all sums borrowed for the purchase of furniture or fittings shall be repaid, with the interest thereon, within a period not exceeding fifteen years.

(3.) A lender shall not be concerned to see or inquire for what purpose any money is borrowed under the said Act as amended by this Act.

Power to lease land not immediately required.

3. The police receiver may from time to time, with the approval of one of Her Majesty's Principal Secretaries of State, grant leases, for such terms as the Secretary of State may approve, of land for the time being held by the police receiver and appearing to the Secretary of State to be not immediately required for the purposes for which the police receiver is authorised to hold land.

Provision as to piece of land extending from Cannon Row.

4. Whereas a small piece of land, being an extension of Cannon Row, and containing sixty-three superficial yards or thereabouts, is bounded on three sides by land vested or about to be vested in the police receiver, and is believed to be vested in the Board of Works for the Westminster district, and is not required for the purposes for which that board is authorised to hold land, but doubts have been entertained whether that board has power to transfer the said piece of land to the police receiver and to extinguish the rights (if any) of the public over the same, and it is expedient to remove those doubts; be it therefore enacted that the said board may by agreement transfer the said piece of land to the police receiver, and thereupon all public rights (if any) over the said piece of land shall be extinguished.

CHAPTER 46.

An Act to amend and extend the Law relating to Truck.

[16th September 1887.]

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 Truck Amendment Act, 1887. The Act of the session of the first and second years of the reign of King William the Fourth, chapter thirty-seven, intituled "An Act "to prohibit the payment in certain trades of wages in goods or "otherwise than in the current coin of the realm" (in this Act referred to as the principal Act), may be cited as the Truck Act, 1831, and that Act and this Act may be cited together as the Truck Acts, 1831 and 1887, and shall be construed together as one Act.

1 & 2 Will. 4. c. 37.

Application of principal Act to workman as defined by 38 & 39 Vict. c. 90.

2. The provisions of the principal Act shall extend to, apply to, and include any workman as defined in the Employers and Workmen Act, 1875, section ten, and the expression "artificer" in the principal Act shall be construed to include every workman to whom the principal Act is extended and applied by this Act, and all provisions and enactments in the principal Act inconsistent herewith are hereby repealed.

Advance of wages.

3. Whenever by agreement, custom, or otherwise a workman is entitled to receive in anticipation of the regular period of the

payment of his wages an advance as part or on account thereof, it shall not be lawful for the employer to withhold such advance or make any deduction in respect of such advance on account of poundage, discount, or interest, or any similar charge.

Saving for servant in husbandry.

4. Nothing in the principal Act or this Act shall render illegal a contract with a servant in husbandry for giving him food, drink, not being intoxicating, a cottage, or other allowances or privileges in addition to money wages as a remuneration for his services.

Order for goods as a deduction from wages illegal.

5. In any action brought by a workman for the recovery of his wages, the employer shall not be entitled to any set off or counterclaim in respect of any goods supplied to the workman by any person under any order or direction of the employer, or any agent of the employer, and the employer of a workman or any agent of the employer, or any person supplying goods to the workman under any order or direction of such employer or agent, shall not be entitled to sue the workman for or in respect of any goods supplied by such employer or agent, or under such order or direction, as the case may be.

Provided that nothing in this section shall apply to anything excepted by section twenty-three of the principal Act.

No contracts with workman as to spending wages at any particular shop, &c.

6. No employer shall, directly or indirectly, by himself or his agent, impose as a condition, express or implied, in or for the employment of any workman any terms as to the place at which, or the manner in which, or the person with whom, any wages or portion of wages paid to the workman are or is to be expended, and no employer shall by himself or his agent dismiss any workman from his employment for or on account of the place at which, or the manner in which, or the person with whom, any wages or portion of wages paid by the employer to such workman are or is expended or fail to be expended.

Deduction for education.

