CHAPTER 62.

An Act to make further provision for the regulation of Cotton Cloth Factories. [30th August 1889.]

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:

Short title.

1. This Act may be cited as the Cotton Cloth Factories Act, 1889.

Commencement.

2. This Act shall come into operation on the first day of March one thousand eight hundred and ninety, which day is in this Act referred to as the commencement of this Act.

Construction. 41 & 42 Vict. c. 16.

3. This Act shall be construed as one with the Factory and Workshop Act, 1878.

Interpretation.

4. In this Act—

The expression "cotton cloth factory" shall mean any room, shed, or workshop, or any part thereof, in which the weaving of cotton cloth is carried on.

Expressions referring to the artificial raising of temperature or production of humidity shall include the raising of temperature or production of humidity by any artificial means whatsoever except by gas when used for lighting purposes only.

Temperature and humidity of the atmosphere.

5.—(1.) The amount of moisture in the atmosphere of a cotton cloth factory shall not at any time be in excess of such amount as is represented by the number of grains of moisture per cubic foot of air shown in column I. of the table in Schedule A. to this Act opposite to such figure in column II. as represents the temperature existing in such cotton cloth factory at such time.

Provided that in a cotton cloth factory the temperature shall not at any time be artificially raised above seventy degrees, except in so far as may be necessary in the process of giving humidity to the atmosphere and according to the table in Schedule A. of this Act.

(2.) The fact that one of the wet bulb thermometers in such factory gives a higher reading than the figure shown in column III. of Schedule A. to this Act opposite to such figure in column II. as represents the temperature existing in such factory, shall be evidence that the amount of moisture in the atmosphere exceeds the limit in the last preceding sub-section prescribed.

Power to alter table of humidity.

6. One of Her Majesty's Principal Secretaries of State may from time to time by order repeal or vary the table in Schedule A. of this Act, and substitute any new or amended table therefor: Provided always, that such varied or substituted table shall be laid in a complete form before both Houses of Parliament if Parliament be sitting, or if not, then within three weeks after the beginning of the next ensuing session of Parliament; and if such table shall be

disapproved by either House of Parliament within forty days after the same shall have been so laid before Parliament, such table shall be void and of no effect: Provided also, that no such table shall come into force or operation until the same shall have been laid before Parliament for forty days; but after the expiration of such forty days, if the table has not been disapproved of as aforesaid, the Secretary of State shall cause a copy thereof to be published in the "London Gazette," and to be given to every occupier of a cotton cloth factory who, in pursuance of this Act, has given notice of humidity of the atmosphere being artificially produced in such factory, and after the expiration of fourteen days from the first publication thereof in the "London Gazette," the varied or substituted table shall be deemed to be the table in Schedule A. of this Act.

Thermometers to be employed.

7. For the purpose of recording the humidity of the atmosphere and the temperature in a cotton cloth factory, there shall be provided, maintained, and kept in correct working order in every such factory two sets of standardised wet and dry bulb thermometers.

The following regulations shall be observed with reference to the employment of such thermometers in each cotton cloth factory:

(i.) One set of thermometers is to be fixed in the centre and one at the side of the factory, or in such other position as may be directed or sanctioned by an inspector of factories, so as to be plainly visible to the operatives.

(ii.) The occupier or manager or person for the time being in charge of each factory shall read the thermometers twice in the day, viz., between ten o'clock and eleven o'clock in the forenoon and between three o'clock and four o'clock in the afternoon, on every day that any operatives are employed in the factory, and shall record the readings of each thermometer at each of such times on a form provided for the purpose for each set of thermometers in the form and in accordance with the regulations contained in Schedule B. of this Act.

(iii.) The form in which the readings of each thermometer provided for in sub-section (ii.) of this section are to be recorded shall be kept hung up near the thermometers, and after being duly filled up, shall be forwarded at the end of each month to the inspector of the district, and a copy shall be kept at the factory for reference.

