

ANNO SEPTIMO

VICTORIÆ REGINÆ.

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CAP. XV.

An Act to amend the Laws relating to Labour in Factories. [6th *June* 1844.]

WHEREAS the Laws relating to Labour in Factories require to be amended: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That this Act shall take effect from and after the First Day of *October* in the Year One thousand eight hundred and forty-four, except any Provisions for the taking effect of which any other Time shall be herein-after specially limited, all which last-mentioned Provisions shall take effect from and after such Time as shall be herein-after specially mentioned in that Behalf. Commencement of Act.

II. And be it enacted, That after the passing of this Act no Inspector of Factories shall have Power in that Capacity to act as a Magistrate, or to make Rules, Regulations, and Orders as authorized by an Act, herein-after called "the Factory Act," passed in the Fourth Year of the Reign of His late Majesty, and intituled *An Act to regulate the Labour of Children and young Persons in the Mills and Factories of the United Kingdom*, except as herein-after mentioned; and that no Inspector or Person appointed to superintend the Execution of the Provisions of the Factory Act and of this Act, under Restriction on Power of Inspectors and Sub-Inspectors. 3 & 4 W. 4. c. 103. Their Exemption from certain Duties.

under the Direction of an Inspector, herein-after called a Sub-Inspector, shall be liable to serve upon any Jury, or to serve any Parochial or Municipal Office, so long as he shall continue to hold the Office of Inspector or Sub-Inspector.

Power of Inspectors and Sub-Inspectors.

III. And be it enacted, That every Inspector and Sub-Inspector shall have Power to enter every Part of any Factory at any Time, by Day or by Night, when any Person shall be employed therein, and to enter by Day any Place which he shall have Reason to believe to be a Factory, and to enter any School in which Children employed in Factories are educated, and at all Times to take with him into any Factory the certifying Surgeon of the District herein-after mentioned, and any Constable or other Peace Officer whom he may need to assist him, and shall have Power to examine, either alone or in the Presence of any other Person, as he shall think fit, every Person whom he shall find in a Factory or in such a School, or whom he shall have Reason to believe to be or to have been employed in a Factory within Two Months next preceding the Time when he shall require him to be examined touching any Matter within the Provisions of this Act, and the Inspector or Sub-Inspector may, if he shall see fit, require such Person to make and sign a Declaration of the Truth of the Matters respecting which he shall have been or shall be so examined; and every Inspector and Sub-Inspector shall have Power to examine the Registers, Certificates, Notices, and other Documents kept in pursuance of this Act; and every Person who shall refuse to be examined as aforesaid, or who shall refuse to sign his Name or affix his Mark to a Declaration of the Truth of the Matters respecting which he shall have been examined, or who shall in any Manner attempt to conceal or otherwise prevent any Child or other Person from appearing before or being examined by an Inspector or Sub-Inspector, or who shall prevent or knowingly delay the Admission of an Inspector or Sub-Inspector to any Part of a Factory or School, or shall prevent an Inspector or Sub-Inspector from examining any Register, Certificate, Notice, or other Document kept in pursuance of this Act, shall be deemed guilty of wilfully obstructing the Inspector or Sub-Inspector in the Execution of the Powers intrusted to him.

Protection of Inspectors and Sub-Inspectors.

24 G. 2. c. 44.

IV. And be it enacted, That the Provisions of an Act passed in the Twenty-fourth Year of the Reign of King *George* the Second, intituled *An Act for the rendering Justices of the Peace more safe in the Execution of their Office, and for indemnifying Constables and others acting in obedience to their Warrants*, as amended by any subsequent Act, so far as they relate to rendering Justices of the Peace more safe in the Execution of their Office, shall extend to protect the Inspectors and Sub-Inspectors in the Exercise of their Duties under this Act.

Office of Factory Inspectors.

V. And be it enacted, That a proper Office, to be called "The Office of the Factory Inspectors," shall be provided in *London* or *Westminster* for the Use of the Inspectors, and for the Preservation of the Factory Records, and all Documents relating to the several Proceedings under this Act; and One of Her Majesty's Principal

Secretaries of State shall appoint from Time to Time such Clerks and Servants as may be deemed necessary to carry on the Business of the said Office, and may at pleasure remove them or any of them; and the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* shall fix the Salaries of the Clerks and Servants in fit Proportion according to the Duties they may have to perform.

Management of the Office, and regulating the Duties of the Inspectors, &c.

VI. And be it enacted, That One of Her Majesty's Principal Secretaries of State, or the Inspectors, with the Approval of such Principal Secretary, from Time to Time may make Regulations for the Management of the said Office, and for regulating the Duties of the several Inspectors and Sub-Inspectors, and of the Clerks and Servants of the said Office, in the Execution of this Act, so that they be not contrary to the Provisions herein contained; and the Regulations so made and approved shall be binding on the said Inspectors and Sub-Inspectors, Clerks, and Servants respectively.

Persons beginning to occupy a Factory to send Notice to the Office of Factory Inspectors.

VII. And be it enacted, That after the passing of this Act every Person, on beginning to occupy a Factory, shall within One Month send, addressed "To the Office of the Factory Inspectors, *London*," a written Notice, containing the Name of the Factory, the Place, Township, Parish, and County where it is situated, the Post Office to which he desires his Letters to be addressed, the Nature of the Work, the Nature and Amount of the moving Power, and the Name of the Firm under which the Business of the Factory is to be carried on.

Certifying Surgeons to be appointed by an Inspector.

VIII. And be it enacted, That after the passing of this Act any Inspector shall have Power to appoint a sufficient Number of Persons practising Surgery or Medicine to be certifying Surgeons, for the Purpose of examining Persons who shall be brought before them to obtain the Surgical Certificates of Age required by the Factory Act and by this Act, and of giving the said Certificates, and shall from Time to Time make Regulations for their Guidance, and shall in every such Appointment specify the Factories or District for which each Surgeon is appointed, and may from Time to Time annul any such Appointment, and in like Manner make another or others; but every Appointment of a certifying Surgeon, and every Order annulling such Appointment, may be revoked by the Secretary of State, on Appeal made to him for either Purpose; and the Inspector of the District shall make known the Name of the certifying Surgeons so from Time to Time appointed or discontinued to the Occupiers of the Factories in that District in such Manner as to him shall seem fit; but no Surgeon, being the Occupier of a Factory, or having a beneficial Interest in any Factory, shall be a certifying Surgeon.

Form of Surgical Certificate.

IX. And be it enacted, That the Certificates of Age required by the Factory Act or by this Act, herein called Surgical Certificates, shall be given according to the Form and Directions contained in the Schedule (A.) annexed to this Act; and the Certificates given by any such certifying Surgeon shall be as valid as if countersigned by an Inspector, Justice of the Peace, or Burgh Magistrate; and the Name

Name of every Person for whom a Certificate of Age is required by the Factory Act or by this Act, and the Date of the First Day of Employment or Re-employment of such Person, shall be registered in the Form and according to the Directions given in the Schedule (B.) annexed to this Act, before it shall be lawful to employ such Person in a Factory: Provided always, that no Surgical Certificate shall be required for any young Person above the Age of Sixteen Years.

Certificates not given by certifying Surgeon must be by Persons duly authorized, and countersigned by a Magistrate.

X. And be it enacted, That no such Surgical Certificate given by any Person who is not an appointed certifying Surgeon shall be of any Force, unless it is given by a Person duly authorized by an University or College, or other public Body having Authority in that Behalf, to practise Surgery or Medicine, and countersigned, according to the Form and Directions given in the Schedule (A.) to this Act annexed, by some Justice of the Peace, not being the Occupier of a Factory, and not being the Father, Son, or Brother of the Occupier of a Factory; and no Person shall countersign any such Surgical Certificate in the Absence of the Person named therein, or without Proof that the Person brought before him is the same to whom the Certificate was granted.

Surgical Certificates to be given at the Factory.

XI. And be it enacted, That no Person shall grant any Surgical Certificate required by the Factory Act or by this Act, except upon personal Inspection of the Person named therein; and no certifying Surgeon shall examine any Person for the Purposes of this Act, or sign or issue any such Surgical Certificate, elsewhere than at the Factory where such Person is to be employed, unless for special Cause, to be allowed by an Inspector; and if a certifying Surgeon shall refuse to grant a Certificate of Age for any Person presented to him for such Examination, he shall give, when required, instead of such Certificate, a Paper specifying under his Hand the Reasons for such Refusal, in the Form and Directions given in the Schedule (A.) to this Act annexed.

Agreement between Mill Occupier and certifying Surgeon.

XII. And be it enacted, That if the Occupier of a Factory shall agree in Writing with the certifying Surgeon of a District for the Payment to be made by the Occupier of the Factory to the certifying Surgeon for the Examination of Persons for whom Surgical Certificates are required by the Factory Act or by this Act, and if the Terms of such Agreement shall be in conformity with such Regulations for the Guidance of the Surgeons as shall be made by the Inspector of the District, and shall be countersigned by the Inspector in token of such Conformity, all Penalties which may be incurred by any Party for Breach of such Agreement may be recovered as other Penalties under this Act may be recovered, and shall be applied as other Penalties under this Act are directed to be applied, and no such Agreement shall be liable to any Stamp Duty.

Inspector may fix Surgeon's Fees.

XIII. And be it enacted, That an Inspector shall fix the Amount of Fees to be paid by the Occupier of a Factory, and the Times when such Fees shall be paid to the certifying Surgeon, and also the Times when such certifying Surgeon shall visit a Factory, provided he

he shall be required to fix such Fees and Visits by the Occupier of a Factory; and the Fees so to be fixed by the Inspector shall not in any Case where the Surgeon shall examine more than One Person exceed One Shilling for each Person who shall be presented to him at the Factory by the Mill Owner or his Agent to be examined, together with Sixpence for every Half Mile that the Distance of the Factory from the Residence of such Surgeon shall exceed One Mile; and such Fees, including Mileage, shall not be less than One Shilling and shall in no Case exceed Five Shillings for any One Visit, except when upon such Visit the certifying Surgeon shall examine for the said Certificates of Age more than Ten Persons who may be brought before him as aforesaid, in which Case he shall receive Sixpence for each Person that he may so examine, instead of all other Fees; and in any Case where a Factory is situated within the Distance of One Mile from the Residence of a certifying Surgeon the Fee for such Factory shall not exceed Two Shillings and Sixpence for each Visit, except when at any One Visit he shall examine for the said Certificates of Age more than Five Persons who may be brought before him as aforesaid, in which Case he shall receive Sixpence for each Person that he may so examine, instead of all other Fees; and no certifying Surgeon shall receive more than Sixpence for any Certificate which he may be allowed by an Inspector, as hereinbefore provided, to sign or issue otherwise than at the Factory where the Person is to be employed; and the Occupier of any Factory shall pay such Fees to the certifying Surgeon at the Time of signing such Certificates, or at any other Time when he may be directed by the Inspector to do so; and the Occupier of such Factory may deduct the Fee or any Part thereof, not exceeding in any One Case the Sum of Three-pence, from the Wages of the Person for whom the Certificate may have been granted; but in any Case where such Agreement as aforesaid has been executed between an Occupier of a Factory and the certifying Surgeon the Amount named in such Agreement shall be instead of the Fees fixed by any Inspector in virtue of this Act: Provided always, that no certifying Surgeon shall be required to visit any Factory situated within Three Miles of his Residence oftener than once in each Week, or to visit any Factory situated at a greater Distance than Three Miles oftener than once in every Fortnight, unless with the Consent of the Occupier of the Factory.

