

ANNO QUARTO

GEORGII IV. REGIS.

CAP. XXXIV.

An Act to enlarge the Powers of Justices in determining Complaints between Masters and Servants, and between Masters, Apprentices, Artificers, and others. [17th *June* 1823.]

WHEREAS an Act was passed in the Twentieth Year of the Reign of His 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 another Act was passed in the Sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for better regulating Apprentices, and Persons working under Contract;* and also another Act was passed in this present Session of Parliament, intituled *An Act to increase the Power of Magistrates in cases of Apprenticeships;* and it is expedient to extend the Powers of the said Acts; 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 it shall and may be lawful, not only for any Master or Mistress, but also for his or her Steward, Manager, or Agent, to make Complaint upon Oath against any Apprentice, within the Meaning of the said before recited Acts, to any Justice of the Peace of the County or Place where such Apprentice shall be employed, of or for any Misdemeanor, Misconduct, or ill Behaviour of any such Apprentice; or if such Apprentice shall have absconded, it shall be lawful for any Justice of the Peace of the County or Place where such Apprentice shall be found, or where such Apprentice shall have been employed, and

20 G. 2. c. 19.

6 G. 3. c. 25.

4 G. 4. c. 29.

Masters or their Steward or Agent may make Complaint against Apprentices.

and any such Justice is hereby empowered, upon Complaint thereof made upon Oath by such Master, Mistress, Steward, Manager, or Agent, which Oath the said Justice is hereby empowered to administer, to issue his Warrant for apprehending every such Apprentice; and further, that it shall be lawful for any such Justice to hear and determine the same Complaint, and to punish the Offender by abating the Whole or any Part of his or her Wages, or otherwise by Commitment to the House of Correction, there to remain and be held to hard Labour, for a reasonable Time not exceeding Three Months.

Justices may abate Wages, or commit to House of Correction.

Justices may order Payment of Wages to Apprentices, provided the Sum in question does not exceed 10*l*.

II. And be it further enacted, That all Complaints, Differences, and Disputes which shall arise between Masters or Mistresses and their Apprentices, within the Meaning of the said before recited Acts, or any of them, touching or concerning any Wages which may be due to such Apprentices, shall and may be heard and determined by one or more Justice or Justices of the Peace of the County or Place where such Apprentice or Apprentices shall be employed, which said Justice or Justices is and are hereby empowered to examine on Oath any such Master or Mistress, Apprentice or Apprentices, or any Witness or Witnesses, touching any such Complaint, Difference, or Dispute, and to summon such Master or Mistress to appear before such Justice or Justices at a reasonable Time to be named in such Summons, and to make such Order for Payment of so much Wages to such Apprentice or Apprentices, as according to the Terms of his, her, or their Indentures of Apprenticeship shall appear to such Justice or Justices, under all the Circumstances of the Case, to be justly due, (provided that the Sum in question do not exceed the Sum of Ten Pounds), the Amount of such Wages to be paid within such Period as the said Justice or Justices shall think proper, and shall order the same to be paid; and in case of a Refusal or Nonpayment thereof, such Justice and Justices shall and may issue forth his and their Warrant, to levy the same by Distress and Sale of the Goods and Chattels of such Master or Mistress, rendering the Overplus to the Owners, after Payment of the Charges of such Distress and Sale.

Justices may issue Warrants to apprehend Servants in Husbandry, Artificers, &c.

III. And be it further enacted, That if any Servant in Husbandry or any Artificer, Calico Printer, Handicraftsman, Miner, Collier, Keelman, Pitman, Glassman, Potter, Labourer, or other Person, shall contract with any Person or Persons whomsoever, to serve him, her, or them for any Time or Times whatsoever, or in any other Manner, and shall not enter into or commence his or her Service according to his or her Contract (such Contract being in Writing, and signed by the contracting Parties), or having entered into such Service shall absent himself or herself from his or her Service before the Term of his or her Contract, whether such Contract shall be in Writing or not in Writing, shall be completed, or neglect to fulfil the same, or be guilty of any other Misconduct or Misdemeanor in the Execution thereof, or otherwise respecting the same, then and in every such Case it shall and may be lawful for any Justice of the Peace of the County or Place where such Servant in Husbandry, Artificer, Calico Printer, Handicraftsman, Miner, Collier, Keelman, Pitman, Glassman, Potter, Labourer, or other Person, shall