(iv.) There shall be kept hanging up in a frame, and properly glazed, in a conspicuous position and near to each set of thermometers a copy of the table set out in Schedule A. of this Act.

(v.) Each form shall be primâ facie evidence of the humidity of the atmosphere and temperature in the factory in which such form was hung up.

Notice of artificial production of humidity to be given.

8. The occupier of any cotton cloth factory in which humidity of the atmosphere is artificially produced shall give notice thereof in writing to the chief inspector of factories.

The notice shall be given in the case of a factory in which humidity is so produced at the commencement of this Act within one week after the commencement of this Act, and in the case of any other factory at or before the time at which the artificial production of humidity is commenced in the factory.

Admission of fresh air.

9. In every factory in respect of which such notice has been given, arrangements shall be made and maintained to the satisfaction of the inspector of factories for the district for admitting in every hour during which work is carried on not less than six hundred cubic feet of fresh air for each person employed therein; and the arrangements for such ventilation shall be kept in operation subject, as far as possible, to the control of the persons employed therein.

Inspectors to visit the factories.

10. Every factory in respect of which such notice has been given shall be visited by an inspector of factories once at least in every three months. The inspector shall examine into the temperature, humidity of the atmosphere, ventilation, and quantity of fresh air in the factory, and shall report to the chief inspector of factories in accordance with the form printed in Schedule C. of this Act.

Notice of cessation of artificial production of humidity.

11. If at any time the occupier of any factory in respect of which notice has been given in conformity with the eighth section of this Act shall cease to produce humidity by artificial means, he may give notice in writing of such cessation, and from the date of such notice, and so long as humidity is not artificially produced in the factory, the provisions of this Act with respect to factories in which humidity of the atmosphere is artificially produced shall not apply to such factory.

Provisions for preventing inhalation of dust.

12. Where an inspector considers that dust is generated, and such dust is inhaled by the workers to an injurious extent, and it appears to such inspector that such inhalation could be prevented by the use of mechanical or other means, the following provisions shall apply:—

(1.) The inspector shall serve on the occupier of the factory a notice requiring him to adopt such mechanical or other means as the said inspector requires to prevent the inhalation of such dust:

(2.) The occupier, within seven days after the receipt of the notice, may serve on the inspector a requisition to refer the matter to arbitration; and thereupon the matter shall be referred to arbitration, and two skilled arbitrators shall be appointed, the one by the inspector and the other by the occupier; and the provisions of the Companies Clauses Consolidation Act, 1845, with respect to the settlement of disputes by arbitration shall, subject to the express provisions of this section, apply to the said arbitration, and the arbitrators or their umpire shall give the decision within twenty-one days after the last of the arbitrators, or, in the case of the umpire, after the umpire is appointed, or within such further time as the occupier and inspector, by writing, allow; and if the

8 & 9 Vict. c. 16.

decision is not so given, the matter shall be referred to the arbitration of an umpire to be appointed by the judge of the county court within the jurisdiction of which the factory is situate:

(3.) If the arbitrators or their umpire decide that it is unnecessary or impossible to prevent the inhalation of such dust, or that the means required to be adopted by the inspector are not reasonable, the notice shall be cancelled, and the occupier shall not be required to carry out the notice of the said inspector, and the expenses of the arbitration shall be paid as the expenses of the inspectors under this Act:

(4.) If the occupier does not within the said seven days serve on the inspector a requisition to refer the matter to arbitration, or does not appoint an arbitrator within seven days after he served that requisition, or if neither the arbitrators nor the umpire decide that it is unnecessary or impossible to prevent the inhalation of such dust, or that the means required to be adopted by the inspector are not reasonable, the occupier shall prevent the inhalation of dust in accordance with the notice or with the award of the arbitrators or umpire if it modifies the notice, and the expenses of the arbitration shall be paid by the occupier, and shall be recoverable from him by the inspector in the county court:

(5.) Where the occupier of a factory fails to comply within a reasonable time with the requirements of this section as to the inhalation of dust in accordance with the notice or award, or fails to keep and to maintain such factory in accordance therewith, he shall be deemed to contravene this Act.