7. Where any deduction is made by an employer from a workman's wages for education, such workman on sending his child to any state-inspected school selected by the workman shall be entitled to have the school fees of his child at that school paid by the employer at the same rate and to the same extent as the other workmen from whose wages the like deduction is made by such employer.

In this section "state-inspected school" means any elementary school inspected under the direction of the Education Department in England or Scotland or of the Board of National Education in Ireland.

Deduction for sharpening tools, &c.

8. No deduction shall be made from a workman's wages for sharpening or repairing tools, except by agreement not forming part of the condition of hiring.

Audit of deductions.

9. Where deductions are made from the wages of any workmen for the education of children or in respect of medicine, medical attendance, or tools, once at least in every year the employer shall, by himself or his agent, make out a correct account of the receipts and expenditure in respect of such deductions, and submit the same to be audited by two auditors appointed by the said workmen, and shall produce to the auditors all such books, vouchers, and documents, and afford them all such other facilities as are required for such audit.

10. Where articles are made by a person at his own home, or otherwise, without the employment of any person under him except a member of his own family, the principal Act and this Act shall apply as if he were a workman, and the shopkeeper, dealer, trader, or other person buying the articles in the way of trade were his employer, and the provisions of this Act with respect to the payment of wages shall apply as if the price of an article were wages earned during the seven days next preceding the date at which any article is received from the workman by the employer. Artificer to be paid in cash and not by way of barter for articles made by him.

This section shall apply only to articles under the value of five pounds knitted or otherwise manufactured of wool, worsted, yarn, stuff, jersey, linen, fustian, cloth, serge, cotton, leather, fur, hemp, flax, mohair, or silk, or of any combination thereof, or made or prepared of bone, thread, silk, or cotton lace, or of lace made of any mixed materials. Where it is made to appear to Her Majesty the Queen in Council that, in the interests of persons making articles to which this section applies in any county or place in the United Kingdom, it is expedient so to do, it shall be lawful for Her Majesty, by Order in Council, to suspend the operation of this section in such county or place, and the same shall accordingly be suspended, either wholly or in part, and either with or without any limitations or exceptions, according as is provided by the Order.

11. If any employer or his agent contravenes or fails to comply with any of the foregoing provisions of this Act, such employer or agent, as the case may be, shall be guilty of an offence against the principal Act, and shall be liable to the penalties imposed by section nine of that Act as if the offence were such an offence as in that section mentioned. Offences.

12.—(1.) Where an offence for which an employer is, by virtue of the principal Act or this Act, liable to a penalty has in fact been committed by some agent of the employer or other person, such agent or other person shall be liable to the same penalty as if he were the employer. Fine on person committing offence for which employer is liable, and power of employer to exempt himself from penalty on conviction of actual offender.

(2.) Where an employer is charged with an offence against the principal Act or this Act he shall be entitled, upon information duly laid by him, to have any other person whom he charges as the actual offender brought before the court at the time appointed for hearing the charge, and if, after the commission of the offence has been proved the employer proves to the satisfaction of the court that he had used due diligence to enforce the execution of the said Acts, and that the said other person had committed the offence in question without his knowledge, consent, or connivance, the said other person shall be summarily convicted of such offence, and the employer shall be exempt from any penalty.

When it is made to appear to the satisfaction of an inspector of factories or mines, or in Scotland a procurator fiscal, at the time of discovering the offence, that the employer had used due diligence to enforce the execution of the said Acts, and also by what person such offence had been committed, and also that it had been committed without the knowledge, consent, or connivance of the employer, then the inspector or procurator fiscal shall proceed against

the person whom he believes to be the actual offender in the first instance without first proceeding against the employer.

Recovery of penalties.

13.—(1.) Any offence against the principal Act or this Act may be prosecuted, and any penalty therefor recovered in manner provided by the Summary Jurisdiction Acts, so, however, that no penalty shall be imposed on summary conviction exceeding that prescribed by the principal Act for a second offence.

