ANNO OCTAVO & NONO

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C A P. CXXVIII.

An Act to make further Regulations respecting the Tickets of Work to be delivered to Silk Weavers in certain Cases. [9th *August* 1845.]

WHEREAS by an Act passed in the Fifth Year of the Reign of King *George* the Fourth, intituled *An Act to consolidate and amend the Laws relative to the Arbitration of Disputes between Masters and Workmen*, it was enacted, amongst other things, that "with every Piece of Work given out by the Manufacturer to a Workman to be done there shall (if both Parties are agreed) be delivered a Note or Ticket in such Form as the said Parties shall mutually agree upon:" And whereas it is expedient that, so far as relates to Silk Weavers, such further Provision should be made for Delivery to them of a Note or Ticket of Work as herein-after is expressed: Be it therefore 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 from and after the First Day of *January* in the Year One thousand eight hundred and forty-five when any Manufacturer of Silk Goods or of Goods made of Silk mixed with other Materials, or the Agent of any such Manufacturer, gives out to a Weaver of such Goods a Piece of Warp to be woven, such Manufacturer or Agent shall at the same Time deliver to such Weaver (unless

5 G. 4. c. 96.

Manufacturer to deliver with Warp a Ticket of Work.

both Parties shall by Writing under their respective Hands agree to dispense therewith) a printed or written Ticket, signed by such Manufacturer or Agent, containing the following Particulars of the Agreement between such Manufacturer or Agent and such Weaver; (that is to say,)

The Count or Richness of the Warp or Cane:
The Number of Shoots or Picks required in each Inch:
The Number of Threads of Weft to be used in each Shoot:
The Name of the Manufacturer, or the Style of the Firm under which he carries on Business:
The Weaver's Name, with the Date of the Engagement:
And the Price in Sterling Money agreed on for executing each Yard Imperial Standard Measure of Thirty-six Inches of such Work in a workmanlike Manner:

And such Manufacturer or Agent delivering such Ticket shall make or cause to be made, and shall preserve until the Work contracted to be done shall have been completed or paid for, a Duplicate of such Note or Ticket.

Ticket to be Evidence in Cases of Dispute;

II. And be it enacted, That in the event of any Dispute between the Manufacturer or his Agent and the Workmen, such Ticket and the said Duplicate thereof shall be required to be produced, and shall, together or either of them, be Evidence of all things mentioned therein, or respecting the same.

and Work to be produced in order to Adjudication.

III. Provided always, and be it enacted, That where the Subject of Dispute relates to the alleged improper or imperfect Execution of any Work delivered to any Manufacturer or his Agent, such Piece of Work shall be produced, in order to Adjudication, or if not produced shall be deemed and taken to have been sufficiently and properly executed.

Power of summoning Witnesses.

IV. And be it enacted, That if any of the Parties to the said Complaint shall make Oath before any Justice having Cognizance of such Complaint that he or she believes that the Attendance of any Person as a Witness will be material to the hearing of such Complaint, such Justice may summon such Person, having been paid or tendered a reasonable Sum for his Expences, to appear and give Evidence on Oath before him at a Time and Place set forth in the said Summons; and if any Person so summoned shall not appear at the Time and Place set forth in the said Summons, and shall not make Excuse for the Default to the Satisfaction of such Justice, and if the due Service of the Summons be proved, or if such Person appearing according to the Summons shall not submit to be examined as a Witness, then such Justice may adjudge such Person so making default in appearing or refusing to give Evidence to pay such Penalty not exceeding Five Pounds as such Justice shall think fit, and the Party so adjudged to pay such Penalty shall pay the same accordingly.

Service of Summons.

V. And be it enacted, That every Summons required by this Act shall be served by delivering the same to the Person summoned, or by leaving the same at his or her usual Place of Abode, Twenty-four

four Hours at least before the Time appointed by the Summons for such Person to appear.

Levying and Application of Penalty.

VI. And be it enacted, That if any such Penalty or Costs so adjudged by any Justice to be paid is not paid immediately upon Adjudication such Justice may issue his Warrant to distrain and sell the Goods and Chattels of the Person so adjudged to pay the same for the Amount thereof, with Costs; and the Proceeds of such Distress, after paying the Penalty and Costs, and the Costs of such Distress and Sale, shall be paid over to the Person convicted; and the said Penalty shall be paid over to the Sheriff or other proper Officer of the County, City, Borough, or Place in which such Conviction shall take place, for Her Majesty's Use, and shall be returned to the Court of Quarter Sessions, under the Provisions of an Act passed in the Third Year of the Reign of King *George* the Fourth, intituled *An Act for the more speedy Return and levying of Fines, Penalties, and Forfeitures, and Recognizances estreated.* 3 G. 4. c. 46.

Recovery of Wages and Sums due for Work.

VII. And be it enacted, That if any Silk Manufacturer or other Party employing, contracting, or engaging with any Person for any Work in any Branch of the said Manufacture, or connected therewith or incidental thereto, or for specific Work, or otherwise, and whether such Person is to be paid according to the Nature or Amount of the Work done, the Time employed, or any other Manner, shall not from Time to Time pay and discharge all such Sums of Money and Wages as shall be justly due and payable to any such Person, it shall be lawful for a Justice of the Peace, on Complaint made for that Purpose, to summon such Manufacturer or other Party to appear at a Time and Place to be named in such Summons, and for any Two or more Justices of the Peace to hear and determine such Complaint, and order Payment of such Sum as shall appear to such Justices to be justly due and payable, together with Costs for Loss of Time and recovering the same, and in default of Payment immediately, or within such Period as the said Justices shall direct, the said Justices shall issue their Warrant to levy the same by Distress and Sale of the Goods and Chattels of the said Manufacturer or other Party; and the said Justices, if they shall think fit, may also, by Order in Writing, authorize such Person to return his Work unfinished; and such Justices shall also fine such Manufacturer or other Party for such Neglect of Payment, if the First Offence Five Pounds, and for the Second Ten Pounds, and Five Pounds extra for every succeeding Offence, unless the said Manufacturer or other Party shall deliver to the said Person employed a Notice in Writing, within Four-and-twenty Hours after such Refusal to pay to the said Person employed the Amount of Wages due, stating the Reasons for such Refusal in full, and that the said Manufacturer or other Party intends to have such Work arbitrated.

No Certiorari to be allowed.

VIII. And be it enacted, That no Order or Conviction or Proceeding touching the same respectively shall be quashed for Want of Form, or be removed by Certiorari or otherwise into any of Her Majesty's Superior Courts of Record; and that when any Distress shall have been made for levying any Money by virtue of this Act the

the Distress itself shall not be deemed unlawful, nor the Party making the same a Trespasser, on account of any Defect or Want of Form in the Summons, Warrant, Conviction, Warrant of Distress, or other Proceedings in relation thereto, nor shall the Party distraining be deemed a Trespasser from the Beginning on account of any Irregularity afterwards committed by him, but the Person aggrieved by such Irregularity may recover full Satisfaction for special Damage (if any) by Action on the Case.

Act may be amended, &c.

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

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