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GEORGII III. REGIS.

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An Act for settling Disputes that may arise between Masters and Workmen engaged in the Cotton Manufacture in that Part of *Great Britain* called *England*. [28th *July* 1800.]

Preamble.

WHEREAS considerable Abuses have for several Years last past subsisted in the Trade or Manufacture of Cotton Weaving, in that Part of *Great Britain* called *England*, to the great Oppression of the Persons employed in the Manufacture thereof and concerned therein, and manifest Hindrance and Injury of the Trade: And whereas it will be a great Convenience and Advantage to all Parties concerned in such Trade, and an Encouragement to the Manufacture, that a cheap and summary Mode be established for settling all Disputes that may arise in respect thereof, between the Masters and Workmen engaged in the said Trade: May it please Your Majesty that it may be enacted; and be it enacted by the King'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 *August* in the Year of Our Lord One thousand eight hundred, in all Cases that shall or may arise within that Part of *Great Britain* called *England*, where the Masters and Workmen cannot agree respecting the Price or Prices to be paid for Work done, or to be done, in the said Manufacture, whether such Dispute shall happen

From *August* 1, 1800, in cases of Difference between Masters and Workmen in the Cotton Manufacture

in *England*, which cannot be mutually adjusted, the Matter in Dispute may be referred to Arbitration.

or arise between them respecting the Reduction or Advance of Wages or any Injury or Damage done, or alleged to have been done by the Workmen to the Work, or respecting any Delay, or supposed Delay, on the Part of the Workmen in finishing the Work or the not finishing such Work in a good and workmanlike Manner; and also in all Cases where the Workmen are to be employed to work any new Pattern which shall require them to purchase any new Implements of Manufacture for the working thereof, and the Masters and Workmen cannot agree upon the Compensation to be made to such Workmen for or in respect thereof, and also respecting the Length of all Pieces of Cotton Goods, or the Wages or Compensation to be paid for all Pieces of Cotton Goods that are made of any great or extraordinary Length, and respecting the Manufacture of Cravats, Shawls, Polycat, Romall, and other Handkerchiefs, and the Number to be contained in one Piece of such Handkerchiefs, and the Wages to be paid in respect thereof, and in all Cases of Dispute or Difference arising or happening by and between the Masters and Workmen employed in such Manufacture, out of, for, or touching such Trade or Manufacture, which cannot be otherwise mutually adjusted and settled by and between them; it shall and may be lawful, and it is hereby declared to be lawful, for such Masters and Workmen, between whom such Dispute or Difference shall arise as aforesaid, or either of them, to demand and have an Arbitration or Reference of such Matter or Matters in Dispute, and each of them is hereby authorized and empowered forthwith to nominate and appoint an Arbitrator for and on his respective Part and Behalf, to arbitrate and determine such Matter or Matters in Dispute as aforesaid, and such Arbitrators so appointed as aforesaid, after they shall have accepted and taken upon them the Business of the said Arbitration, are hereby authorized and required to summon before them, and examine upon Oath the Parties and their Witnesses, (which Oath the said Arbitrators are hereby authorized and required to administer according to the Form set forth in the Schedule to this Act, and forthwith to proceed to hear and determine the Complaints of the Parties and the Matter or Matters in Dispute between them, and the Award to be made by such Arbitrators shall in all Cases be final and conclusive between the Parties; but in case such Arbitrators so appointed cannot agree to decide such Matter or Matters in Dispute so to be referred to them as aforesaid, and do not make and sign their Award within the Space of Three Days after the signing of the said Submission, that then they shall forthwith, and without Delay, go before and attend upon One of His Majesty's Justices of the Peace acting in and for the County, Riding, City, Liberty, Division, Township, or Place, and residing nearest to the Place where such Dispute shall happen and be referred, and state to such Justice the Points in Difference between them the said Arbitrators, which Points in Difference the said Justice shall and he is hereby authorized and required to hear and determine, which Determination of such Justice shall be made and signed within the Space of Three Days after the Expiration of the Time hereby allowed the Arbitrators to make and sign their Award, and shall be final and conclusive between the Parties so differing as aforesaid; and if either of the said Parties, or their respective Witnesses, having been duly summoned, shall neglect or refuse to attend such Arbitrators at the Time and Place by them for that Purpose appointed, it shall and may be lawful for any one or more of His Majesty's Justices of the Peace acting in and for the County, Riding, City, Liberty, Division, Township, or Place, where such Dispute shall happen, and he or they is

Arbitrators empowered to summon Witnesses and administer Oaths.

If they do not agree and sign the Award within Three Days after Submission, they shall state the Points in Difference to a Justice who shall finally decide therein.