(2.) It shall be the duty of the inspectors of factories and the inspectors of mines to enforce the provisions of the principal Act and this Act within their districts so far as respects factories, workshops, and mines inspected by them respectively, and such inspectors shall for this purpose have the same powers and authorities as they respectively have for the purpose of enforcing the provisions of any Acts relating to factories, workshops, or mines, and all expenses incurred by them under this section shall be defrayed out of moneys provided by Parliament.

(3.) In England all penalties recovered under the principal Act and this Act shall be paid into the receipt of Her Majesty's Exchequer, and be carried to the Consolidated Fund.

(4.) In Scotland—

(*a*.) The procurators fiscal of the sheriff court shall, as part of their official duty, investigate and prosecute offences against the principal Act or this Act, and such prosecution may also be instituted in the sheriff court at the instance of any inspector of factories or inspector of mines;

(*b*.) All offences against the said Acts shall be prosecuted in the sheriff court.

Definitions.

14. In this Act, unless the context otherwise requires,—

The expression "Summary Jurisdiction Acts" means, as respects England, the Summary Jurisdiction Acts as defined by the Summary Jurisdiction Act, 1879; and, as respects Scotland, means the Summary Jurisdiction (Scotland) Acts, 1864 and 1881, and any Acts amending the same:

Other expressions have the same meaning as in the principal Act.

Disqualification of justice.

15. So much of the principal Act as disqualifies any justice from acting as such under the principal Act is hereby repealed.

A person engaged in the same trade or occupation as an employer charged with an offence against the principal Act or this Act shall not act as a justice of the peace in hearing and determining such charge.

Amendment of 1 & 2 Will. 4. c. 37, as to overseers.

16. The provisions of the principal Act conferring powers on any overseers or overseer of the poor shall be deemed to confer those powers in the case of England on the guardians of a union, and in the case of Scotland on the inspectors of the poor.

Repeal.

17. The Acts mentioned in the schedule to this Act are hereby repealed to the extent in the third column of the said schedule mentioned, without prejudice to anything heretofore done or suffered in respect thereof.

18. The principal Act, so far as it is not hereby repealed, and this Act shall extend to Ireland; subject to the following provisions: **Application of Acts to Ireland.**

(1.) Any offence against the principal Act or this Act may be prosecuted and any penalty therefor may be recovered in the manner provided by the Summary Jurisdiction (Ireland) Acts; (that is to say,) within the Dublin Metropolitan Police District the Acts regulating the powers and duties of justices of the peace and of the police of that district, and elsewhere in Ireland the Petty Sessions (Ireland) Act, 1851, and the Acts amending the same;

(2.) Penalties recovered under the principal Act or this Act shall be applied in the manner directed by the Fines (Ireland) Act, 1851, and the Acts amending the same.

SCHEDULE.

Session and Chapter.	Title of Act.	Extent of Repeal.
12 Geo. 1. c. 34. -	An Act to prevent unlawful combinations of workmen employed in the woollen manufactures, and for better payment of their wages	Section three, and so much of section eight as applies section three.
22 Geo. 2. c. 27. -	An Act, the title of which begins with "An Act "for the more effectual "preventing of frauds," and ends with the words "and for the better pay- "ment of their wages."	So much of section twelve as applies to any enactment repealed by this Act.
30 Geo. 2. c. 12. -	An Act, the title of which begins with the words "An Act to amend an "Act," and ends with the words "payment of the "workmen's wages in "any other manner than "in money."	Sections two and three.
57 Geo. 3. c. 115. -	An Act, the title of which begins with the words "An Act to extend the "provisions of an Act," and ends with the words "articles of cutlery."	The whole Act.
57 Geo. 3. c. 122. -	An Act, the title of which begins with the words "An Act to extend the "provisions," and ends with the words "extend- "ing the provisions of "the said Acts to Scot- "land and Ireland."	The whole Act.