

R E P O R T

FROM THE

SELECT COMMITTEE

ON

MASTERS AND OPERATIVES;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

APPENDIX AND INDEX.

*Ordered, by The House of Commons, to be Printed,
15 May 1860.*

Jovis, 1° die Martii, 1860.

Ordered, THAT a Select Committee be appointed to take into consideration the means of settling Disputes between Masters and Operatives.

Jovis, 15° die Martii, 1860.

Committee nominated of—

Mr. Mackinnon.	Mr. Pollard-Urquhart.
Mr. Hutt.	Mr. Buxton.
Lord Robert Montagu.	Sir Joseph Paxton.
Sir Morton Peto.	Mr. Ayrton.
Mr. Trefusis.	Mr. Slaney.
Mr. William Ewart.	Mr. Baillie Cochrane.
Mr. Ingham.	Sir James Fergusson.
Mr. Walter.	

Ordered, THAT the Committee have power to send for Persons, Papers and Records.

Ordered, THAT Five be the Quorum of the Committee.

Mercurii, 28° die Martii, 1860.

Ordered, THAT Mr. William Ewart and Mr. Walter be discharged from further attendance on the Committee; and that Mr. William Cubitt and Mr. Edward Egerton be added thereto.

Mercurii, 25° die Aprilis, 1860.

Ordered, THAT the Masters and Operatives Bill be read a second time and committed to the Committee.

Lunæ, 14° die Maii, 1860.

Ordered, THAT the Report (8 July 1856) from the Select Committee on Masters and Operatives, be referred to the Committee.

Martis, 15° die Maii, 1860.

Ordered, THAT the Committee have power to report their Observations, together with the Minutes of Evidence taken before them, to The House.

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R E P O R T.

THE SELECT COMMITTEE appointed to take into consideration the best Means of settling Disputes between **MASTERS** and **OPERATIVES**, and to whom the **MASTERS** and **OPERATIVES** **BILL** was referred;—**HAVE** considered the matters to them referred, and agreed to the following **REPORT** :—

FROM the Evidence taken before them, in which both masters and operatives were examined, and also after referring to the Evidence taken before the Committee appointed in 1856, Your Committee have come to the unanimous opinion that the voluntary formation of Equitable Councils of Conciliation would tend to promote a more friendly understanding between the employers and employed, to soften any irritation that might arise, and in most cases to prevent the growth of such a spirit of antagonism as too often leads to a strike.

Your Committee concur in the opinion expressed in the Report of 1856, that “ From the evidence before them, they cannot but arrive at the conclusion that the formation of Courts of Conciliation in the country, more especially in manufacturing, commercial, and mining districts, would be beneficial; that by these means, both the masters and operatives would be enabled, each from their own class or calling, to appoint referees, an equal number by each party, having the power to elect a chairman.”

Your Committee have considered the Bill which has been referred to them by The House, and are unanimously of opinion that if the Bill passes into a law, it will promote the welfare and good understanding between masters and operatives, and be advantageous to the country.

Your Committee, in conclusion, add, that there is nothing in the Bill that gives power to any Council to regulate the rate of wages in any prospective manner whatever.

15 *May* 1860.

PROCEEDINGS OF THE COMMITTEE.

Lunæ, 19^o die Martii, 1860.

MEMBERS PRESENT :

<p>Mr. Mackinnon. Mr. Ewart. Sir J. Paxton. Sir Morton Peto. Mr. Slaney.</p>		<p>Lord Robert Montagu. Mr. Pollard-Urquhart. Mr. Ingham. Mr. Trefusis. Mr. Baillie Cochrane.</p>
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Motion made and question, "That Mr. Mackinnon do take the chair" (Mr. *Slaney*) put, and agreed to.

Mr. *Mackinnon* in the chair.

Committee deliberated.

[Adjourned till To-morrow, at Twelve o'clock.]

Martis, 20^o die Martii, 1860.

MEMBERS PRESENT :

Mr. MACKINNON in the Chair.

<p>Mr. Ingham. Mr. Slaney. Sir Morton Peto. Sir Joseph Paxton. Mr. Pollard-Urquhart. Mr. Trefusis.</p>		<p>Lord Robert Montagu. Mr. Baillie Cochrane. Mr. Buxton. Sir James Fergusson. Mr. Ayrton.</p>
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Mr. *Edward Humphries* examined.