New Surgical Certificate not required for Persons at present employed.

Inspectors and Sub-Inspectors may annul Certificates.

XIV. And be it enacted, That no Person who shall be employed in a Factory at the Time when this Act shall come into force under a Surgical Certificate granted under the Factory Act shall be required to have a new Surgical Certificate, in the Form and Manner provided by this Act, so long as he shall continue in the same Factory; but every Inspector and Sub-Inspector may annul any Surgical Certificate granted under this Act, and any Surgical Certificate granted before the passing of this Act, by writing across the Surgical Certificate the Word "Annulled," with his Name, and the Date of annulling such Certificate; provided that in either Case he shall have Reason to believe the real Age of the Person mentioned therein to be less than that mentioned in the Certificate, or provided the certifying Surgeon of the District shall, upon Reference made to

 him,

him, deem such Person to be then of deficient Health or Strength, or by Disease or bodily Infirmity incapacitated for Labour, or liable to be injured by continued Employment; and no Certificate so annulled shall be valid in respect of the Person named therein for the Purposes of this Act from the Day when the Certificate shall have been so annulled; and the Production of the Certificate shall be Evidence that the Certificate was annulled on the Day so stated.

Certificates of real Age may be obtained.

XV. And be it enacted, That in case any Person shall be desirous of proving the real Age of any Person for whom a certifying Surgeon shall have refused to grant a Certificate of Age for the Purposes of this Act, or whose Surgical Certificate any Inspector or Sub-Inspector shall have annulled, the Inspector or Sub-Inspector shall, on Demand, give to such Person a Requisition under his Hand, in a Form to be approved of by the Inspectors and by the Registrar General, for the Production of a duly certified Copy of the Entry of the Birth or Baptism of such Person; provided the Party demanding the same shall declare the Names of such Person and of his Parents, with the Place where and the Year in which he was born or baptized, which Particulars shall be set forth in the Requisition; and every Party to whom such Requisition shall have been given shall be entitled, upon Payment of One Shilling, to receive, on personal Application, or on Application in Writing, in such Form and under such Regulations as shall be approved of by the Inspectors and Registrar General, from any Minister, Registrar, or other Person having the Care of any Register of Births or Baptisms in which the Birth or Baptism of such Person is entered, a duly certified Copy of the Entry in such Register, which shall be indorsed on the aforesaid Requisition, and shall be signed by the Minister, Registrar, or other Person having Charge of such Register; and such Payment of One Shilling shall be instead of all other Fees or Payments to which such Minister, Registrar, or other Person shall be entitled; and if the said certified Copy proving the Age of the Person named therein to be such as to entitle him to have the Surgical Certificate required shall be produced to the certifying Surgeon of the District, he shall examine the same, and if it shall appear to him that the said certified Copy has not been altered or falsified in any Manner, the certifying Surgeon shall thereupon, without further Fee or Reward, give a Surgical Certificate in the Form provided for that Case in Schedule (A.) to this Act annexed, and shall write the Word "Examined" upon the certified Copy of the Entry of the Birth or Baptism which he shall have received, with his Signature, and the Date of such Signature, and shall send such certified Copy by the Post to the Sub-Inspector of the District, who shall send a Receipt for the same by Post to the said Surgeon, and shall keep such certified Copy of the Entry of the Birth or Baptism, for future Reference, if necessary; and if any Inspector of Factories shall require a certified Copy of the Entry of the Birth of any Person employed in any Factory from the Office of the Registrar General, he, or any Person deputed by him, shall, on producing a Requisition in the Form herein-before provided, be entitled to examine the Indexes to the Registers in the General Register Office, and to receive such certified Copy indorsed on the Requi-

Requisition without the Payment of any Fee; but no certified Copy of the Entry of any Birth or Baptism issued in consequence of any such Requisition herein-before provided shall be admissible in Evidence in any Court or for any Purpose, save for the Purposes of this Act: Provided always, that in those Cases in which a Surgical Certificate shall have been refused or annulled in consequence of deficient Health or Strength, or by reason of Disease or bodily Infirmity, the Inspector or Sub-Inspector shall not sign the Requisition herein-before mentioned, and such Person shall not be employed on Proof of real Age only.

Certificate to be obtained before the Person is employed, and to serve only for One Factory.

XVI. And be it enacted, That before employing any Person requiring a Surgical Certificate under the Factory Act as amended by this Act the Occupier of the Factory shall obtain the Surgical Certificate, save as herein-after excepted, and shall keep, and be bound to produce every such Certificate, when required, to the Inspector or Sub-Inspector; and no Surgical Certificate shall be valid except for Employment at the Factory for which it was originally granted, or, if granted by a certifying Surgeon, at any other Factory in the Occupation of the same Person who is Occupier of the Factory for which the Certificate was originally granted, provided such other Factory be in the District of the certifying Surgeon who granted the Certificate, and the Certificate be produced in the Factory where the Person named in the Certificate is at work; and the certifying Surgeon, as often as he shall visit a Factory for the Purpose of granting Certificates, shall enter in the Register of Workers the Date of his Visit, and the other Particulars set forth in the Form and according to the Directions given in Schedule (B.) to this Act annexed.

Surgical Certificates may be dispensed with for Seven or Thirteen Days.

XVII. Provided always, and be it enacted, That no Occupier of any Factory shall be liable to any Penalty for employing any Person in any Manner not contrary to the other Provisions of the Factory Act as amended by this Act, without a Surgical Certificate, for any Time not exceeding Seven working Days, or, when the certifying Surgeon shall reside more than Three Miles from the Factory, for any Time not exceeding Thirteen working Days, provided all Surgical Certificates for that Factory be granted only by the certifying Surgeon appointed for that Factory; but this Enactment shall not be construed to dispense with the Certificate of School Attendance, or to authorize the Employment of any Person in respect of whom the certifying Surgeon shall have refused to grant such Surgical Certificate.

Lime-washing and other washing of the Interior of Factories.

XVIII. And be it enacted, That after the passing of this Act it shall not be necessary to limewash the Walls of any Mill, Factory, or Building, or to whitewash the Ceilings of any Rooms therein, otherwise than is herein-after provided; and that all the inside Walls, Ceilings, or Tops of Rooms, whether plastered or not, and all the Passages and Staircases of every Factory, which shall not have been painted with Oil once at least within Seven Years, shall be limewashed once at least within every successive Period of Fourteen Months, to date from the Period when last whitewashed; and all the inside Walls and Ceilings or Tops of Rooms in which Children or young Persons

Persons are employed, and which are painted with Oil, shall be washed with hot Water and Soap once at least within every successive Period of Fourteen Months, as aforesaid.

Protection of Workers in wet-spinning Flax Mills.

XIX. And be it enacted, That after the Expiration of Six Months from the Date of this Act coming into operation no Child or young Person shall be employed in any Part of a Factory in which the wet-spinning of Flax, Hemp, Jute, or Tow is carried on, unless sufficient Means shall be employed and continued for protecting the Workers from being wetted, and, where hot Water is used, for preventing the Escape of Steam into the Room occupied by the Workers.

Mill-gearing not to be cleaned while in Motion.

XX. And be it enacted, That no Child or young Person shall be allowed to clean any Part of the Mill-gearing in a Factory while the same is in motion for the Purpose of propelling any Part of the manufacturing Machinery; and no Child or young Person shall be allowed to work between the fixed and traversing Part of any self-acting Machine while the latter is in motion by the Action of the Steam Engine, Water-wheel, or other mechanical Power.

Machinery to be guarded.

XXI. And be it enacted, That every Fly-wheel directly connected with the Steam Engine or Water-wheel or other mechanical Power, whether in the Engine House or not, and every Part of a Steam Engine and Water-wheel, and every Hoist or Teagle, near to which Children or young Persons are liable to pass or be employed, and all Parts of the Mill-gearing in a Factory, shall be securely fenced; and every Wheel-race not otherwise secured shall be fenced close to the Edge of the Wheel-race; and the said Protection to each Part shall not be removed while the Parts required to be fenced are in motion by the Action of the Steam Engine, Water-wheel, or other mechanical Power for any manufacturing Process.

Notice to be given of Accidents causing bodily Injury.

XXII. And be it enacted, That if any Accident shall occur in a Factory which shall cause any bodily Injury to any Person employed therein which shall have been of such a Nature as to prevent the Person so injured from returning to his Work in the Factory before Nine of the Clock of the following Morning, the Occupier of the Factory, or in his Absence his principal Agent, shall within Twenty-four Hours of such Absence send a Notice thereof in Writing to the Surgeon appointed to grant Certificates of Age for the District in which the Factory is situated, in which Notice the Place of Residence of the Person injured, or the Place to which he may have been removed, shall be stated; and the Surgeon shall send a Copy of such Notice to the Sub-Inspector of the District by the first Post after the Receipt thereof.

Certifying Surgeon to examine into the Causes and Extent of Accidents, and report thereon.

XXIII. And be it enacted, That if a certifying Surgeon shall receive Notice as aforesaid that an Accident has occurred which has caused bodily Injury to any Person employed in a Factory for which he has been appointed to grant Certificates of Age, and that it has been of such a Nature as to have prevented the Person so injured from returning to his Work in the Factory the following Morning, he shall with the least possible Delay proceed to the said

Factory,

Factory, and make a full Investigation as to the Nature and Cause of such bodily Injury, and shall within the next Twenty-four Hours send to the Inspector of the District a Report thereof, a Copy of which Report, together with any other Information which he may receive respecting the said Accident, the Inspector of the District shall send to the Office of the Factory Inspectors as soon as conveniently may be; and the certifying Surgeon, for the Purpose of such Investigations only, shall have the same Power, Authority, and Protection as an Inspector, and shall also have Power to enter any Room in any Building to which the injured Person may have been removed; and for such Investigation the said Surgeon shall receive a Fee not exceeding Ten Shillings, or such Part thereof, not being less than Three Shillings, as the Inspector of the District may consider a reasonable Remuneration to the Surgeon for his Trouble, which Fee shall be paid as other Expences incurred under this Act.

Prosecution for Compensation by an Inspector.

XXIV. And be it enacted, That One of Her Majesty's Principal Secretaries of State, on the Report and Recommendation of an Inspector, may empower such Inspector to direct One or more Actions to be brought in the Name and on behalf of any Person who shall be reported by such Inspector to have received any bodily Injury from the Machinery of any Factory, for the Recovery of Damages for and on behalf of such Person.

Application of Compensation when recovered.

XXV. And be it enacted, That any Damages which shall be recovered in any Action so directed to be brought shall be paid, as soon after they are received as conveniently may be, to the Person in whose Behalf they have been recovered, or shall be otherwise settled for the Use and Benefit of the said Person in such Manner as shall be approved of by the Secretary of State; and in case a Verdict shall be found for the Defendant, or Judgment shall be recovered against the Plaintiff, or the Plaintiff shall be nonsuited, the Defendant shall have the like Remedies for his Costs against the Inspector as he might have had against the Plaintiff; and all Charges and Expences incurred in bringing any such Action, beyond what are recovered from the Defendant, and not otherwise provided for, shall be paid as other Expences incurred under this Act are to be paid.

