ARTICLE XXXIII.

The foregoing Articles XVIII. to XXV. inclusive, and Article XXX. of this Treaty, shall take effect as soon as the laws required to carry them into operation shall have been passed by the Imperial Parliament of Great Britain, by the Parliament of Canada, and by the Legislature of Prince Edward's Island on the one hand, and by the Congress of the United States on the other. Such assent having been given, the said Articles shall remain in force for the period of ten years from the date at which they may come into operation, and further, until the expiration of two years after either of the High Contracting Parties shall have given notice to the other of its wish to terminate the same; each of the High Contracting Parties being at liberty to give such notice to the other at the end of the said period of ten years or at any time afterward.

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# CHAPTER 46.

## An Act to make further provision for Arbitration between Masters and Workmen. [6th August 1872.]

WHEREAS by the Act of the fifth year of George the Fourth, chapter ninety-six, intituled "An Act to consolidate and amend the laws relative to the arbitration of "disputes between masters and workmen," herein-after referred to as the "principal Act," provision is made for the arbitration in a mode therein prescribed of certain disputes between masters and workmen: 5 G. 4. c. 96.

And whereas it is expedient to make further provision for arbitration between masters and workmen:

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, as follows:

**1.** The following provisions shall have effect with reference to agreements under this Act: As to agreements under this Act.

(1.) An agreement under this Act shall either designate some board, council, persons or person as arbitrators or arbitrator, or define the time and manner of appointment of arbitrators or of an arbitrator; and shall designate, by name or by description of office or otherwise, some person to be, or some person or persons (other than the arbitrators or arbitrator) to appoint an umpire in case of disagreement between arbitrators:

(2.) A master and a workman shall become mutually bound by an agreement under this Act (herein-after referred to as "the agreement") upon the master or his agent giving to the workman and the workman accepting a printed copy of the agreement:

Provided that a workman may, within forty-eight hours after the delivery to him of the agreement, give notice to the master or his agent that he will not be bound by the agreement, and thereupon the agreement shall be of no effect as between such workmen and the master:

(3.) When a master and workman are bound by the agreement they shall continue so bound during the continuance of any contract of employment and service which is in force between them at the time of making the agreement, or in contemplation of which the agreement is made, and thereafter so long as they mutually consent from time to time to continue to employ and serve without having rescinded the agreement. Moreover, the agreement may provide that any number of days' notice, not exceeding six, of an intention on the part of the master or workman to cease to employ or be employed shall be required, and in that case the parties to the agreement shall continue bound by it respectively until the expiration of the required number of days after such notice has been given by either of the parties:

(4.) The agreement may provide that the parties to it shall, during its continuance, be bound by any rules contained in the agreement, or to be made by the arbitrators, arbitrator, or umpire as to the rate of wages to be paid, or the hours or quantities of work to be performed, or the conditions or regulations under which work is to be done, and may specify penalties to be enforced by the arbitrators, arbitrator, or umpire for the breach of any such rule:

(5.) The agreement may also provide that in case any of the following matters arise they shall be determined by the arbitrators or arbitrator, viz.:

*a.* Any such disagreement or dispute as is mentioned in the second section of the principal Act; or

*b.* Any question, case, or matter to which the provisions of the Master and Servant Act, 1867, apply;

and thereupon in case any such matter arises between the parties while they are bound by the agreement the arbitrators, arbitrator, or umpire shall have jurisdiction for the hearing and determination thereof, and upon their or his hearing and determining the same no other proceeding shall be taken before any other court or person for the same matter; but if the disagreement or dispute is not so heard and determined within twenty-one days from the time when it arose, the jurisdiction of the arbitrators, arbitrator, or umpire shall cease, unless the parties have, since the arising of the disagreement or dispute, consented in writing that it shall be exclusively determined by the arbitrators, arbitrator, or umpire:

A disagreement or dispute shall be deemed to arise at the time of the act or omission to which it relates:

(6.) The arbitrators, arbitrator, or umpire may hear and determine any matter referred to them in such manner as they think fit, or as may be prescribed by the agreement:

(7.) The agreement, and also any rules made by the arbitrators, arbitrator, or umpire in pursuance of its provisions, shall in all proceedings as well before them as in any court be evidence of the terms of the contract of employment and service between the parties bound by the agreement:

(8.) The agreement shall be deemed to be an agreement within the meaning of the thirteenth section of the principal Act for all the purposes of that Act:

(9.) If the agreement provides for the production or examination of any books, documents, or accounts, subject or not to any conditions as to the mode of their production or examination, the arbitrators, arbitrator, or umpire may require the production or examination (subject to any such conditions) of any such books, documents, or accounts in the possession or control of any person summoned as a witness, and who is bound by the agreement, and the provisions of the principal Act, for compelling the attendance and submission of witnesses, shall apply for enforcing such production or examination.

Short title.

**2.** This Act may be cited as "The Arbitration (Masters and Workmen) Act, 1872."

## CHAPTER 47.

An Act to amend the Act of the thirtieth and thirty-first years of Victoria, chapter eighty-five, intituled "An Act to include the whole of the Burgh of "Galashiels within the County, Sheriffdom, and Commissariot of Selkirk."

[6th August 1872.]

30 & 31 Vict. c. 85.

WHEREAS by an Act passed in the thirtieth and thirty-first year of the reign of Her present Majesty, chapter eighty-five, intituled "An Act to include the whole of the "burgh of Galashiels within the county, sheriffdom, and commissariot of Selkirk," it was