it is probable that some seventeen and more smaller factories will come under supervision. Generally speaking, there appears to be no factory under control which calls for any special measures, and the Act is now being followed in its integrity.

3. Turning to the amendments suggested by Mr. Meade-King, the Government have given consideration to the remarks recorded in the foregoing papers, and they are in favor of the following:—

- (1) The repeal of Section 2 of the Act.
- (2) The amended definitions of "young person" and "child."
- (3) The appointment of Assistant Inspectors.
- (4) The age of employment for children suggested in Section 6.
- (5) The hours of employment for children proposed in Section 7.
- (6) The hours of employment for women, &c., proposed in Section 8-A.
- (7) The sanitary provisions prescribed in Section 11.

4. The amendment of, and proposed addition to, Section 5 do not meet with the approval of Government, and the weekly day of rest proposed by an alteration of Section 8 is regarded as unnecessary, the native holidays occurring monthly being in themselves sufficient for purposes of relaxation. Should they from experience be found insufficient, provision can be made for it by future amendment of the Act.

(True Extract.)

C. G. MASTER,
Chief Secretary.

To the District Magistrate, South Canara.
Ganjam.
" " Vizagapatam.
" " South Arcot.
" " Anantapur.
" " Coimbatore.
" " Bellary.
" " Kistna.
" " Madura.
" " Malabar.
" " Tinnevely.
" Public Works Department.
" Consulting Engineer for Railways.
" Board of Revenue.
" Surgeon-General with the Government of Madras.
" Commissioner of Police.

ENDORSEMENT—dated 9th February 1883, No. 330, Judicial.

To the Government of India, Home Department, with reference to letter²thence, dated 12th August 1882, No. 17—1174.

C. G. MASTER,
Chief Secretary.

LIST OF FACTORIES.

Name of District.	Name of Factory.	Number of Hands employed.	Number of Accidents.	Machinery whether fenced or not.	Ventilation and Sanitation.	
Stations not given..	Three Railway Workshops ..	..	..	Yes.	Sufficient.	
Madras Town	Buckingham Spinning and Weaving Mill, Perambūr.	..	3	..	..	
	Spinning Mill at Choolay ..	..	1	..	..	
	S. T. Spinning Mill, Ráyapuram.	..	2	Yes.	..	
	Public Works Workshops ..	..	3	..	..	
	Powder Mills ..	..	4	..	..	
	Gun Carriage Factory ..	..	3	..	..	
Kistna ..	Grand Arsenal ..	..	..	..	..	
	Massey's Iron Foundry ..	..	1	..	..	
	Cement Works ..	..	..	..	..	
Ganjam ..	Public Works Workshops, Bezaváda.	..	..	..	..	Five not under Act.
	Aska	653	..	Nothing dangerous.	Good.	
Malabar ..	Indigo Factory at Parlákimedi.	..	..	..	..	
	One at Cannanore ..	..	..	..	..	
	Six at Tellicherry ..	..	..	..	..	Three not under Act.
South Arcot	Five in Calicut Division	..	..	..	..	One Factory not under Act.
Anantapur ..	Nellikuppam.	..	None.	Fairly fenced.	..	Three factories not under Act.
Coimbatore..	Tiruvannanallūr.	..	..	..	..	Do. do.
Bellary ..	Two	..	None.	Carefully managed.	..	Two do.
	Five Cotton Presses ..	..	..	..	..	
Tinnevely ..	Cotton Factory (1) ..	About 130 in each during working season.	..	..	..	
			No report received.			

Order thereon No. 587 W a / 22/2/83

Communicated to the officers of the P.W. Dept, concerned.

/ True Extract /

Sd/- J.P.

under Secy. to Govt. Wd.

Byd. W. J. Lewis and T. O'Connor.

Consy. Engr. for Cps.
Supty. Engr. First class
do Second class
Genl. Supt. P.W. Workshops.

Govt. of 1883 Madras.

JUDICIAL.

Issued

Recd.

Encl.

G.O., &c., 9th February 1883,
Nos. 329, 330.

B
No 587 11/2/83.

FEBRUARY.

Factories Act.

Passing orders on replies to G.O., No. 1246 of 1882, containing reports on the working of the — in those districts where there are factories, as well as the opinions of officers concerned on the several alterations in the Act proposed by Mr. Mende-King.