For ensuring Regularity in the Observance of Time.

XXVI. And be it enacted, That the Hours of the Work of Children and young Persons in every Factory shall be reckoned from the Time when any Child or young Person shall first begin to work in the Morning in such Factory, and shall be regulated by a public Clock, or by some other Clock open to the public View, to be approved of in either Case in Writing under the Hand of the Inspector or Sub-Inspector of the District.

Registers to be kept in every Factory.

XXVII. And be it enacted, That Registers shall be kept in the Factory to which they relate, by the Occupier of every Factory, according to the Forms and Directions given in Schedule (B.) to this Act annexed; and every Inspector shall have Power to require such Occupier to send to him, in such Manner as may be directed in the Requisition, any Extracts from such Registers, and any other Information with relation to the Persons employed in the Factory,

which may be requisite to facilitate the Performance of the Duties of such Inspector in any Inquiry made under the Authority of the Factory Act or of this Act; but no Information so sent by the Occupier of any Factory which is not contained in the Registers, Certificates, and other Documents required by this Act to be received or kept shall be admissible in Evidence in any Proceeding against him for the Recovery of any Penalty; and the Registers, Certificates, and other Documents required by this Act to be received or kept shall be forthwith produced to the Inspector or Sub-Inspector, on his demanding to examine the same at any Time when the Factory is at work.

An Abstract of this Act, and certain Notices, to be hung up in every Factory.

XXVIII. And be it enacted, That it shall not be necessary to hang up in any Mill or Factory any Copy of any Abstract of the Factory Act, or of any Regulations made in pursuance of the said Act, other than is herein-after provided; and that such Abstract of the Factory Act as amended by this Act as shall be directed by One of Her Majesty's Principal Secretaries of State shall be fixed on a moveable Board, and be hung up as soon as received by the Occupier of the Factory or his Agent in the Entrance of the Factory, and in such other Places as the Inspector or Sub-Inspector of the District may direct; and Notices of the Names and Addresses of the Inspector and Sub-Inspector of the District in which the Factory is situated, of the Name and Address of the Surgeon who grants Certificates of Age for the Factory, of the Clock by which the Hours of Work in the Factory are regulated, of the Times of beginning and ending daily Work of all Persons employed in the Factory, and any Alteration thereof, of the Times of the Day and Amount of Time allowed for their several Meals, of all Time lost which is intended to be recovered, and of all Time which shall be recovered, together with every other Notice required by this Act, written or printed in legible Characters, and fixed on moveable Boards, (each particular Notice being signed by the Occupier of every Factory or his Agent,) shall be hung up in the Entrance of the Factory, where they may be easily read by the Persons employed in the Factory, and in such other Places as the Inspector or Sub-Inspector of the District may direct, and whence they shall not be removed while the Factory is at work; and in case any such Abstract of the Factory Act as amended by this Act, or Notice, shall become illegible in any Part, the Occupier of the Factory shall cause a new Copy thereof to be provided and hung up as aforesaid; but the Notice of lost Time need not remain after the whole of the lost Time intended to be recovered shall have been recovered; and every Notice required to be hung up shall be in the Forms and according to the Directions given in the Schedule (C.) hereunto annexed.

Children may be employed in Factories at Eight Years of Age.

XXIX. And be it enacted, That every Child who shall have completed his Eighth Year, and shall have obtained the Surgical Certificate required by this Act of having completed his Eighth Year, may be employed in a Factory in the same Manner and under the same Regulations as Children who have completed their Ninth Year; but no Child under Eight Years of Age shall be employed in any Factory.

XXX. And

Time of Children's Work.

XXX. And be it enacted, That no Child shall be employed in any Factory more than Six Hours and Thirty Minutes in any One Day, save as herein-after excepted, unless the Dinner Time of the young Persons in such Factory shall begin at One of the Clock, in which Case Children beginning to work in the Morning may work for Seven Hours in One Day; and no Child who shall have been employed in a Factory before Noon of any Day shall be employed in the same or any other Factory, either for the Purpose of recovering lost Time or otherwise, after One of the Clock in the Afternoon of the same Day, save in the Cases when Children may work on alternate Days, or in Silk Factories more than Seven Hours in any One Day, as herein-after provided.

How Children may be employed on Three alternate Days of the Week.

XXXI. And be it enacted, That in any Factory in which the Labour of young Persons is restricted to Ten Hours in any One Day it shall be lawful to employ any Child Ten Hours in any One Day on Three alternate Days of every Week, provided that such Child shall not be employed in any Manner in the same or in any other Factory on Two successive Days, nor after Half past Four of the Clock in the Afternoon of any *Saturday*: Provided always, that the Parent or Person having direct Benefit from the Wages of any Child so employed shall cause such Child to attend some School for at least Five Hours between the Hours of Eight of the Clock in the Morning and Six of the Clock in the Afternoon of the same Day on each Week Day preceding each Day of Employment in the Factory, unless such preceding Day shall be a *Saturday*, when no School Attendance of such Child shall be required: Provided also, that on *Monday* in every Week after that in which such Child began to work in the Factory, or any other Day appointed for that Purpose by the Inspector of the District, the Occupier of the Factory shall obtain a Certificate from a Schoolmaster, according to the Form and Directions given in the Schedule (A.) to this Act annexed, that such Child has attended School as required by this Act; but it shall not be lawful to employ any Child in a Factory more than Seven Hours in any One Day, until the Owner of the Factory shall have sent a Notice in Writing to the Inspector of the District of his Intention to restrict the Hours of Labour of young Persons in the Factory to Ten Hours a Day, and to employ Children Ten Hours a Day; and if such Occupier of a Factory shall at any Time cease so to employ Children Ten Hours a Day he shall not again employ any Child in his Factory more than Seven Hours in any One Day until he shall have sent a further Notice to the Inspector in the Manner herein-before provided.

Women to be employed as young Persons.

XXXII. And be it enacted, That no Female above the Age of Eighteen Years shall be employed in any Factory save for the same Time and in the same Manner as young Persons may be employed in Factories; and that any Person who shall be convicted of employing a Female above the Age of Eighteen Years for any longer Time or in any other Manner shall for every such Offence be adjudged to pay the same Penalty as is provided in the like Case for employing a young Person contrary to Law: Provided always, that nothing herein

or

or in the Factory Act contained as to Certificates of Age shall be taken to apply to Females above the Age of Eighteen Years.

Provision for recovering lost Time by Stoppage of the Machinery.

XXXIII. And be it enacted, That no Time lost by Accident or otherwise in any Factory shall be made good or worked up by Extension of ordinary Hours of Labour, save as is herein-after provided; and that in any Factory in which any Part of the Machinery is moved by the Power of Water the Time which shall have been lost by Stoppages from Want of Water, or from too much Water, may be recovered in manner following, within Six Months next after the Stoppage, between the Hours specified in the Factory Act as those within which Time lost by Drought or Excess of Water may be recovered; and in order to recover Time so lost any Child or young Person may be employed One Hour in each Day more than the Time to which the ordinary daily Labour of Children and young Persons respectively is restricted by Law, except on *Saturday;* but it shall not be lawful so to recover any lost Time until a Notice shall have been sent by Post to the Sub-Inspector of the District in which the Factory is situated, stating the Intention so to recover Time that has been lost, nor unless a Notice according to the Form and Directions given in the Schedule (C.) to this Act annexed shall have been previously fixed up in the Entrance of the Factory, and in such other Places as an Inspector or Sub-Inspector may direct; and such Notice shall be kept so fixed up during the whole Time while the lost Time is in course of being recovered; and such Notice shall be kept in a Book as directed in the said Schedule (C.); nor shall lost Time be so recovered on Two successive Days, unless the Amount of Time recovered on any One Day shall be inserted before Nine of the Clock in the Morning of the following Day in the last-mentioned Notice.

Provision for recovering Time lost by partial Stoppages.

XXXIV. And be it enacted, That in any Factory in which any Part of the Machinery is moved by the Power of Water, when the Stream is so diminished by Drought or swollen by Flood during any Part of the Day that any Part of the manufacturing Machinery driven by the Water-wheel has been stopped by reason of such Drought or Flood, the young Persons who would have been employed at such Machinery may recover such lost Time during the Night next following the said Day, unless the said Day be *Saturday:* Provided always, that no such young Person shall be employed during any Twenty-four consecutive Hours for a greater Number of Hours than that to which the ordinary daily Labour of such young Persons in Factories is otherwise restricted by Law; and that no young Person so employed in the Night shall work more than Five Hours, without an entire Cessation from Work of at least Thirty Minutes; but it shall not be lawful to recover any such lost Time unless a Notice according to the Form and Directions given in the Schedule (C.) to this Act annexed shall have been previously fixed up in the Entrance of the Factory, and in such other Places as an Inspector or Sub-Inspector may direct, and unless such Notice be kept so fixed up during the whole Time while the lost Time is in course of being recovered; and such Notice shall be kept in a Book as directed in the said Schedule (C.)

XXXV. And

XXXV. And be it enacted, That no Child or young Person shall be employed in a Factory, either to recover lost Time or for any other Purpose, on any *Saturday* after Half past Four of the Clock in the Afternoon. Work to cease on Saturday at Half past Four.

XXXVI. And be it enacted, That the Times allowed for Meal Times as provided by the Factory Act shall be taken between the Hours of Half past Seven in the Morning and Half past Seven in the Evening of every Day, and One Hour thereof at the least shall be given, either the whole at one Time or at different Times, before Three of the Clock in the Afternoon; and no Child or young Person shall be employed more than Five Hours before One of the Clock in the Afternoon of any Day without an Interval for Meal Time of at least Thirty Minutes; and during any Meal Time which shall form any Part of the Hour and a Half allowed for Meals no Child or young Person shall be employed or allowed to remain in any Room in which any manufacturing Process is then carried on; and all the young Persons employed in a Factory shall have the Time for Meals at the same Period of the Day, unless some Alteration for special Cause shall be allowed in Writing by an Inspector. Additional Regulations as to Meal Times.

XXXVII. And be it enacted, That each of the Half Holidays required by the Factory Act to be given shall comprise not less than One Half of the Day, and during such Time no young Person shall be employed in the Factory; and that at least Four of such Half Holidays shall be given between the Fifteenth Day of *March* and the First Day of *October* in each Year to every young Person who shall be employed in the Factory during the whole of such Period; but no Cessation from Work shall be deemed a Half Holiday, unless Notice of such Half Holiday, and of the Time of such Cessation from Work, shall have been fixed up on the preceding Day in the Entrance of the Factory, and in any other Place that the Inspector or Sub-Inspector may direct; and that in addition to such Eight Half Days no Child or young Person shall be allowed to work in any Factory on *Christmas Day* or *Good Friday*, in *England* or *Ireland*; and in *Scotland* no Child or young Person shall be allowed to work on any Day the whole of which is set apart by the Church of *Scotland* for the Observance of the Sacramental Fast in the Parish in which the Factory is situated. Additional Regulations as to Holidays.