[Adjourned till Friday next, at Twelve o'clock.]

Veneris, 23^o die Martii, 1860.

MEMBERS PRESENT :

Mr. MACKINNON in the Chair.

<p>Mr. Buxton. Sir Morton Peto. Mr. Pollard-Urquhart. Mr. Trefusis. Lord Robert Montagu.</p>		<p>Mr. Slaney. Mr. Ingham. Sir Joseph Paxton. Mr. Baillie Cochrane.</p>
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Mr. *Thomas Winters*, Mr. *William Vickers*, and Mr. *Richard Perry*, severally examined.

[Adjourned till Tuesday, till Twelve o'clock.]

ON MASTERS AND OPERATIVES.

Martis, 27^o die Martii, 1860.

MEMBERS PRESENT:

Mr. MACKINNON in the Chair.

Mr. Buxton.
Lord Robert Montagu.
Mr. Pollard-Urquhart.
Mr. Slaney.

Mr. Trefusis.
Mr. Baillie Cochrane.
Sir Morton Peto.

Mr. Slaney, a Member of the Committee, examined.

[Adjourned till Friday, at Twelve o'clock.

Veneris, 30^o die Martii, 1860.

MEMBERS PRESENT:

Mr. MACKINNON in the Chair.

Lord Robert Montagu.
Mr. Trefusis.
Mr. Pollard-Urquhart.
Sir Joseph Paxton.
Mr. Slaney.

Sir Morton Peto.
Mr. Ayrton.
Mr. Egerton.
Mr. Cubitt.

Mr. John Buckmaster, Mr. Richard Mitchell, and Mr. John Atkins, severally examined.

[Adjourned till Friday, the 20th of April.

Veneris, 20^o die Aprilis, 1860.

MEMBERS PRESENT:

Mr. MACKINNON in the Chair.

Sir Morton Peto.
Mr. Pollard-Urquhart.
Sir Joseph Paxton.
Mr. Slaney.
Mr. Buxton.

Lord Robert Montagu.
Mr. Ayrton.
Mr. Egerton.
Mr. Baillie Cochrane.
Mr. Cubitt.

Mr. George Potter and Mr. Spencer Northouse, examined.

The Committee deliberated.

Motion made and question, "That the Chairman be instructed to move the House that the Masters and Operatives Bill be referred to the Select Committee on Masters and Operatives" (Mr. Ayrton), put, and agreed to.

[Adjourned till Tuesday, 24th April, at 12 o'clock.

PROCEEDINGS OF THE SELECT COMMITTEE

Martis, 24^o die Aprilis, 1860.

MEMBERS PRESENT:

Mr. MACKINNON in the Chair.

Lord Robert Montagu.
Sir Morton Peto.
Sir Joseph Paxton.
Mr. Pollard-Urquhart.
Mr. Slaney.

Mr. Baillie Cochrane.
Mr. Alderman Cubitt.
Mr. Ayrton.
Mr. Egerton.

Mr. *Thomas Piper*, Mr. *Thomas Butler*, and Mr. *Henry Fawcett*, severally examined.

Sir *Joseph Paxton*, a Member of the Committee, examined.

Committee deliberated.

[Adjourned till Monday next. at 12 o'clock.

Lunæ, 30^o die Aprilis, 1860.

MEMBERS PRESENT:

Mr. MACKINNON in the Chair.

Mr. Alderman Cubitt.
Mr. Egerton.
Mr. Ayrton.
Mr. Hutt.
Mr. Pollard-Urquhart.

Mr. Buxton.
Mr. Slaney.
Mr. Baillie Cochrane.
Sir Morton Peto.

Order of the House of the 25th April, referring the Masters and Operatives Bill to the Select Committee, read.

Preamble read and postponed.

Clause 1 read. Amendment made.

Amendment proposed, at the end of the clause to add the following words: "Provided always, that in case the aforesaid Councils of Conciliation shall be unable to agree among themselves on the person to fill the office of chairman, they may apply to the Board of Trade to appoint a person to fill the aforesaid office (Mr. *Pollard-Urquhart*). Question put, "That those words be there added." The Committee divided:

Ayes, 2.
Mr. Pollard-Urquhart.
Mr. Alderman Cubitt.

Noes, 5.
Mr. Hutt.
Mr. Slaney.
Mr. Buxton.
Mr. Ayrton.
Mr. Egerton.

Clause 1, as amended, agreed to.

