

ANNO QUINQUAGESIMO QUARTO

GEORGII III. REGIS.

CAP. CXVI.

An Act to repeal the several Laws for Recovery of small Sums due for Wages, in *Ireland*; and to make other Provisions for Recovery of such Wages. [23d *July* 1814.]

WHEREAS by an Act passed in the Parliament of *Ireland* in the Second Year of the Reign of His late Majesty King *George* the First, intituled *An Act to empower Justices of the Peace to determine Disputes about Servants, Artificers, Day Labourers, Wages and other small Demands, and to oblige Masters to pay the same; and to punish idle and disorderly Servants*; divers Provisions were made for enforcing the Payment of Wages due to Servants, Artificers, and Day Labourers: And whereas the said Provisions have been amended, enlarged, or modified by the several Acts here following passed from Time to Time in *Ireland*, (that is to say), an Act passed in the Third Year of His late Majesty King *George* the Second, intituled *An Act to prevent unlawful Combinations of Workmen, Artificers, and Labourers employed in the several Trades and Manufactures of this Kingdom, and for the better Payment of their Wages; as also to prevent Abuses in making of Bricks, and to ascertain their Dimensions*; an Act passed in the Twenty-fifth Year of His said Majesty King *George* the Second, intituled *An Act for the better adjusting and more easy Recovery of the Wages of certain Servants, and for the better Regulation of such Servants, and of certain Apprentices, and for the Punishment of all such Owners of Coal and their Agents, as shall knowingly employ and set at Work Persons retained in the Service of other Coal Owners; and also that mutual*

2 G. 1. c. 17.

3 G. 2. c. 14.

25 G. 2. c. 8.

Debts between Party and Party be ſet one againſt the other; an Act paſſed in the Twenty-ninth Year of His ſaid Majeſty King *George* the Second, intituled *An Act for continuing and reviving ſeveral temporary Statutes, and for amending and explaining an Act made in the Eighth Year of His late Majeſty's Reign, continued and amended by an Act made in the Twenty-firſt Year of His preſent Majeſty's Reign, intituled 'An Act for the further 'Amendment of the Law in relation to Butter and Tallow, Caſks, Hides, and 'other Commodities of this Kingdom; and for preventing the Deſtruction of 'Salmon;'* an Act paſſed in the Fifth Year of His preſent Majeſty's Reign, intituled *An Act for continuing, reviving, and amending ſeveral temporary Statutes; and for empowering the Grand Jury of the County of* Kilkenny *at the Aſſizes to increaſe the yearly Salary of the Treaſurer of the ſaid County:* And whereas the ſaid Proviſions of the ſaid ſeveral Acts have been found defective, and ſome Doubts have occurred as to the Conſtruction thereof, and it is expedient that all the Proviſions for enforcing the Payment of Wages due to Servants, Artificers, and Labourers, ſhould be compriſed in One Act of Parliament; be it therefore 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 One Month after the paſſing of this Act, ſo much of the ſaid herein-before recited Acts, as relates to the Payment of Wages due to Servants, Artificers, and Labourers, or to any of them, ſhall ſtand and be repealed; ſave ſo far as relates to any Proceedings that may have been commenced under the ſaid Acts, or any of them, before the Period aforeſaid.

29 G. 2. c. 8.

Recited Acts repealed as to Recovery of Servants Wages.

Commencement of this Act.

II. And be it further enacted, That this Act, and all the Matters and Proviſions herein-after contained, ſhall commence and take Effect from and immediately after the ſaid Time of the Repeal of the ſaid former Acts, and not ſooner.

One Juſtice empowered to hear and determine Complaints of Servants, Artificers, and Labourers, for Non-payment of Wages.

III. And be it enacted, That for the more eaſy Recovery of Wages which ſhall or may remain due, after the Commencement of this Act, or which ſhall become due to any Labourer, Artificer, or Servant in *Ireland*, whoſe Demand ſhall not exceed the Sum of Six Pounds, it ſhall and may be lawful for any One Juſtice of the Peace of the County in *Ireland*, where the Perſon or Perſons, or any of the Perſons alledged to owe the ſame, ſhall reſide, and for every Chief Magiſtrate of any City or Town Corporate in *Ireland*, within his Juriſdiction, and they are hereby empowered and required, upon the Complaint of any ſuch Labourer, Artificer, or Servant, that he or ſhe have been refuſed Payment of, or cannot receive his or her Wages due to him or her, to iſſue his Summons in Writing to ſuch Perſon or Perſons ſo alledged to owe ſuch Wages, or to any of them (not being a Peer or Peereſs), to appear before him; in which Summons the Sum demanded, and alſo the Place and Time for ſuch Perſons Appearance, ſhall be expreſſed; and upon ſuch Perſon or Perſons ſo ſummoned appearing accordingly, or in caſe the ſaid Perſon or Perſons ſo ſummoned ſhall neglect or refuſe to appear, according to ſuch Summons, that then upon Proof on Oath, that the ſaid Summons was delivered to the ſaid Perſon or Perſons, or to any of them, or to his, her, or their Son, Daughter, or menial Servant of the Age of Sixteen Years or upwards, at ſuch Perſon's uſual Place of Abode, ſuch Juſtice of the Peace or Chief Magiſtrate is hereby authorized and empowered to proceed to the hearing and determining of