XXXVIII. And be it enacted, That, save as herein otherwise provided, the Parent or Person having any direct Benefit from the Wages of any Child employed in a Factory shall cause such Child to attend some School on the Day after the first Employment of such Child, and thenceforth on each working Day of every Week during any Part of which the said Child shall continue in such Employment; so that on every such Day, except in the Cases herein-after provided, such Child shall attend School during at least Three Hours after the Hour of Eight of the Clock in the Morning and before the Hour of Six of the Clock in the Evening: Provided always, that any Child attending School after One of the Clock in the Afternoon shall not be required to remain in School more than Two Hours and a Half Additional Regulations for the Attendance of Children at School.

on any One Day between the First Day of *November* and the last Day of *February*, and no Child shall be required to attend School on any *Saturday*, and the Nonattendance of every such Child shall be excused on every Day on which such Child shall be certified by the Schoolmaster to have been prevented by Sickness or other unavoidable Cause from attending the School, and during any Holiday or Half Holiday authorized by this Act, or by Consent in Writing of the Inspector of the District in which the Factory is situated, or, where the School-room is situated within the outer Boundary of the Factory at which such Child is employed, on every Day on which the School shall be closed in consequence of the said Factory ceasing to be at work during the whole Day.

Occupier of Factory to obtain School Certificate,

XXXIX. And be it enacted, That no Schoolmaster's Tickets or Vouchers shall be required or valid other than is herein-after provided, and that the Occupier of every Factory in which a Child is employed shall on *Monday* in every Week after the First Week in which such Child began to work in the Factory, or on any other Day appointed for that Purpose by an Inspector, obtain a Certificate from a Schoolmaster, according to the Form and Directions given in the Schedule (A.) to this Act annexed, that such Child has attended School as required by this Act during the foregone Week; and such Occupier shall keep such Certificate for Six Months after the Date thereof, and shall produce the same to any Inspector or Sub-Inspector when required during such Period, and shall, when required by the

and to pay School Fees.

Inspector for the District, pay to the Schoolmaster of such Child, or to such other Person as the said Inspector may direct, towards the Expences of educating such Child, such Sum as the Inspector may require, not exceeding Two-pence *per* Week, and shall be entitled to deduct from the Wages payable to such Child any such Sum as he shall have been required to pay for such Expences, not exceeding the Rate of One Twelfth Part of the weekly Wages of such Child: Provided always, that if an Inspector, on his personal Examination, or on the Report of a Sub-Inspector, shall be of opinion that any Schoolmaster who grants Certificates of the School Attendance of Children employed in a Factory is unfit to instruct Children, by reason of his Incapacity to teach them to read and write, from his gross Ignorance, or from his not having the Books and Materials necessary to teach them Reading and Writing, or because of his immoral Conduct, or of his continued Neglect to fill up and sign the Certificates of School Attendance required by this Act, the Inspector of the District may annul any Certificate granted by such disqualified Schoolmaster, by a Notice in Writing addressed to the Occupier of the Factory in which the Children named in the Certificate are employed, or his principal Agent, setting forth the Grounds on which he deems such Schoolmaster to be unfit; and after the Date of such Notice no Certificate of School Attendance granted by such Schoolmaster shall be valid for the Purposes of this Act, unless with the Consent in Writing of the Inspector of the District; but no Inspector shall annul any such Certificate unless in the aforesaid Notice he shall name some other School situated within Two Miles of the Factory where the Children named in the Certificate are

Inspector may, by Notice, annul the Certificate of any Schoolmaster found unfit.

Appeal.

employed: Provided also, that any Schoolmaster whose Certificate shall

shall have been annulled, or the Occupier of the Factory in which the Children named in the said Certificate are employed on behalf of the Schoolmaster, may appeal to the Secretary of State against such Decisions of the Inspector, and the Secretary of State may, if he think fit, rescind such Decision: Provided also, that every Inspector shall in his annual Report to the Secretary of State for the Home Department state the Instances (if any) in which he shall have had Occasion to annul any such Certificate, together with the Reasons which he has in each Case assigned for so doing.

Repeal of Part of 3 & 4 W. 4. c. 103.

XL. And be it enacted, That so much of the Factory Act as limits the Time for preferring Complaints for Offences against the said Act, and as requires any written Notice to be given of the Intention to prefer any Complaint for such Offence, and as fixes any Penalty or Punishment for Offences against the said Act, and as relates to the Procedure for convicting any Person of any Offence against the said Act, and for levying or inflicting the Penalty or Punishment imposed, and for appealing against any such Conviction, and as specifies the Circumstances under which any Penalties and Punishments shall not be levied or inflicted, and as relates to the Application of Penalties, shall be repealed.

Occupier of the Factory to be liable for Offences against this Act in the first instance.

XLI. And be it enacted, That the Occupier of any Factory in which any Offence against this Act has been proved to have been committed, and for which a pecuniary Penalty may be imposed, shall in every Case (save as herein-after provided) be deemed in the first instance to have committed the Offence, and shall be liable to pay the Penalty; but any Occupier who shall have been proceeded against by any Inspector or Sub-Inspector shall be entitled, upon Complaint or Information duly made by such Occupier, to have any Agent, Servant, or Workman whom he shall charge as the actual Offender brought by Summons before the Justices at the Time appointed for hearing the Complaint made against him by the Inspector or Sub-Inspector; and if after the Commission of the Offence has been proved the Occupier of the Factory shall prove, to the Satisfaction of the Justices, that he had used due Diligence to enforce the Execution of the Act, and that the said Agent, Servant, or Workman had committed the Offence in question, without his Knowledge, Consent, or Connivance, the said Agent, Servant, or Workman shall be convicted of such Offence, and shall pay the Penalty instead of the Occupier of the Factory; and the Payment of such Penalty and Costs shall be enforced against the Agent, Servant, or Workman in like Manner as Penalties are made recoverable by this Act: Provided always, that when it shall be made to appear to the Satisfaction of the Inspector or Sub-Inspector, at the Time of discovering the Offence, that the Occupier of the Factory had used all due Diligence to enforce the Execution of this Act, and also by what Person such Offence had been committed, and also that it had been committed without the personal Consent, Connivance, or Knowledge of the Occupier, and in contravention of his Orders, then the Inspector or Sub-Inspector shall proceed against the Person whom he shall believe to be the actual Offender in the first instance, without first proceeding against the Occupier of the Factory.

XLII. And

Notice of Complaints of unguarded Machinery.

XLII. And be it enacted, That Notice in Writing of an Intention to prefer a Complaint that a Child or young Person had been employed in a Factory in which sufficient Means had not been employed or continued for protecting the Workers from being wetted, or for preventing the Escape of Steam into the Room occupied by the Workers, or that any Part of the aforesaid Machinery, Hoist or Teagle, or Wheel-race, has not been securely fenced, shall be given Four Days at least previous to the Day fixed for hearing the Complaint; and if the Party complained against intend to bring forward any Millwright or other Person skilled in the Construction of the aforesaid Machinery as a Witness at the hearing of the Case, he shall give Notice in Writing of such Intention to the Inspector or Sub-Inspector who shall be the Complainant Forty-eight Hours previous to the Day fixed for hearing the Case.

Inspector or Sub-Inspector to give Notice of dangerous Machinery.

XLIII. And be it enacted, That if an Inspector or Sub-Inspector shall observe in a Factory any Part of the Machinery of any Kind or Description, or any Driving Strap or Band, not securely fenced, which he shall deem likely to cause bodily Injury to any Person employed in such Factory, he shall give Notice in Writing to the Occupier of such Factory or his Agent of such Part of the Machinery, or such Strap or Band, as he shall deem to be dangerous, according to the Form and Directions given in Schedule (D.) to this Act annexed; and the Occupier of the Factory, or his Agent, shall sign a Duplicate Copy of such Notice in acknowledgment of his having received it: Provided always, that upon an Application in Writing made by the Occupier of the Factory, within Fourteen Days after he shall have received such Notice, Two Arbitrators skilled in the Construction of the Kind of Machinery to which such Notice refers shall be appointed, one of whom shall be named by the Occupier of the Factory in the aforesaid Application, and the other by the Inspector of the District, with the least possible Delay after he shall have received such Application; and the said Arbitrators shall proceed to examine the Machinery alleged to be dangerous within Fourteen Days of the Appointment of the Arbitrator named by the Inspector; and if the Arbitrators so appointed shall not agree in opinion the said Arbitrators shall choose a Third Arbitrator possessing a similar Knowledge of Machinery; and if the said Arbitrators, or any Two of them, shall sign an Opinion in Writing addressed to the Inspector of the District, that it is unnecessary or impossible to fence the Machinery, or Strap or Band, alleged in the Notice to be dangerous, the Inspector of the District on Receipt of the same shall cancel the said Notice; and if the Decision of the Arbitrators shall be that it is unnecessary or impossible to fence the Machinery so alleged to be dangerous the Expence of such Reference shall be paid as other Expences under this Act, but if the Decision of the Arbitrators shall be that it is necessary and possible to fence the said Machinery, then the Expences of the Reference shall be paid by the Occupier of the Factory, and shall be recoverable as the Penalties under this Act are recoverable.

Upon Application by the Occupier Arbitrators may be appointed to examine the Machinery.

Complaints to be preferred within Two Months.

XLIV. And be it enacted, That all Complaints for Offences against this Act shall be preferred within Two Months next after the

Commission

Commission of the Offence, except in the Case of Complaints for Offences punishable at Discretion by Fine or Imprisonment, or for working on *Christmas Day*, *Good Friday*, or the Sacramental Fast Days, or for not giving all or any of the Eight Half Days for Holidays required to be given, in each of which Cases the Complaints may be preferred within Three Months next after the Commission of the Offence; and no Person shall be liable to a larger Amount of Penalties for any Repetition from Day to Day of the same Kind of Offence than the highest Penalty herein-after named for such Offence, unless such Repetition of Offence shall have been committed after a Complaint shall have been made for the previous Offence, and except also for Offences of employing Two or more Children or young Persons contrary to Law.

Proceedings under this Act may be had before any Justices.

XLV. And be it enacted, That all Complaints for the Enforcement of any Penalty under this Act shall be heard and determined by Two or more Justices of the Peace acting for the County or other Jurisdiction wherein the Offence was committed, or for any adjoining County or Jurisdiction, with the like Authority as though the Cause of Complaint had arisen within such adjoining County or Jurisdiction, provided that the Place of hearing the Complaint in such other County or Jurisdiction be not more than Five Miles from the Place where the Offence was committed; and the Justices by whom any Person shall be fined for any Offence against this Act may order that such Person shall pay the Penalty, and also the reasonable Costs and Charges of such Proceedings and Conviction, either immediately or within such Time as the said Justices shall think fit; and in default of Payment thereof any Justice may cause the same to be levied by Distress and Sale of the Goods and Chattels of the Party convicted, together with the reasonable Costs and Charges of such Conviction, Distress and Sale, by Warrant under the Hand and Seal of any such Justice; and where the Warrant of Distress is directed against the Goods and Chattels of any Person being the Occupier of a Factory it shall be lawful under such Warrant to distrain any Goods and Chattels found in the said Factory which would be liable to be distrained for Rent in arrear.