Clauses 2 to 9, inclusive, read, amended, and agreed to.

Clause 10 read, and negatived.

Clauses 11, 12, and 13 read, amended, and agreed to.

Clause 14 read, and negatived.

The remaining clauses of the Bill were severally read, amended, and agreed to.

[Adjourned till Friday, at Three o'clock.

Veneris, 4^o die Maii, 1860.

MEMBERS PRESENT:

Mr. MACKINNON in the Chair.

Mr. Pollard-Urquhart.
Sir Morton Peto.
Mr. Slaney.

Mr. Ayrton.
Sir James Fergusson.

Bill further considered.

Preamble read.

Question, "That this be the Preamble of the Bill," put, and agreed to.

[Adjourned till Tuesday, at Three o'clock.]

Martis, 8^o die Maii, 1860.

MEMBERS PRESENT:

Mr. MACKINNON in the Chair.

Sir James Fergusson.
Mr. Pollard-Urquhart.

Sir Joseph Paxton.
Mr. Alderman Cubitt.

Draft Report, proposed by the Chairman, read 1^o, as follows:—

"The Committee appointed to take into consideration the best Means of settling Disputes between Masters and Operatives, and also, by a subsequent Order of The House, to consider the Bill now before Parliament to establish Equitable Councils of Conciliation, after considering the two points to them referred;—Have agreed to the following Report:

"FROM the Evidence taken before them, in which both masters and operatives were examined, and also after referring to the Evidence taken before a former Committee of July 1856, have come to the unanimous opinion that the voluntary formation of Equitable Councils of Conciliation would very much promote a more friendly understanding between the employers and employed, soften any irritation that might arise, and in most cases prevent such a feeling as might end in a strike.

"Your Committee approve also of the sentence in the Report of 1856, which states, that 'From the evidence before them, they cannot but arrive at the conclusion that the formation of Courts of Conciliation in the country, more especially in manufacturing, commercial, and mining districts, would be beneficial; that by these means, both the masters and operatives would be enabled, each from their own class or calling, to appoint referees, an equal number by each party, having the power to elect a chairman unconnected with either party, and having a casting vote.'

"Your Committee also, as directed by The House, have gone through the Bill, which has been read a second time, on the formation of Equitable Councils of Conciliation; they have gone through every clause of the Bill, have struck out two clauses, have altered some others, and are unanimously of opinion that if the said Bill passes into a law, it will promote the welfare and good understanding between masters and operatives, and promote the welfare of the country.

"Your Committee will only add, that there is nothing in the said Bill that gives power to any Council to regulate the rate of wages in any prospective manner whatever. In conclusion, your Committee will only add, that as by the Bill no such Councils can be established without the permission of the Crown, it was necessary to apply to the Home Secretary for the acquiescence of the Crown, which has been obtained."

The Committee deliberated.

[Adjourned till Thursday, at Three o'clock.]

Jovis, 11° die Maii 1860.

MEMBERS PRESENT:

Mr. MACKINNON in the Chair.

Mr. Trefusis.

Mr. Pollard Urquhart.

Mr. Egerton.

Mr. Ayrton.

Report proposed by Chairman. Read 2^d, and considered paragraph by paragraph.

Paragraph 1; read, amended, and agreed to.

Paragraph 2; read, amended, and agreed to.

Paragraph 3; read, amended, and agreed to.

Paragraph 4; read, amended, and agreed to.

Question, "That this Report as amended be the Report to the House;" put, and agreed to.

Question, "That the Minutes of Evidence and Appendix be reported to the House," put, and agreed to.

Ordered to Report.

EXPENSES OF WITNESSES.

NAME of WITNESS.	Profession or Condition.	From whence Summoned.	Number of Days absent from Home, under Orders of Committee.	Expenses of Journey to London and back.	Allowance during Absence from Home.	TOTAL Expenses allowed to Witness.
John Atkins -	Manufacturer	Hinckley, Leice- tershire.	2	£. s. d. 2 - -	£. s. d. 2 2 -	£. s. d. 4 2 -
Richard Mitchell -	Secretary to Miners So- ciety.	Barnsley - -	2	2 13 -	2 2 -	4 15 -
Daniel Butler -	Secretary to Silk Weavers Association.	Coventry - -	3	1 10 -	1 10 -	3 - -
					£.	11 17 -

MINUTES OF EVIDENCE.