Parties or Witnesses refusing to attend Arbitrators, and after being brought before a Justice, refusing to

or are hereby required, upon Proof on Oath being made before him or them of the Service of such Summons, either personally or by leaving the same at the last or usual Place of Abode of such Person summoned, and also upon the like Proof of the Neglect or Refusal of such Person to attend the said Arbitrators in pursuance of such Summons, (unless a reasonable Excuse be made for such Non-attendance to the Satisfaction of such Justice or Justices), to issue his or their Warrant under his or their Hand or Hands for the apprehending and bringing such Person before him or them, and if any such Person so being brought before such Justice or Justices shall still refuse to be examined, or to give his or their Testimony before such Arbitrators touching the Premises, such Person so refusing shall be by the said Justice or Justices committed to the House of Correction within his or their Jurisdiction, there to remain without Bail or Mainprize until he, she, or they, shall submit to be examined and give Evidence before the Arbitrators touching the Premises aforesaid.

give Evidence, may be committed to the House of Correction.

II. Provided always, and be it further enacted, That if the Parties who shall have signed any Submission to Arbitration shall think it expedient, or be minded and desirous to extend the Time hereby limited for the making of the Award or Umpirage, it shall and may be lawful for them to extend the same accordingly by Indorsement on the Back of such Submission, to be signed by both of them in the Presence of one or more credible Witness or Witnesses; any Thing herein-before contained to the contrary thereof in anywise notwithstanding.

Time of making Award may be extended by the Parties.

III. Provided also, and be it further enacted, That the Submission to such Arbitration, and the Award or Umpirage to be made thereon, shall and may be drawn up, and written at the Foot of such Submission, upon unstamped Paper, in the respective Forms set forth in the Schedule to this Act; any Law, Usage, or Custom, to the contrary thereof in anywise notwithstanding.

Submission and Award may be drawn on unstamped Paper agreeably to Schedule annexed;

IV. Provided also, and be it further enacted, That there shall, in all Cases, be written or engrossed Two Parts of the Submission to Arbitration, One for each of the Parties subscribing the same.

and each Party to have a Copy.

V. And be it further enacted by the Authority aforesaid, That in every Case of Dispute or Difference between any such Master and Workman in such Trade or Manufacture as aforesaid, if an Arbitration shall be demanded, and the Submission thereto signed, and an Arbitrator therein named by either of the said Parties, and the other of them shall refuse or neglect to sign the said Submission, and appoint his Arbitrator; or if, after the making of the said Award or Umpirage, either Party shall refuse to submit thereto for the Time or Term of Two Days next after the signing of such Submission in Manner aforesaid, or refusing to submit to such Award or Umpirage respectively as aforesaid, the Party so neglecting, or refusing to sign the said Submission, or to appoint his Arbitrator, or refusing to submit to such Award or Umpirage as aforesaid, shall forfeit and pay to the Party who shall have demanded such Arbitration, signed his Submission thereto, and named his Arbitrator therein as aforesaid, or in whose Favour such Award or Umpirage shall be made and signed as aforesaid, the Sum of Ten Pounds, to be recovered in a summary Way before One or more Justice or Justices of the Peace for the County,

If any Party refuse to sign the Submission or to appoint an Arbitrator, or to submit to the Award, he shall forfeit to the other Party 10 *l.*, *etc.*

County, Riding, City, Liberty, Diviſion, Townſhip, or Place, where ſuch Offence ſhall be committed; and the Conviction for the ſame may be had and made upon the Oath or Oaths of One or more credible Witneſs or Witneſſes; and in caſe any ſuch Forfeiture or Penalty ſhall not be forthwith paid purſuant to ſuch Conviction, ſuch Juſtice or Juſtices ſhall, by Warrant under his or their Hand or Hands, cauſe the ſame to be levied by Diſtreſs and Sale of the Offender's Goods and Chattels, together with all Coſts and Charges attending ſuch Diſtreſs and Sale; and in caſe no ſufficient Diſtreſs can be had, ſuch Juſtice or Juſtices ſhall, by Warrant under his or their Hand or Hands, commit the Offender to the Common Gaol, or ſome Houſe of Correction, within his or their Juriſdiction, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, nor leſs than Two Calendar Months.

Convictions to be drawn up agreeably to the Form ſet forth in the Schedule.