Penalties may be recovered as in 5 G. 4. c. 18.

Power of distraining Goods in Factory where Occupier is convicted.

Issue of Summons for Offences against Act.

XLVI. And be it enacted, That in *England* and *Ireland* a Summons for an Offence against this Act shall be issued by any Justice, upon Complaint being made to him in Writing by an Inspector or Sub-Inspector, or upon Oath before him by any other Person, that to the best of the Knowledge and Belief of the Inspector, Sub-Inspector, or such other Person such an Offence has been committed, and in *Scotland* a Summons for an Offence against this Act shall be issued by any Justice upon Complaint being made to him in Writing by an Inspector or Sub-Inspector, or by the Procurator Fiscal, or by any Person having a Title and Interest to prosecute with the Concurrence of the Procurator Fiscal, that to the best of the Knowledge and Belief of such Inspector, Sub-Inspector, Procurator Fiscal, or other Person such an Offence has been committed; and in every such Prosecution in *Scotland* the Proceedings shall be summary, and it shall not be necessary to take down in Writing more than the Substance of the Evidence; and no higher or other Fees shall be

allowed in *Scotland* to the Clerk of Court or Constables than are allowed to be paid to the Sheriff Clerk and Sheriff Officers in Causes and Prosecutions under the Authority of an Act passed in the Tenth Year of the Reign of King *George* the Fourth, intituled *An Act for the more effectual Recovery of Small Debts, and for diminishing the Expences of Litigation in Causes of small Amount in the Sheriff Courts in* Scotland.

10 G. 4. c. 55.

Compelling Parties to appear and bring Register.

XLVII. And be it enacted, That every Person who shall be summoned to answer any Complaint shall be bound to appear at the Time and Place mentioned in the Summons, and to produce before the Justices then and there present every Register or other Account, Paper, or Notice required by Law to be kept by him or his Agent, which shall be mentioned in the Summons; and if he shall not appear accordingly then (upon Proof of due Service of the Summons) the Justices may either hear and determine the Case in his Absence, or issue their Warrant, as herein-after provided, for enforcing his Attendance, and the Attendance of any Witness who shall refuse or neglect to appear.

Inspectors and Sub-Inspectors competent Witnesses.

XLVIII. And be it declared and enacted, That it shall be no Objection to the Competency of any Inspector or Sub-Inspector to give Evidence as a Witness in any Prosecution under this Act that it is brought at the Instance of such Inspector or Sub-Inspector.

Justices may enforce Attendance of Witnesses.

XLIX. And be it enacted, That any Justice of the Peace, upon any Complaint under this Act, may summon any Witness to appear and give Evidence at a Time and Place appointed for hearing such Complaint, and by Warrant under his Hand and Seal may require any Person to be brought before the Justices by whom the Complaint shall be heard who shall neglect or refuse to appear at the Time and Place appointed in any Summons, Proof upon Oath being first given of personal Service of the Summons upon the Person against whom such Warrant shall be granted, and may commit any Person coming or brought before such Justices who shall refuse to give Evidence to the County Prison or Prison of the Place where such Offence was committed, there to remain for any Time not exceeding One Month, or until such Person shall sooner submit himself to be examined; and in case of such Submission the Order of any Justice shall be a sufficient Warrant to any Gaoler or Prison Keeper for the Discharge of such Person.

Inspectors and Sub-Inspectors may summon Offenders and Witnesses.

L. And be it enacted, That every Inspector and Sub-Inspector shall be empowered to summon any Person whom he shall charge with having offended against this Act, and also all Witnesses who may be needed to give Evidence concerning the Charge; and every such Summons shall be of the same Effect as if issued by a Justice of the Peace after Complaint upon Oath before him, and shall be enforced in like Manner, and the like Proceedings may be had thereupon, as if Complaint upon Oath had been made before such Justice for such Offence; and every Constable and other Peace Officer to whom any such Summons shall be directed shall be bound to take charge of and to serve such Summons, and in default thereof shall

be

be liable to be punished as if the Summons had been issued by a Justice of the Peace; and every such Summons of an Offender or Witness may be in the Form provided in each Case, and given in the Schedule (D.) hereunto annexed; and when an Inspector or Sub-Inspector shall summon an Offender he shall give to the same Constable or Peace Officer a Statement of the Offence alleged to have been committed, who shall deliver it to a Justice of the Peace usually acting for the Division in which the Case is to heard, or to the Clerk of any such Justice, at least Twenty-four Hours before the Period named in the Summons for the Appearance of the Party charged with such Offence.

In case of Partnership, One Name sufficient for Summons.

LI. And be it enacted, That it shall be sufficient, in any Information, Complaint, or other Proceeding under this Act, to set forth the Name of the ostensible Occupier or Title of the Firm by which the Occupier employing the Workpeople of the Factory may be usually known; and the Service of any Summons, Order, or Notice required by this Act, or issued under the Authority of this Act, and not expressly directed to be personal Service, may be made by leaving the same at the Dwelling House of the Person to whom the same shall be addressed, or, in the Case of summoning or giving an Order or Notice to the Occupier of a Factory or to a Schoolmaster, by giving a Copy thereof in Writing to the Agent of such Occupier, or by sending a Copy thereof by the Post directed to the Occupier of the Factory at the Factory, or to the Schoolmaster at his School.

Evidence of Employment.

LII. And be it enacted, That in any Complaint of the Employment of any Person in a Factory otherwise than is allowed by this Act the Time of beginning Work in the Morning which shall be stated in any Notice fixed up in the Factory, signed by the Occupier or his Agent, shall be taken to be the Time when all Persons in the Factory, except Children beginning to work in the Afternoon, began work on any Day subsequent to the Date of such Notice, so long as the same continued fixed up in the Factory; and if any Person shall be allowed to enter or be in any Factory, except at Meal Times, or during the Stoppage of the whole Machinery of the Factory, or for the sole Purpose of bringing Tea or other Articles of Food to the Workers in a Factory, between the Hours of Four and Five of the Clock in the Afternoon, it shall be Evidence, unless the contrary shall be proved, that such Person was then employed in that Factory; but Yards, Play Grounds, and Places open to the public View, Schoolrooms, Waiting Rooms, and other Rooms belonging to the Factory, in which no Machinery is used or manufacturing Process carried on, shall not be taken to be any Part of the Factory, with reference to this Enactment.

Surgical Certificates to be Proof of Age.

LIII. And be it enacted, That every Surgical Certificate given under this Act, or which has been granted conformably to the Factory Act, and which shall not have been annulled, shall be Evidence in the first instance of the Age of the Person named therein, but shall not protect any Person, knowing such Person to be of less than the Age certified, from any Penalty for employing or conniving at the Employment

Employment of such Person otherwise than is allowed by this Act; and in every Proceeding on any Information or Complaint for employing any Person contrary to this Act a Declaration in Writing by the certifying Surgeon of the District that he has personally examined such Person, and believes him to be under such Age as shall be set forth in such Declaration, shall be Evidence, in the first instance, until the contrary shall be made to appear, that such Person is under the Age mentioned in such Declaration.

Proof of Age of Persons alleged to be Sixteen.

LIV. And be it enacted, That if any Inspector or Sub-Inspector shall make a Complaint before a Justice of the Peace that the real Age of any Person who is employed in a Factory without a Surgical Certificate is less than Sixteen, the Occupier of the Factory in which such Person is employed shall be liable to the Penalties for employing Persons for whom a Surgical Certificate is required by Law without the proper Surgical Certificate, unless, upon the Proceeding for the Enforcement of such Penalties, he shall prove, by an Extract from a legal Register of Birth or Baptism, that the said Person had completed his Sixteenth Year of Age.

Proof of Age of Persons alleged to be Eighteen.

LV. And be it enacted, That if an Inspector or Sub-Inspector shall make a Complaint before a Justice of the Peace that the real Age of any Person employed in a Factory in a Manner contrary to Law is less than Eighteen, the Occupier of the Factory in which such Person is employed shall, save in the Cases herein-after excepted, be liable to the Penalty for employing such Person, unless upon the Proceeding for the Enforcement of such Penalties he shall prove that the said Person had completed his Eighteenth Year.

Penalties for employing Children and young Persons longer than allowed by the Act.

LVI. And be it enacted, That any Person who shall be convicted of having employed any Person in any Manner contrary to the Provisions of the Factory Act as amended by this Act, or for employing a Child without having obtained a Certificate from a Schoolmaster where such Certificate is required by Law, such Person not being the Parent nor having any direct Benefit from the Wages of such Child, shall for every such Offence be adjudged to pay a Penalty of not less than Twenty Shillings and not more than Three Pounds for each Child or young Person so illegally employed: Provided always, that if it shall be proved that such Offence was committed during the Night the Penalty shall not be less than Forty Shillings nor more than Five Pounds.

Penalty on Parents for allowing Children to be employed contrary to this Act, or neglecting to cause them to attend School.

LVII. And be it enacted, That the Parent and every Person having any direct Benefit from the Wages of any Child or young Person employed in any Manner forbidden by the Factory Act as amended by this Act, or who shall neglect to cause such Child to attend School as herein-before provided, shall be liable to a Penalty of not less than Five Shillings and not more than Twenty Shillings for each Offence, unless it shall appear to the Justices before whom the Complaint is preferred that such Offence has been committed without the Consent, Connivance, or wilful Default of such Parent or Person so benefited.

LVIII. And

LVIII. And be it enacted, That the Penalty for not lime-washing the Walls, Passages, Staircases, and Ceilings or Tops of Rooms of a Factory, within the Period prescribed by this Act, or for not washing, as herein-before provided, the inside Walls and Ceilings or Tops of Rooms which are painted with Oil, shall not be less than Three nor more than Ten Pounds, and not less than Two Pounds additional Penalty for every Month during which the Occupier shall allow any of the said Walls, Passages, Staircases, or Ceilings or Tops of Rooms to remain without being lime-washed or washed as aforesaid, after being convicted of this Offence. Penalty for not lime-washing or otherwise washing the Interior of the Factory.

LIX. And be it enacted, That the Penalty for not fencing the several Parts of the Machinery, Hoist or Teagle, and Wheel-race, required by this Act to be fenced, shall be not less than Five Pounds and not more than Twenty Pounds. Penalty for not fencing Machinery.

LX. And be it enacted, That if any Person shall suffer any bodily Injury in consequence of the Occupier of a Factory having neglected to fence any Part of the Machinery, or any Hoist or Teagle, or any Wheel-race, required by this Act to be securely fenced, or having neglected to fence any Part of the Machinery, or any Driving Strap or Band, in the Factory, of which he shall have received Notice in Writing from an Inspector or Sub-Inspector, as herein-before provided, that the same was deemed to be dangerous, the Occupier of such Factory shall pay a Penalty not less than Ten Pounds and not more than One hundred Pounds; and the Whole or any Part of such Penalty may be applied for the Benefit of the injured Person, or otherwise as the Secretary of State shall determine; and so much of such Penalty as shall not be applied as aforesaid shall be applied as other Penalties under this Act: Provided always, that the Occupier of the Factory shall not be liable to any such Penalty if the Notice which he shall have received from an Inspector or Sub-Inspector shall have been cancelled as herein-before provided, or that in any Proceeding against an Occupier of a Factory for not securely fencing that Part of the Machinery, Hoist, Teagle, or Wheel-race by which such bodily Injury was inflicted the Complaint shall have been heard and dismissed previous to the Time when such bodily Injury was inflicted. Penalty for not fencing dangerous Machinery, after Notice.