Penalties for offences.

13. If in the case of any cotton cloth factory there is a contravention of or non-compliance with any of the provisions of this Act, the inspector shall give notice in writing to the occupier of the same of the acts or omissions constituting the contravention or non-compliance, and if such acts or omissions, or any of them, are continued or not remedied, or are repeated within twelve months after such notice has been given, the occupier of such factory shall be liable, on summary conviction, for the first offence to a penalty of not less than five pounds nor more than ten pounds, and for every subsequent offence to a penalty of not less than ten pounds nor more than twenty pounds.

SCHEDULES.

SCHEDULE A.

MAXIMUM LIMITS of HUMIDITY of the ATMOSPHERE at given TEMPERATURES.

I. Grains of Moisture per Cubic Foot of Air.	II. Dry Bulb Thermometer Readings. Degrees Fahrenheit.	III. Wet Bulb Thermometer Readings. Degrees Fahrenheit.
5·1	60	58
5·2	61	59
5·4	62	60
5·6	63	61
5·8	64	62
6	65	63
6·2	66	64
6·4	67	65
6·6	68	66
6·9	69	67
7·1	70	68
7·1	71	68·5
7·1	72	69
7·4	73	70
7·4	74	70·5
7·65	75	71·5
7·7	76	72
8	77	73
8	78	73·5
8·25	79	74·5
8·55	80	75·5
8·6	81	76
8·65	82	76·5
8·85	83	77·5
8·9	84	78
9·2	85	79
9·5	86	80
9·55	87	80·5
9·9	88	81·5
10·25	89	82·5
10·3	90	83
10·35	91	83·5
10·7	92	84·5
11	93	85·5
11·1	94	86
11·5	95	87

SCHEDULE B.

FORM for recording the READINGS of the THERMOMETER.

Name of occupier_____.
Factory No._____.
Number of operatives employed in it_____.

READINGS						
Date.	Between 10 and 11 a.m		Between 3 and 4 p.m.		Remarks.	If no Artificial Humidity produced insert No Steam.
Year. Month. Day.	Dry Bulb Thermometer. Degrees Fah.	Wet Bulb Thermometer. Degrees Fah.	Dry Bulb Thermometer. Degrees Fah.	Wet Bulb Thermometer. Degrees Fah.		
1					†	
2						
3						
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30						
31						

† Fill in :—*e.g.*, Too damp.

Signed A.B.

Correct, &c. Occupier or Manager.

SCHEDULE C.

FORM of the INSPECTOR'S REPORT.

Name of occupier_____.

Number of operatives employed_____.

Number of rooms or factories used_____.

Number of operatives in each room or factory.	With cubic contents of each such room or factory.

The general state of the temperature is (satisfactory. / unsatisfactory.)

" " humidity " "

" " ventilation " "

The temperature was in excess of the prescribed maximum temperature on _____ occasions.

The humidity of the atmosphere was in excess of the degree prescribed in the table in Schedule A. of the Cotton Cloth Factories Act, 1889, on _____ occasions.

General remarks.

Date_____

Signed,

_____ Inspector.

CHAPTER 63.

An Act for consolidating enactments relating to the Construction of Acts of Parliament and for further shortening the Language used in Acts of Parliament.

[30th August 1889.]

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:

Re-enactment of existing Rules.

Rules as to gender and number.

1.—(1.) In this Act and in every Act passed after the year one thousand eight hundred and fifty, whether before or after the commencement of this Act, unless the contrary intention appears,—

(*a.*) words importing the masculine gender shall include females; and

(*b.*) words in the singular shall include the plural, and words in the plural shall include the singular.

(2.) The same rules shall be observed in the construction of every enactment relating to an offence punishable on indictment