VI. And be it further enacted, by the Authority aforeſaid, That the Juſtice or Juſtices, before whom any Perſon or Perſons ſhall be convicted of any Offence againſt this Act, ſhall cauſe all ſuch Convictions to be drawn up according to the Form, or to the Effect ſet forth in the Schedule to this Act; and the ſaid Juſtice or Juſtices ſhall cauſe the ſame to be fairly written on Parchment, and tranſmitted to the next General Seſſions, or General Quarter Seſſions of the Peace, to be holden for the County, Riding, Diviſion, City, Liberty, Townſhip, or Place, wherein ſuch Conviction was had, to be filed and kept amongſt the Records of the ſaid General or General Quarter Seſſions.

Appeal may be made to Quarter Seſſions.

VII. Provided always, and be it further enacted, That it ſhall and may be lawful for any Perſon convicted before any One or more Juſtice or Juſtices of the Peace, of any Offence againſt this Act, to appeal to the Juſtices of the Peace aſſembled at the next General Seſſions or General Quarter Seſſions of the Peace, to be holden for the County, Riding, Diviſion, City, Liberty, Townſhip, or Place, wherein ſuch Conviction ſhall be made, ſuch Perſon ſo appealing giving immediate Notice of ſuch Appeal, and finding Two ſufficient Sureties in the Sum of Five Pounds each, and entering into his or her own Recognizance before ſuch Juſtice or Juſtices ſo convicting as aforeſaid, in the Sum of Ten Pounds, to appear and proſecute every ſuch Appeal with Effect; and the Juſtices of the Peace at ſuch General or General Quarter Seſſions of the Peace, are hereby authorized and required on every ſuch Appeal being made, and on reaſonable Notice thereof given to the other Party, finally to hear and determine the Matter of every ſuch Appeal, and to make ſuch Order, and to award ſuch Coſts therein, as they in their Diſcretion ſhall ſee meet; and which ſaid Order and Determination ſhall be final and concluſive to all Parties; and no *Certiorari* ſhall be allowed to remove any ſuch Proceedings or Determination.

Limitation of Actions.

VIII. Provided alſo, and be it further enacted by the Authority aforeſaid, That no Action ſhall be brought againſt any Arbitrator, Juſtice of the Peace, Conſtable, Headborough, or other Officer, or againſt any other Perſon or Perſons whomſoever, for any Matter or Thing whatſoever done or committed under or by virtue or in the Execution of this Act, unleſs ſuch Action ſhall be brought within Six Calendar Months next after the doing or committing of ſuch Matter or Thing.

IX. Provided

IX. Provided alſo, That if any Action or Suit ſhall hereafter be commenced or proſecuted againſt any Perſon or Perſons, for any Thing done under, by virtue, or in the Execution of this Act, ſuch Perſon or Perſons may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence; and if the Plaintiff ſhall become nonſuited, or ſuffer Diſcontinuance, or forbear further Proſecution, or if Judgement ſhall be given for the Defendant or Defendants, ſuch Defendant or Defendants ſhall recover his, her, or their full Coſts, for which he, ſhe, or they ſhall have like Remedy as in Caſes where Coſts by Law are given to Defendants. General Iſſue may be pleaded.

X. Provided alſo, and be it further enacted by the Authority aforeſaid, That no Juſtice of the Peace, being alſo a Maſter Cotton Weaver or Manufacturer, ſhall act as ſuch Juſtice under this Act; any Thing herein contained, or any former Statute, Law, Uſage, or Cuſtom, to the contrary thereof in anywiſe notwithſtanding. Juſtices who are Cotton Manufacturers not to act.

XI. Provided alſo, and be it further enacted by the Authority aforeſaid, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to repeal, abridge, annul, or make void any of the Clauſes, Proviſions, Remedies, or Powers contained in the ſeveral Acts made and paſſed in the Firſt Year of the Reign of Her late Majeſty Queen *Anne*, and in the Thirteenth and Twenty-third Years of the Reign of his late Majeſty King *George* the Second, and in the Seventeenth Year of the Reign of His preſent Majeſty, or in any or either of them, or in any other Act or Acts relating to the ſaid Trade heretofore made and paſſed, ſo far as the ſame enact, provide, or inflict any Pains, Penalties, and Puniſhments upon or againſt ſuch Workmen, and ſo far as the ſame enact, provide, or afford any Remedy or Remedies to the Maſters againſt the Workmen engaged in the ſaid Trade or Manufacture (ſave and except where ſuch Remedy and Remedies relate to Wages); any Thing in this Act contained to the contrary thereof in anywiſe notwithſtanding. Nothing herein to repeal any Proviſions of the Acts of 1 *Annæ*, 13 and 23 *Geo.* II, and 17 *Geo* III, or of any other Act, ſo far as they provide Penalties on Workmen, or afford Remedies to Maſters (except where they relate to Wages).

XII. And be it further enacted, That this Act ſhall be taken and allowed to be a Publick Act in all Courts within this Kingdom, and all Judges and Juſtices of the Peace are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame. Publick Act.