LXI. And be it enacted, That every Person convicted of wilfully obstructing an Inspector or Sub-Inspector in the Execution of any of the Powers intrusted to him by the Factory Act as amended by this Act shall be liable for each Offence to a Penalty not less than Three Pounds and not more than Ten Pounds. Penalty for obstructing Inspectors or Sub-Inspectors.

LXII. And be it enacted, That every Occupier of a Factory in which an Inspector or Sub-Inspector shall be obstructed in the Night by any Attempt to prevent his making a full and complete Examination of all Parts of the Factory, and of every Person employed therein, shall be liable to a Penalty not less than Twenty Pounds and not more than Fifty Pounds. Penalty for obstructing Inspectors or Sub-Inspectors in the Night.

LXIII. And be it enacted, That every Person convicted of making, giving, signing, countersigning, counterfeiting, or making use of Offences which shall be punish-

able by Fine or Imprisonment.

of any Certificate authorized or required by the Factory Act or by this Act, knowing the same to be untrue, or of wilfully making or wilfully conniving at the making any false or counterfeited Certificate, or any false Entry in any Register, or any other Account, Paper, or Notice required by this Act, and also every Person convicted of wilfully making and signing a false Declaration on any Proceedings under this Act, shall be liable to a Penalty not less than Five Pounds and not more than Twenty Pounds, or to be imprisoned for any Time not more than Six Months in the House of Correction in the County, Town, or Place where the Offence was committed.

Penalty for Offences not otherwise specified.

LXIV. And be it enacted, That the Penalty for any Offence against the Factory Act as amended by this Act, for which no specific Penalty is herein-before provided, shall be any Sum not less than Two Pounds and not more than Five Pounds.

Penalty in case of Second and subsequent Convictions.

LXV. And be it enacted, That every Person who shall be convicted twice within Twelve Months for an Offence of the same Kind against the Factory Act as amended by this Act shall pay for his Second Offence any Sum not less than One Half of the highest Penalty for that Offence, and if convicted Three Times within Twelve Months for an Offence of the same Kind he shall pay not less than Two Thirds of the highest Penalty, and if convicted more than Three Times within Twenty-four Months for an Offence of the same Kind he shall pay the highest Penalty; but a Repetition of the same Kind of Offence shall not be considered as the Second or subsequent Offences referred to in this Enactment, unless such Second or subsequent Offences shall have been committed after a Complaint has been made for the previous Offences; and in any Case in which a Person shall be convicted at any One Time for Offences against the Factory Act as amended by this Act, so that the Penalties amount in the whole to more than One hundred Pounds, the Sum of One hundred Pounds, together with all the reasonable Costs and Charges of such Proceedings and Convictions, may be paid instead of the Penalties for all the Offences committed by him before the Day on which the last Summons was taken out against him.

Application of Penalties.

LXVI. And be it enacted, That all Penalties for any Offence against the Factory Act which shall not have been otherwise appropriated at the Time when this Act shall come into force, and every Penalty imposed under this Act, shall be applied under the Direction of One of Her Majesty's Principal Secretaries of State, and shall be paid, on account of the Inspector for the District in which the Penalty was imposed, to such Banker as shall be appointed by such Inspector to receive the same; and every Person to whom any such Penalty shall be paid shall pay over the Amount thereof to the Banker so appointed within Fourteen Days of receiving the same; and it shall be lawful for the Secretary of State to remit the Whole or any Part of such Penalty; and so much thereof as shall not be so remitted, and not otherwise especially appropriated by this Act, shall be applied by such Inspector, under the Direction of One of Her Majesty's Principal Secretaries of State, in such Manner as shall appear best for the Establishment or Support of Day Schools for the Education of

Children employed in Factories; and so much of an Act passed in the Sixth Year of the Reign of His late Majesty, intituled *An Act to provide for the Regulation of Corporations in* England *and* Wales, as provides that certain Penalties and Forfeitures, if recovered before any Justice of any Borough having a separate Court of Quarter Sessions of the Peace, shall be recovered for and adjudged to be paid to the Treasurer of such Borough, shall be repealed as to the Penalties imposed under this Act. 5 & 6 W. 4. c. 76.

How former Conviction may be proved.

LXVII. And be it enacted, That whenever any Person shall be convicted of any Offence against the Factory Act as amended by this Act the Clerk of the Peace where such Conviction shall have been filed shall, upon the Request in Writing of any Inspector or Sub-Inspector, deliver or cause to be delivered to him a Copy of the Conviction, certified under his Hand to be a true Copy; and every such Copy shall be received as Evidence of such Conviction upon any future Proceeding under this Act; and for every such Copy the Clerk shall be entitled to have a Fee of One Shilling, and no more.

Convictions to be filed amongst the Records of the County.

LXVIII. And be it enacted, That every Conviction under this Act may be in the Form given in the Schedule (D.) to this Act annexed, or in any other Form more suitable to the Case, and shall be certified in *England* and *Ireland* to the next General or Quarter Session of the Peace, and in *Scotland* to the Clerk of the Justices of the Peace, there to be filed amongst the Records of the County, Riding, Division, Stewartry, Town, or Place.

No Appeal from Convictions, except in certain Cases.

LXIX. And be it enacted, That no Appeal shall be allowed against any Conviction under this Act, except for an Offence punishable at Discretion by Fine or Imprisonment, or when the Penalty awarded shall be more than Three Pounds; neither shall any Conviction, except as aforesaid, be removeable by Certiorari or Bill of Advocation into any Court whatever; and no Information, Conviction, or other Proceeding on any Complaint for an Offence against this Act shall be quashed or deemed illegal for Matter of Form, or for the Want of any Averment unnecessary to be proved, or the Omission of any Word, or for the Insertion of any Word, in any Case in which such Omission or such Insertion respectively do not affect the Essence of the Offence, nor for the wrong Designation of a Name, or Time or Place, where the Person, Time, and Place intended shall have been so stated as to have been, in the Opinion of the Justices by whom the Complaint shall have been heard, clearly understood by the Person charged with such Offence; and it shall not be necessary, in any Information, Conviction, or other Proceeding under this Act, to define the Processes carried on in such Factory, or Nature of the Power by which the Machinery of such Factory is moved, or to set out that the Factory or Process or Employment referred to is not within any of the Cases excepted, provided that it be therein stated that such Factory is a Factory within this Act; and the Proof of being within any such excepted Case shall lie upon the Party claiming the Benefit of such Exception.

LXX. And

Appeal.

LXX. And be it enacted, That any Person aggrieved by any such Conviction for which an Appeal is allowed by this Act may appeal to the next Court of General or Quarter Sessions which shall be holden not less than Twelve Days after the Day of the Conviction for the County or other Jurisdiction wherein the Cause of Complaint shall have arisen; provided that the Person so intending to appeal shall give to the Inspector or Sub-Inspector of the District Notice in Writing of such Appeal, and of the Cause or Matter thereof, within Three Days after the Conviction or Order, and Seven clear Days at the least before such Session, and shall also enter into a Recognizance, with Two sufficient Sureties, before a Justice of the Peace for the County or other Jurisdiction, Seven clear Days at the least before such Session, conditioned personally to appear at the said Session, and to try such Appeal, and to abide the Judgment of the Court thereon, and to pay such Costs as shall be by the Court awarded; and the Court at such Session shall hear and determine the Matter of Appeal, and shall make such Order thereon as to the Court shall seem meet; and in case of the Dismissal of the Appeal or the Affirmance of the Conviction or Order the Court shall adjudge and order the Party to be punished according to the Conviction or to obey the Order appealed against, and to pay such Costs as shall be awarded, and shall, if necessary, issue Process for enforcing such Judgment.

Who are to exercise the Powers of Justices.

LXXI. And be it enacted, That in all Cases in which a Justice of the Peace is required or empowered to do any thing under the Factory Act as amended by this Act, or is named therein, a Burgh Magistrate shall have within his Jurisdiction the same Powers and Duties as are herein given to such Justice, and shall exercise the same in *Scotland;* but no Complaint preferred for any Offence against this Act committed in a Factory shall be heard by a Justice of the Peace or Burgh Magistrate, being an Occupier of the Factory, or being the Father, Son, or Brother of the Occupier of the Factory in which the Offence set forth in the Complaint shall have been committed.

Exemptions of Silk Factories.

LXXII. Provided always, and be it enacted, That any Child above Eleven Years of Age employed solely in the winding and throwing of raw Silk, and who shall have obtained the Surgical Certificate required by this Act of his having completed his Eleventh Year, may work, without any Proof of having attended a School, for any Time not exceeding Ten Hours on any working Day, but not after Half past Four of the Clock of the Afternoon of any *Saturday*.

Interpretation Clause.

LXXIII. And be it enacted, That the Factory Act as amended by this Act, and this Act, shall be construed together as One Act, and that so much of the Factory Act, and of any Rule or Regulation heretofore made by any Inspector, as is inconsistent with this Act, shall be taken to be repealed; and that in this Act, unless another Sense shall be plainly shown by the Context, or by some positive Enactment to the contrary, the Word "Child" shall be taken to mean a Child under the Age of Thirteen Years; and the Words "young Person" shall be taken to mean a Person of the Age of Thirteen

"Child."

"Young Person."

Thirteen Years and under the Age of Eighteen Years; and the Word "Parent" shall be taken to mean Parent, Guardian, or Person having the legal Custody of any such Child or young Person; and any Person who shall work in any Factory, whether for Wages or not, or as a Learner or otherwise, either in any manufacturing Process, or in any Labour incident to any manufacturing Process, or in cleaning any Part of the Factory, or in cleaning or oiling any Part of the Machinery, or in any other Kind of Work whatsoever, save in the Cases herein-after excepted, shall be deemed, notwithstanding any other Description, Limitation, or Exception of Employment in the Factory Act, to be employed therein within the Meaning of this Act; and the Words "Inspector" and "Sub-Inspector" shall be taken to mean respectively an Inspector and a Sub-Inspector of Factories; and the Word "Agent" shall be taken to mean any Person having on behalf of the Occupier of any Factory the Care or Direction thereof or of any Part thereof, or of any Person employed therein; and the Word "Month" shall be taken to mean a Calendar Month; and the Words "Mill-gearing" shall be taken to comprehend every Shaft, whether upright, oblique, or horizontal, and every Wheel, Drum, or Pulley by which the Motion of the first moving Power is communicated to any Machine appertaining to the manufacturing Processes; and the Word "Factory," notwithstanding any Provision or Exemption in the Factory Act, shall be taken to mean all Buildings and Premises situated within any Part of the United Kingdom of *Great Britain* and *Ireland* wherein or within the Close or Curtilage of which Steam, Water, or any other mechanical Power shall be used to move or work any Machinery employed in preparing, manufacturing, or finishing, or in any Process incident to the Manufacture of Cotton, Wool, Hair, Silk, Flax, Hemp, Jute, or Tow, either separately or mixed together, or mixed with any other Material or any Fabric made thereof; and any Room situated within the outward Gate or Boundary of any Factory wherein Children or young Persons are employed in any Process incident to the Manufacture carried on in the Factory shall be taken to be a Part of the Factory, although it may not contain any Machinery; and any Part of such Factory may be taken to be a Factory within the Meaning of this Act; but this Enactment shall not extend to any Part of such Factory used solely for the Purposes of a Dwelling House, nor to any Part used solely for the Manufacture of Goods made entirely of any other Material than those herein enumerated, nor to any Factory or Part of a Factory used solely for the Manufacture of Lace, of Hats, or of Paper, or solely for bleaching, dyeing, printing, or calendering; and the Enactments of this Act respecting the Hours of Labour shall not apply to any young Person when employed solely in packing Goods in any Warehouse or Part of a Factory not used for any manufacturing Process, or for any Labour incident to any manufacturing Process; and nothing in this Act contained shall extend to any young Person, being a Mechanic, Artisan, or Labourer, working only in making and repairing the Machinery or any Part of the Factory.