the ſaid Demand, as well by the examining ſuch Witneſs or Witneſſes as ſhall appear before him, upon Oath, as by all other legal Ways; and if neceſſary, by Examination of the Party or Parties complaining or complained againſt, on their reſpective Oaths, and to determine, order, and adjudge whether any Thing and how much ſhall be paid by the ſaid Perſon or Perſons to ſuch Servant, Artificer, or Labourer; and if ſuch Perſon or Perſons ſhall not pay the Sum which ſuch Juſtice of the Peace or Chief Magiſtrate ſhall ſo adjudge to be due to ſuch Servant, Artificer, or Labourer, either immediately or within ſuch Time as the ſaid Juſtice of the Peace or Chief Magiſtrate ſhall direct, not exceeding Ten Days, then the ſaid Juſtice of the Peace or Chief Magiſtrate is hereby required and empowered, by Warrant under his Hand and Seal, at the Inſtance of ſuch Servant, Artificer, or Labourer, directed to any Conſtable or Conſtables of ſuch County, City, or Town, to levy ſo much as ſhall be ſo ordered and adjudged due to ſuch Servant, Artificer, or Labourer, by Diſtreſs and Sale of the Goods and Chattels of ſuch Perſon or Perſons ſo refuſing or omitting to pay the ſame, according to the Determination of the ſaid Juſtice or Chief Magiſtrate, rendering the Overplus (if any there be) to ſuch Perſon or Perſons: Provided always, that if reaſonable Excuſe on Oath, for the Non-attendance of any Perſon ſo ſummoned, ſhall be made to the Satisfaction of ſuch Juſtice of the Peace or Chief Magiſtrate, then and in any ſuch Caſe it ſhall and may be lawful to and for ſuch Juſtice or Magiſtrate to poſtpone the Hearing of ſuch Complaint to ſuch further Time, and to ſuch Place as he ſhall think proper, and to iſſue a new Summons for ſuch Time and Place accordingly.

Maſter to pay Sum adjudged within Ten Days.

Juſtice may poſtpone the Hearing.

IV. And it is hereby declared, That all Perſons not being Artificers or Servants, who ſhall be employed to do any Species of Work or Labour whatſoever for Hire, ſhall be deemed and taken to be Labourers within the true Intent and Meaning of this Act, and ſhall be entitled to recover Wages as ſuch, under and according to the Regulations aforeſaid.

Labourers defined.

V. And be it further enacted, That whenever it ſhall appear, to the Satisfaction of ſuch Juſtice of the Peace or Chief Magiſtrate, that ſuch Servant, Artificer, or Labourer, has been, or is likely to be detained from his or her Home or uſual Place of Reſidence, by reaſon of the Non-payment of any Wages which ſuch Juſtice or Magiſtrate ſhall ſo adjudge to be due, then and in every ſuch Caſe it ſhall and may be lawful to and for ſuch Juſtice of the Peace or Chief Magiſtrate, to order and adjudge that there be paid to ſuch Servant, Artificer, or Labourer, not only the Sum ſo due for Wages as aforeſaid, but alſo ſuch further Sum, for the Time during which ſuch Servant, Artificer, or Labourer, ſhall have been there ſo detained from his uſual Place of Reſidence, as ſuch Juſtice or Magiſtrate ſhall think and adjudge to be reaſonable, having regard to the Length of ſuch Detention, the Diligence or Remiſſneſs of either Party, the uſual Wages of ſuch Servant, Artificer, or Labourer, and the Wages which, within the Time of ſuch Detention, ſuch Servant, Artificer, or Labourer, did earn, or under all the Circumſtances of the Caſe might have earned; and alſo a reaſonable Sum by the Day, to be eſtimated in like Manner, until ſuch Wages ſo adjudged to be due ſhall be recovered as aforeſaid, or otherwiſe paid; ſo as ſuch additional Sums or Sum ſo ordered and adjudged do not exceed the Sum of Two Pounds.

Juſtice may award further Sum to Servants, &c as Compenſation for Loſs of Time in recovering Wages.

VI. Provided

Appeal to Quarter Seſſions.

VI. Provided always, That it ſhall be lawful for either Party to appeal to the next Quarter Seſſions for the County, City, or Place where ſuch Order ſhall be made; which Quarter Seſſions ſhall finally determine the ſame, and ſhall have Power thereon to give and award ſuch Coſts, and alſo ſuch Compenſation for ſuch Detention as aforeſaid, as may have taken place ſubſequent to the Order ſo appealed from, as ſuch Court of Quarter Seſſions ſhall adjudge reaſonable, not exceeding Ten Pounds, the ſame to be levied by Diſtreſs and Sale as aforeſaid.

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