SCHEDULE to which this Act refers.

FORM of the OATH to be administered by the Arbitrators to the Parties and Witnesses under this Act.

THE Evidence that you shall give before us the Arbitrators appointed by *A. B.* and *C. D.* *(the Parties to the Submission)*, to determine the Matters in Difference between them, under and by virtue of an Act, passed in the Fortieth Year of the Reign of His present Majesty, intituled, *An Act, (state the Title of the Act)*, shall be the Truth, the whole Truth, and nothing but the Truth.

So help you GOD.

FORM of the SUBMISSION to ARBITRATION, and of the Award to be made in pursuance of this Act.

I *A. B.* of, &c. *(set forth the Name, Residence, and Description of the Party)* do hereby nominate and appoint *C. D.* of, &c. my Arbitrator under and by virtue of an Act, passed in the Fortieth Year of the Reign of His present Majesty, intituled, *An Act, (set forth the Title of the Act)*, to hear and determine the Matters in Difference between me and *E. F.* of, &c.

I, *E. F.* of, &c. do appoint *G. H.* of, &c. to be my Arbitrator under the said Act for the Purposes aforesaid.

FORM of the AWARD or UMPIRAGE to be made by the Arbitrators or Umpire, and to be written at the Foot of the Submission.

WE, *I. K.* and *L. M.* of, &c. the Arbitrators above-appointed, [*or* I, *N. O. of, &c. the Justice, as the Case may be*], do hereby adjudge and determine that, &c. *(here set forth the Determination to which the Arbitrators or Justice, as the Case may be, shall subscribe their Names)*.

Witness,

P. Q.

FORM of CONVICTION in a pecuniary Penalty.

BE it remembered, That on the Day of in the Year of His Majesty's Reign, and in the Year of our Lord *A. B.* is convicted before me, (*or* us, meaning the Justices) One (*or*, Two) of His Majesty's Justices of the Peace for the County (*or*, Riding, City, Liberty, Township, Division, or Place) of for that the said *A. B.* *(state the Offence, as for neglecting to sign the Submission, or refusing to submit*

to the Award within the Time limited, as the Case may be), contrary to the Statute made in the Fortieth Year of His present Majesty, intituled, *An Act*, (*here set forth the Title of the Act*); and I (*or* we) the said Justice (*or* Justices) do hereby adjudge and determine the said *A. B.* for the said Offence, to forfeit and lose the Sum of of lawful Money of *Great Britain*, and do order the same to be forthwith paid by him, (her, *or* them, *as the Case may be*) to *C. D.*

FORM of COMMITMENT of a Person summoned as a Witness.

WHEREAS Proof on Oath hath been made before me (*or* us, *naming the Justice or Justices signing the Commitment*) One (*or* Two) of His Majesty's Justices of the Peace for the County (*or* Riding, City, Liberty, Township, Division, or Place) of on this Day of That *A. B.* hath been duly summoned, and hath neglected to appear and give Evidence before *C. D.* and *E. F.* the Arbitrators appointed by and between *G. H.* and *I. K.* to determine the Matters in Dispute between them at in the County (*or*, Riding, City, Liberty, Township, Division, or Place) of on the Day of under and by virtue of an Act, made in the Fortieth Year of the Reign of His present Majesty, intituled, *An Act*, (*here set forth the Title of the Act*); and the said *A. B.* being required by me, the said Justice, to give Evidence before the said Arbitrators, and still refusing so to do, therefore I (*or* we) the said Justice (*or* Justices) do hereby, in pursuance of the said Act, commit the said *A. B.* to the (*describing the Prison, or the House of Correction*) there to remain without Bail or Mainprize for his (*or* her) Offence aforesaid, until he (*or* she) shall submit himself (*or* herself) to be examined, and give his (*or* her) Evidence before the said Arbitrators, touching the Matters referred to them as aforesaid, or shall otherwise be discharged by due Course of Law. And you the (Constable *or* other Peace Officer or Officers to whom the Warrant is directed) are hereby authorized and required to take into your Custody the Body of the said *A. B.* and him (*or* her) safely to convey to the said Prison (*or* House of Correction) and him (*or* her) there to deliver to the Gaoler (*or* Keeper) thereof, who is hereby authorized and required to receive into his Custody the Body of the said *A. B.* and him or her safely to detain and keep pursuant to this Commitment.

Given under my (*or* our) Hand (*or* Hands) this Day of in the Year of our Lord

This Commitment to be directed to the proper Peace Officer and the Gaoler (*or* Keeper) of the Prison (*or* House of Correction).

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