"Parent."

Employment.

"Inspector."

"Agent."

"Month."

"Mill-gearing."

"Factory."

Exception to the Term Factory.

Exemption when packing finished Goods.

Exemption in favour of Mechanics.

LXXIV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be amended this Session.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

CERTIFICATES.

(*To be written or printed on white Paper.*)

Factories Regulation Act, *Victoria, c.*

No. ____. CERTIFICATE of AGE for a CHILD to be employed in the Factory of situated at in

I, of duly appointed a certifying Surgeon, do hereby certify, That Son [*or* Daughter] of and residing in has been personally examined by me this Day of One thousand eight hundred and and that the said Child has the ordinary Strength and Appearance of a Child of at least Eight Years of Age, and that I believe the real Age of the said Child to be at least Eight Years; and that the said Child is not incapacitated, by Disease or bodily Infirmity, from working daily in the above-named Factory for the Time allowed by this Act.

(Signed) Certifying Surgeon.

The Form of Surgical Certificate to be given to a Child who has obtained a Certificate of real Age shall be the same as above, omitting the Words, "and that the said Child has the ordinary Strength and Appearance of a Child of at least Eight Years of Age, and that I believe the real Age of the said Child to be at least Eight Years," and substituting these Words in their Place: "and that a Certificate of the Birth [*or* Baptism] of the said Child has been produced to me in the Form required by this Act, proving that the real Age of such Child is at least Eight Years."

The Form of Surgical Certificate to be given to Children employed in Silk Mills in proof that a Child is Eleven Years of Age shall be the same as the above, substituting the Word "Eleven" for the Word "Eight."

(*To be written or printed on coloured Paper.*)

Factories Regulation Act, *Victoria, c.*

No. ____. CERTIFICATE of AGE for a YOUNG PERSON to be employed in the Factory of situated at in

I, of duly appointed a certifying Surgeon, do hereby certify, That Son [*or* Daughter] of and residing in has been personally examined by me this Day of One thousand eight hundred and and that the said young Person has the ordinary Strength and Appearance of a young Person of at least Thirteen Years of Age, and that I believe the real Age of the said young Person to be at least Thirteen Years; and that the said young Person is not incapacitated, by Disease or bodily Infirmity, from working daily in the above-named Factory for the Time allowed by this Act.

(Signed) Certifying Surgeon.

The

The Form of Surgical Certificate to be given to a young Person who has obtained a Certificate of real Age shall be the same as above, omitting the Words, "and that the said young Person has the ordinary Strength and Appearance of a young Person of at least Thirteen Years of Age, and that I believe the real Age of the said young Person to be at least Thirteen Years," and substituting these Words in their Place, "and that a Certificate of the Birth [*or* Baptism] of the said young Person has been produced to me in the Form required by this Act, proving that the real Age of such young Person is at least Thirteen Years."

The Form of Surgical Certificate to be given in either Case by any Practitioner who is not a certifying Surgeon must be the same as the corresponding Form above given, omitting the Words "duly appointed a certifying Surgeon," and substituting the Words "duly authorized by the University [*or* College, *or other public Body having Authority in that Behalf*] of to practise Surgery [*or* Medicine]," and making the following Addition, which must be signed by a Justice of the Peace or Burgh Magistrate:—

The Child [*or* young Person] named in the above-written Certificate has been this Day brought before me; and the Appearance of the said Child [*or* young Person] agrees with the Description therein given; and I believe the real Age of the said Child [*or* young Person] to be at least [*here insert the Word "Eight" or "Eleven" in the Case of a Child, or "Thirteen" in the Case of a young Person,*] Years; and I declare that I have no beneficial Interest in and am not the Occupier of any Factory, and that I am not the Father, Son, or Brother of the Occupier of any Factory.

Dated this Day of One thousand eight hundred and

(Signed) *C. D.*, Justice,
[*or* Burgh Magistrate.]

In every Surgical Certificate of Age the Day of the Month on which it shall be granted shall be written in Words, and not in Figures.

So soon as any Certificates authorized by this Act to be received as Proof of the Age of any Persons shall be obtained by the Occupier of a Factory or his Agent, they shall be fixed in a Book, to be called "The Age Certificate Book," in the Order of the Dates at which they shall have been respectively received; and such Certificates shall be numbered in the Order in which they are so fixed in the Book; but the Certificates for Children shall be kept in a separate and distinct Place in the said Book, or in a separate Book, and shall be marked with a Series of running Numbers distinct from that of the Certificates for young Persons.

So soon as any Certificate of Age authorized by this Act shall be obtained the Number herein-before required to be set against each Certificate shall be set against the Name of the Child or young Person for whom such Certificate has been granted, in the First Column of the Register of the Persons employed required by this Act to be kept in each Factory. In any Silk Factory in which it shall be lawful to employ Children above Eleven Years of Age for Ten Hours a Day no Certificate shall be required in proof that such Children have attained the Age of Thirteen Years, so long as such Persons shall not work more than Ten Hours in any One Day.

If a Surgeon shall have refused to grant a Certificate of Age to any Child or young Person, the Word "Refused" shall be written in the Column of the Register where the Numbers of the Certificates are required to be inserted.

Factories Regulation Act, Victoria, c.

CERTIFICATE REFUSED.

I, of duly appointed a certifying Surgeon, do hereby declare, That Son [*or* Daughter] of residing in has been personally examined by me this Day of One thousand eight hundred and and that in my Opinion the said [Child *or* young Person] has not the ordinary Strength and Appearance [of a Child of at least Eight Years of Age (*or* of a young Person of at least Thirteen Years of Age) or (*or* and) is incapacitated by Disease and bodily Infirmity from working daily in a Factory for the Time allowed by this Act.]

(Signed) Certifying Surgeon.

N. B.—The Words within Brackets shall be in the Handwriting of the certifying Surgeon, who shall insert the Reason of his Refusal, to be either on account of deficient Age or of bodily Infirmity, or both, as the Case may be.

Factories Regulation Act, Victoria, c.

SCHOOL CERTIFICATE.

I HEREBY certify, That the under-mentioned Child [*or* Children] employed in the Factory of situated in has [*or* have] attended the School kept by me at for the Number of Hours and at the Time on each Day specified in the Columns opposite to his [her *or* their] Name [*or* Names] during the Week ending on Saturday the Day of One thousand eight hundred and , and that the Causes of Absence stated are true, to the best of my Belief.

Name of Child.	Monday.		Tuesday.		Wednesday.		Thursday.		Friday.		Causes of Absence.
	Time.		Time.		Time.		Time.		Time.		
	From	To	From	To	From	To	From	To	From	To	

(Signed) Schoolmaster [*or* Schoolmistress].

the Day of 18 .

Under the Column headed "Time" the Periods of the Day that each Child attends School shall be stated, as thus, from Nine to Twelve, or from Two to Five, or any other Time, as the Case may be; and all the Children employed in

in the same Factory who attend School before One of the Clock in the Afternoon shall be entered together, distinct from those who attend School after One of the Clock.

The Time when each Child attends School shall be stated in the Column for each Day, in the Handwriting of the Schoolmaster; and no Certificate shall be valid unless the Schoolmaster shall, in his own Handwriting, subscribe to it his Christian and Surname in full.

In the Case of any Child who has been absent from School, the Letter (A.) shall be inserted under the Day or Days of Absence, and the Cause of Absence shall be inserted in the Column headed "Causes of Absence," so far as the same can be ascertained; and when any Day has been a Holiday at the School the Word "Holiday" shall be entered in the Column of the Day.

All School Certificates, if given on loose Sheets, shall, as soon as received, be fixed in a Book, to be called "The School Certificate Book," in the Order of their respective Dates. Copies of the above Forms may be bound together in a Book for each Factory.

SCHEDULE (B.)

Registers.

Form for the Register of young Persons.

List of young Persons employed in this Factory.

No. of Reference to Age Certificate Book, as required in Schedule (A.)	NAMES.		Date of First Day of being employed or re-employed.			When any Person ceases to be employed insert opposite the Name the Word "Left;" and when any Person completes his Eighteen Year of Age, the Word "Eighteen."
	Surname.	Christian Name.	Month.	Day.	Year.	

This Register shall contain the Names of every young Person employed in the Factory, to be entered successively when engaged to work, whether for the first Time, or, after having left, when re-engaged to work.

At the Beginning of this Register shall be inserted—

1. The Name of the Occupier or Firm.
2. The Name of the Factory, the Place, Township, Parish, and County where it is situated, and the Post Office to which the Occupier desires his Letters to be directed.
3. The Nature of the Work carried on.
4. The Nature of the Moving Power, the whole Amount of Horse Power of the Steam Engine or Water-wheel, and also the Amount of Horse Power employed by the Occupier or Firm.
5. The Clock by which the Employment of the Workers in the Factory is regulated.

Every Alteration in any of the above Particulars shall be inserted immediately after the Alteration shall have been made.

6. The Holidays and Half Holidays which shall have been given in conformity with this Act shall be recorded together in a distinct Place in this Register.
7. The Dates when the whole of the Factory, if done at one Time, and the several Parts if done at different Times, shall have been limewashed or painted

in Oil, and, when painted in Oil, the Dates of their having been washed as required by this Act, and the Names and Residences of the Persons by whom the Factory was limewashed or painted in Oil, shall be recorded in a distinct Place in this Register within Six Days after they have been so limewashed, painted, or washed; and this Declaration of the Times of limewashing, painting, and washing shall be signed by the Mill Occupier or his principal Agent.

8. The Visits of the certifying Surgeon to the Factory shall be recorded in this Register in the Manner following.

Date of Visit.	Number of Persons presented for Examination.	Number of Certificates granted.	Signature of Surgeon.
	*	†	

* If the Surgeon shall be told that there is no Child or young Person in the Factory to be examined at the Time of his Visit, he shall insert in this Column the Word "None."

† If none be granted, he shall insert the Word "None."

FORM FOR THE REGISTER OF CHILDREN.

To be kept in those Factories only where Children under Thirteen Years of Age are employed.

Names of the Children employed in this Factory before Twelve o'Clock at Noon, or the Morning Set.