have so contracted, or be employed or be found, and such Justice is hereby authorized and empowered, upon Complaint thereof made upon Oath to him by the Person or Persons, or any of them, with whom such Servant in Husbandry, Artificer, Calico Printer, Handicraftsman, Miner, Collier, Keelman, Pitman, Glassman, Potter, Labourer, or other Person shall have so contracted, or by his, her, or their Steward, Manager, or Agent, which Oath such Justice is hereby empowered to administer, to issue his Warrant for the apprehending every such Servant in Husbandry, Artificer, Calico Printer, Handicraftsman, Miner, Collier, Keelman, Pitman, Glassman, Potter, Labourer, or other Person, and to examine into the Nature of the Complaint; and if it shall appear to such Justice that any such Servant in Husbandry, Artificer, Calico Printer, Handicraftsman, Miner, Collier, Keelman, Pitman, Glassman, Potter, Labourer, or other Person, shall not have fulfilled such Contract, or hath been guilty of any other Misconduct or Misdemeanor as aforesaid, it shall and may be lawful for such Justice to commit every such Person to the House of Correction, there to remain and be held to Hard Labour for a reasonable Time, not exceeding Three Months, and to abate a proportionable Part of his or her Wages, for and during such Period as he or she shall be so confined in the House of Correction, or in lieu thereof, to punish the Offender by abating the Whole or any Part of his or her Wages, or to discharge such Servant in Husbandry, Artificer, Calico Printer, Handicraftsman, Miner, Collier, Keelman, Pitman, Glassman, Potter, Labourer, or other Person from his or her Contract, Service, or Employment, which Discharge shall be given under the Hand and Seal of such Justice *gratis*.

and may commit Offenders to the House of Correction, &c.

IV. And whereas it frequently happens that such Masters, Mistresses, or Employers reside at considerable Distances from the Parishes or Places where their Business is carried on, or are occasionally absent for long Periods of Time, either beyond the Seas, or at considerable Distances from such Parishes or Places, and during such Residence or occasional Absences entrust their Business to the Management and Superintendence of Stewards, Agents, Bailiffs, Foremen, or Managers, whereby such Servants, Artificers, Handicraftsmen, Miners, Colliers, Keelmen, Pitmen, Glassmen, Potters, Labourers, or other Persons and Apprentices, are or may be subjected to great Difficulties and Hardships, and put to great Expence in recovering their Wages; be it therefore enacted, That in either of the said Cases, it shall and may be lawful to and for any Justice or Justices of the County or Place where such Servant in Husbandry, Artificer, Handicraftsman, Miner, Collier, Keelman, Pitman, Glassman, Potter, Labourer, or other Person or Apprentice shall be employed, upon the Complaint of any such Servant, Artificer, Handicraftsman, Miner, Collier, Keelman, Pitman, Glassman, Potter, Labourer, or other Person or Apprentice touching or concerning the Nonpayment of his or her Wages, to summon such Steward, Agent, Bailiff, Foreman, or Manager, to be and appear before him or them at a reasonable Time to be named in such Summons, and to hear and determine the Matter of the Complaint in such and the like Manner as Complaints of the like Nature against any Master, Mistress, or Employer are directed to be heard and determined in and by this and the before recited Acts, and also to make an Order for the Payment by such

How Servants in Husbandry, Artificers, &c. shall recover their Wages, in Cases of Absence of Masters, &c.

such Steward, Agent, Bailiff, Foreman, or Manager, to such Servant, Artificer, Handicraftsman, Miner, Collier, Keelman, Pitman, Glassman, Potter, Labourer, or other Person or Apprentice, of so much Wages as to such Justice or Justices shall appear to be justly due; provided that the Sum in question do not exceed the Sum of Ten Pounds; and in case of Refusal or Nonpayment of any Sum so ordered to be paid by such Steward, Agent, Foreman, Bailiff, or Manager, for the Space of Twenty-one Days from the Date of such Order, such Justice or Justices as aforesaid shall and may issue forth his or their Warrant to levy the same by Distress and Sale of the Goods and Chattels of such Master, Mistress, or Employer, rendering the Overplus to the Owner or Owners or to such Steward, Agent, Bailiff, Foreman, or Manager, for the Use of such Master, Mistress, or Employer, after Payment of the Charges of such Distress and Sale.

Justices may order Payment of Wages within such Time as they may think fit; 20 G. 2. c. 19. 31 G. 2. c. 11.

V. And be it further enacted, That every Justice or Justices of the Peace before whom any Complaint shall be made, in pursuance of the said before recited Act made in the Twentieth Year of the Reign of His late Majesty King *George* the Second, or of another Act made in the Thirty-first Year of the Reign of His said late Majesty, intituled *An Act to amend an Act made in the Third Year of the Reign of King* William *and Queen* Mary, *intituled* '*An Act for the better Explanation and supplying the Defects of the former Laws for the Settlement of the Poor*,' *so far as the same relates to Apprentices gaining a Settlement by Indenture; and also to empower Justices of the Peace to determine Differences between Masters and Mistresses and their Servants in Husbandry, touching their Wages, though such Servants are hired for less Time than a Year*, shall and may order the Amount of the Wages that shall appear due to any Servants in Husbandry, Artificers, Labourers, or other Person named in the said Acts, or either of them, to be paid to the Person entitled thereto, within such Period as the said Justice or Justices shall think proper; and in case of Refusal or Nonpayment thereof, shall and may levy the same by Distress and Sale, in Manner directed by the said first mentioned Act; and every Order or Determination of such Justice or Justices made under this Act shall be final and conclusive, any thing in either of the said Acts contained to the contrary in anywise notwithstanding.

Act not to affect the Jurisdiction of the Chamberlain of London.

VI. Provided always, and be it enacted, That nothing in this Act contained shall extend to impeach or lessen the Jurisdiction of the Chamberlain of the City of *London*, or of any other Court within the said City, touching Apprentices.

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