With order

8TH FEBRUARY 1883, No. 177, REVENUE.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—the following Proceedings of the Board of Revenue, dated 8th January 1883, No. 52:—

Read—the following letter from H. W. BLISS, Esq., Commissioner of Salt Revenue, to the Secretary to the Board of Revenue, dated Madras, 19th December 1882, No. 14215:—

The estimates marginally noted being each over Rs. 1,000, I requested the Superintendent Engineer, Sixth Circle, to countersign them. In reply, he stated that he was not aware of any Government Order under which they should be signed by him, and that he saw no advantage in estimates of the sort being sent to him; and requested me to direct the Deputy Commissioner of Salt Revenue, Southern Division, not to send him or to the Executive Engineers in his Circle estimates for countersignature.

2. I referred him to G.O., dated 20th October 1880, No. 1359, Revenue Department, and to the Board's Proceedings, No. 835, dated 18th June 1880, the first paper read therein, and pointed out that the only change introduced by that order of Government was to raise the limit of the amount of estimates requiring countersignature from Rs. 500 to Rs. 1,000, and requested him, under the explanation furnished, to countersign the estimates under consideration, which were therefore retransmitted for the purpose.

3. His reply now is that neither of the papers referred to relates to his Department, and that he cannot therefore countersign the estimates. He adds that it appears to him from the papers printed with G.O., No. 1359, dated 20th October 1880, that Government are of opinion that the Department of Public Works has nothing to do with estimates or completion certificates of works carried out by the Salt Department, whether over or under Rs. 1,000 in cost, and that that is most certainly the case under other orders, and concludes his letter with the request that, in case I consider that there is any advantage in estimates for Salt works being countersigned by officers of the Public Works Department, I will address Government on the subject.

4. I do not know what the "other orders" referred to by the Superintendent Engineer are. Under Board's Standing Order ¹⁵⁰ (Maclean's Edition)—vide G.O., dated 14th December 1880, No. 1711, Revenue—all estimates for works costing more than Rs. 1,000 should bear the countersignature of the Superintendent Engineer. I am not aware that this order has been either modified or cancelled. At the same time, I must say that I agree with the Superintendent Engineer that there is no particular advantage in the requirement of his countersignature, seeing that it is almost always impossible that it should signify more than that he has had the rates checked. In such an estimate as that for clearing the Vedarniem canal (enclosed), this is obviously the case. He could not check it properly without sending an officer to sound all along the portion of the canal proposed to be repaired, and for such a work I think it improbable that he would have an officer to spare. I consider, therefore, that in future his countersignature may be dispensed with,

though it should be understood that this Department will still be entitled to the advice of officers of the Public Works Department on projects which may involve engineering difficulties. I request that the orders of Government may be obtained.

5. In the mean time I have sanctioned the estimate for Rs. 1,600 for the extension of the Vattanam platform without the countersignature of the Superintending Engineer, and now forward the other estimate (for Rs. 5,000 for repairing the Vedarniem canal) for the Board's sanction, also not countersigned.

ENCLOSURE.—Estimate.

Resolution—dated 8th January 1883, No. 52.

Submitted for the orders of Government.

2. The Board concur with the Commissioner in the views expressed at paragraph 4 of his letter, and recommend that the countersignature of the officers of the Public Works Department be dispensed with in cases where it implies nothing more than that the rates charged are suitable. Revenue officers will, of course, avail themselves of the advice of the professional officers of the Department in cases where such officers are in a position to render valuable assistance, but the mere formal countersignature of estimates, &c., may well, in the Board's opinion, be dispensed with.

3. The Board will dispose of the Vedarniem estimate on receipt of the orders of Government.

(A true Copy and Extract.)

(Signed) E. GIBSON,
Acting Secretary.

To the Secretary to Government, Revenue
Department.

Copy to the Commissioner of Salt Revenue.

ORDER—dated 8th February 1883, No. 177, Revenue.

Separate Revenue, No. 3.
Salt.

The proposal of the Commissioner of Salt Revenue, supported by the Board, is approved and sanctioned. Of course, where the countersignature of the Public Works Officers to estimates is dispensed with, completion certificates by those officers will be dispensed with also.

(True Extract.)

Ag. Secretary to Government.

To the Board of Revenue.

„ Public Works Department.

Exd. W. H. French

80 Copies.

with 20 copies.

1883/1884

No 589 Waj 23 Feb 1883

Govt. of (1883) Madras.

REVENUE.

Communicated to
Supt Engineer for
information and
guidance.

Supt

Atty

21/2

Issued

Recd.

Encl.

G.O., 8th February 1882, No. 177.

FEBRUARY.

No 589 Waj 23/2/83

Estimates for Salt Works.

Proposal to dispense with countersignature of
the Public Works Officers to — costing more
than Rs. 1,000, approved and sanctioned.

With order

Encl. in P. 11/12

1883 ✓

Sept 23/2/83

24/2