No. of Reference to Age Certificate Book, as required in Schedule (A.)	NAMES.		Date of First Day of Employment or Re-employment.			When any Child ceases to be employed, insert opposite its Name the Word "Left;" or if transferred to the Afternoon Set, the Word "Changed;" or the Words "Young Person," when a Child completes its Thirteenth Year.
	Surname.	Christian Name.	Month.	Day.	Year.	

Names of the Children employed in this Factory after One o'Clock in the Afternoon, or the Afternoon Set.

No. of Reference to Age Certificate Book, as required in Schedule (A.)	NAMES.		Date of First Day of Employment or Re-employment.			When any Child ceases to be employed, insert opposite its Name the Word "Left;" or if transferred to the Morning Set, the Word "Changed;" or the Words "Young Person," when a Child completes its Thirteenth Year.
	Surname.	Christian Name.	Month.	Day.	Year.	

This Register shall contain the Names of every Child under Thirteen Years of Age employed in the Factory, to be entered successively when engaged to work, whether for the first Time, or, after having left, when re-engaged to work.

If

If any Child be removed from the Morning Set to the Afternoon Set, or vice versâ, the Name of such Child must be entered as a new Comer in the Register for the Set to which it is removed, and the Number of its Certificate of Age must be placed against its Name, but no new Certificate shall be required for such Child.

If the Mill Occupier desires to change the Time of working of the Two entire Sets of Children at stated Periods, (as for instance) to make a Change every Month, so that the Children who worked in the Morning one Month shall work in the Afternoon the next Month, and vice versâ for the other Children, alternately throughout the Year, it will not be necessary to enter the Names of the Children anew, but the Mill Occupier or his Agent shall only be required to make and sign the following Declaration, in addition to the other Details herein-before required:—

1. The Children entered in this Register as belonging to the Morning Set work in this Factory before Twelve o'Clock, and not after One o'Clock, on and after the First Monday of the Months of—
   January, March, May, July, September, and November;
   and after One o'Clock, and not before Twelve o'Clock, on and after the First Monday of the Months of—
   February, April, June, August, October, and December.
2. The Children entered in this Register as belonging to the Afternoon Set work in this Factory after One o'Clock, and not before Twelve o'Clock, on and after the First Monday of the Months of—
   January, March, May, July, September, and November;
   and before Twelve o'Clock, and not after One o'Clock, on and after the First Monday of the Months of—
   February, April, June, August, October, and December.

Signature of

_____ Occupier or Agent.

When a Change in the Time of working of the Two entire Sets of Children is made at other stated Periods allowed by this Act the necessary Alterations shall be made in the above Declaration, to the Satisfaction of the Inspector or Sub-Inspector of the District.

In any Silk Factory in which Children above Eleven Years of Age are employed more than Seven Hours in any One Day a Register of the Names of such Children shall be kept in the above Form, distinct from the Register of the Names of the Children who are employed in Morning and Afternoon Sets.

In all Mills where more than Twenty Children or young Persons are employed an Alphabetical Index shall be kept, according to the first Letter of the Surname, of the Names of all the Children and young Persons employed in the Factory, adding to each Name the Number of the last Certificate under which the Age of the Child or young Person is employed, or if more than Sixteen Years of Age, the Letters XVI.

All the Forms contained in this Schedule (B.) which shall apply to any particular Factory may be bound together in One Book, except the Alphabetical Index of Reference herein-before referred to.

SCHEDULE (C.)

NOTICES TO BE FIXED UP IN THE FACTORY.

FORM for the NOTICE to be fixed up of the Names and Addresses of the Inspector and Sub-Inspector, the certifying Surgeon, the Clock for regulating the Factory, and the Hours of Work of all young Persons and Females employed in the Factory.

Name and Address of the Inspector of the District - } _____

Name and Address of the Sub-Inspector of the District - } _____

Name and Address of the Surgeon who grants Certificates of Age for the Factory - } _____

Clock by which the Hours of Work are regulated - - } _____

The Hours of Work of all young Persons and Females above Eighteen Years of Age employed in this Factory.

Days of Week.	Morning.		Forenoon.		Afternoon.		Evening.		Total Hours.
	From	To	From	To	From	To	From	To	
*									

* In this Space the Days of the Week to which the Hours of Work refer shall be entered.

_____ { Signature of the Occupier of the Factory or his Agent.

In every Silk Factory in which Children above Eleven Years of Age are employed more than Seven Hours in any One Day a separate Notice, in the above Form, shall be fixed up of the Hours such Children are employed.

FORM

FORM for the NOTICE to be fixed up of the Times allowed for Meals.

The Times allowed for Meals in this Factory.

Days of the Week.	Breakfast.		Dinner.		Tea.	
	From	To	From	To	From	To
*						

* In this Space the Days to which the Meal Hours refer shall be entered.

_____ { Signature of the Occupier of the Factory or his Agent.

These Notices of the regular Hours of Work fixed up in a Factory are not required to be altered when young Persons are only employed at other Hours for the Recovery of lost Time as authorized by this Act, provided the Notice required to be fixed up when recovering lost Time be fixed up, and provided on such Notice it is stated at what Time of the Day it is intended to recover the Time so lost.

FORM of the NOTICE to be fixed up when the Occupier of the Factory intends to recover all or any Part of the Time which has been lost by the Stoppage of the Machinery in the Factory, as allowed by this Act.

Account of Time lost and recovered.

TIME LOST.						TIME RECOVERED.				
Date.	Cause of Loss.	Time of Day when lost.	Amount lost.		Explanatory Remarks.	Date.	Time of Day when recovered.	Amount recovered.		Explanatory Remarks.
			Hours.	Minutes.				Hours.	Minutes.	

_____ { Signature of the Occupier of the Factory or his Agent.

No lost Time is required to be entered except such as it may be intended to recover.

The Entries of all the Details in this Notice relating to any Time lost or recovered shall be made in conformity with the Provisions in the Act.

FORM of the NOTICE to be fixed up when Time has been lost by partial Stoppage of the Machinery by Drought or Floods, and is intended to be recovered during the following Night.

Notice of Time lost and recovered.

TIME LOST.					TIME RECOVERED.		
Description of the Room where the Stoppage took place, and of the Machinery stopped.	Time of the Day when the Stoppage took place.	Amount of Time lost.		Signature of the Person taking Time.	Time of the Night when the young Persons are employed.	Amount of Time recovered.	
		Hours.	Minutes.			Hours.	Minutes.

NAMES of the FEMALES and YOUNG PERSONS who have lost Time by the Stoppage of the Machinery at the Dates affixed.

Date when Time was lost.	Surname.	Christian Name.	Date when Time was lost.	Surname.	Christian Name.

The Entries of Time lost, and of the Names of the Females and young Persons who have lost Time, shall be made in these Notices before any Part of the Time can be recovered.

All Notices of Time lost and recovered, except when they are kept hung up in the Factory, as required by this Act, shall be preserved in a Book in the Order of their respective Dates, and be open for the Examination of any Inspector or Sub-Inspector; and all such Notices shall be kept for Six Calendar Months after the lost Time entered therein shall have been recovered.

SCHE-

SCHEDULE (D.)

Forms of Notices, Summonses, and Conviction.

Form of Notice to be given to the Occupier of a Factory, by an Inspector or Sub-Inspector, of such Part of the Machinery, or such Driving Strap or Band, in the Factory, as appears to him to be dangerous to the Workers.

To [*Name of Occupier*], Occupier of a [*Description of the Manufacture*] Factory, situated in the Parish of and County of

I hereby give you Notice, that the following Parts of the Machinery in your Factory, namely [*here enumerate the Parts*], appear to me to be dangerous, and likely to cause bodily Injury to the Workers employed in the Factory; and I am of opinion that they ought severally to be immediately well and securely fenced. And I hereby further give you Notice, that by the Act made in the Year of Her Majesty's Reign, intituled [*here set forth the Title of this Act*], it is provided, that if, after receiving this Notice, you shall neglect or fail to fence the above-enumerated Machinery, and if any Persons shall suffer any bodily Injury in consequence of such Neglect or Failure, you will be liable to a Penalty of One hundred Pounds, over and above all Damages, Costs, and Charges to which you may be found liable in any Action brought against you by or on behalf of the Person so injured.

Given under my Hand, this Day of in the Year One thousand eight hundred and

(Signed) Inspector [*or* Sub-Inspector].

Form of Summons to be issued by an Inspector or Sub-Inspector against a Person who has committed an Offence.

County of (*or* Borough of)

To the Constable of

Whereas it appeareth to me, *I. F.*, One of Her Majesty's Inspectors [*or* Sub-Inspector] of Factories, that *A. D.* of in the County [*or* Borough, *&c.*] of hath offended against the Act made in the Year of Her Majesty's Reign, intituled [*here set forth the Title of this Act*], forasmuch as he the said *A. D.*, on the Day of in the Year of our Lord at in the County [*or* Borough, *&c.*] of did [*here set forth the Substance of the Charge*]; these therefore are to require you forthwith to summon the said *A. D.* to appear before such Two or more of Her Majesty's Justices of the Peace acting in and for the County [*or* Borough, *&c.*] of who shall be present at in the County [*or* Borough, *&c.*] of on the Day of at the Hour of in the noon of the same Day, to answer to the said Charge, and to be further dealt with according to Law. And be you then there to certify what you have done in the Premises. Herein fail not.

Given under my Hand, this Day of in the Year of our Lord

(Signed) *I. F.*, Inspector [*or* Sub-Inspector].

FORM of SUMMONS of a Witness to be issued by an Inspector or Sub-Inspector.

County of (*or* Borough of) }

To the Constable of

WHEREAS it appeareth to me, *I. F.*, One of Her Majesty's Inspectors [*or* Sub-Inspector] of Factories, that *A. D.* of in the County [*or* Borough, *&c.*] of hath offended against the Act made in the Year of Her Majesty's Reign, intituled [*here set forth the Title of the Act*]; forasmuch as he the said *A. D.* on the Day of in the Year of our Lord at in the County [*or* Borough, *&c.*] of did [*here set forth the Substance of the Charge*], and that *B. P.* of in the County [*or* Borough, *&c.*] is a material Witness to be examined concerning the said Charge; these therefore are to require you forthwith to summon the said *B. P.* to appear before such Two or more of Her Majesty's Justices of the Peace acting in and for the County [*or* Borough, *&c.*] of as shall be present at in the County [*or* Borough, *&c.*] of on the Day of at the Hour of in the noon of the same Day, to testify his Knowledge concerning the Premises. And be you then there to certify what you have done in the Premises. Herein fail not.

Given under my Hand, this Day of in the Year of our Lord .

(Signed) *I. F.*, Inspector [*or* Sub-Inspector].

FORM OF CONVICTION.

County of [Liberty *or* Borough, *as the Case may be.*] } BE it remembered, That on the Day of in the Year One thousand eight hundred and *A. B.* [*describe the Offender*] is convicted before us, *J. P.* and *K. Q.*, Two of Her Majesty's Justices of the Peace for the County [Liberty *or* Borough, *as the Case may be,*] of in pursuance of an Act passed in the Year of the Reign of Queen Victoria, intituled [*here insert the Title of this Act*], for that he [*describe the Offence*].

Given under our Hands and Seals, the Day and Year above written.

J. P. L. S.

K. Q. L. S.

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