LIST OF WITNESSES.

Martis, 20° die Martii, 1860.

Mr. Edward Humphries - - - - - p. 1

Veneris, 23° die Martii, 1860.

Mr. Thomas Winters - - - - - p. 25

Mr. William Vickers - - - - - p. 37

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Martis, 27° die Martii, 1860.

Robert Aglionby Slaney, Esq., M. P. - - - - - p. 43

Veneris, 30° die Martii, 1860.

Mr. John Charles Buckmaster - - - - - p. 51

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Veneris, 20° die Aprilis, 1860.

Mr. George Potter - - - - - p. 67

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Martis, 24° die Aprilis, 1860.

Mr. Thomas Piper - - - - - p. 82

Mr. Daniel Butler - - - - - p. 92

Henry Fawcett, Esq. - - - - - p. 95

Sir Joseph Paxton, M. P. - - - - - p. 96

LIST OF APPENDIX.

Appendix, No. 1.

List of Prices of all Branches of Framework-knitting in Hinckley and District,
July 1859- - - - - p. 100

Appendix, No. 2.

Paper delivered in by Mr. Thomas Piper, 24 April 1860:

Builders' Society.—26th August 1858.—Special Meeting to receive a Deputation from the Carpenters and Joiners relative to Working only Nine Hours per Day - - - - - p. 102

Appendix, No. 3.

Paper delivered in by Sir Joseph Paxton, M.P., 24 April 1860:

Memorandum by Thomas Winters, relative to the Laws relating to the Settlement of Disputes between Masters and Workmen; the Causes of Failure of the various Acts; the necessity for further Legislation in order to meet the requirements of the times and the necessities of the age in which we live - - - - - p. 103

Appendix, No. 4.

Bill laid before the Committee, and proposed for their consideration on Monday, 30 April, together with the Bill before Parliament - - - - - p. 108

A P P E N D I X.

Appendix, No. 1.

LIST of PRICES of all Branches of FRAMEWORK-KNITTING in *Hinchley* and District. July 1859.

(21 GAUGE.) STRAIGHT-DOWN BRANCH.				(21 GAUGE.) WIDE WROUGHT BRANCH.				(21 Gauge—continued.) Men's Half-hose—continued.			
Boys'.	Leads.	Price.		Boys'.	Leads.	Price.		Boys'.	Leads.	Price.	
		s.	d.			s.	d.			s.	d.
1's -	- 44 -	-	1 5	1's -	- 52 -	-	2 1½	74	-	-	2 10
2's -	- 48 -	-	1 7	2's -	- 56 -	-	2 4½	76	-	-	2 11½
3's -	- 52 -	-	1 9	3's -	- 60 -	-	2 7½	78	-	-	3 1
4's -	- 56 -	-	1 11	4's -	- 64 -	-	2 10½	Nar. heels. Gusseted, extra, 2 d.			
5's -	- 60 -	-	2 1	5's -	- 68 -	-	3 1½	Out-sizes and slenders same as men's.			
6's -	- 64 -	-	2 3	6's -	- 72 -	-	3 4½				
7's -	- 68 -	-	2 5	7's -	- 76 -	-	3 7½				
8's -	- 72 -	-	2 7	8's -	- 80 -	-	3 10½				
Wetted and narrowed heels,				Narrowed heels. Wetted, extra, 1 ½ d.							
HALF-HOSE.				Boys' (best.) Leads.				(21 GAUGE.) SINGLE WROUGHT BRANCH.			
Boys'.	Leads.	s. d.		Boys'.	Leads.	s. d.		Boys'.	Leads.	s. d.	
1's -	- 50 -	-	1 1	1's -	- 56 -	-	2 3	1's -	- 52 -	-	2 6
2's -	- 52 -	-	1 2	2's -	- 60 -	-	2 11	2's -	- 56 -	-	2 9
3's -	- 54 -	-	1 3	3's -	- 64 -	-	3 2	3's -	- 60 -	-	3 -
4's -	- 56 -	-	1 4	4's -	- 68 -	-	3 5	4's -	- 64 -	-	3 3
5's -	- 58 -	-	1 5	5's -	- 72 -	-	3 8	5's -	- 68 -	-	3 6
6's -	- 60 -	-	1 8	6's -	- 76 -	-	3 11	6's -	- 72 -	-	3 9
7's -	- 62 -	-	1 7	7's -	- 80 -	-	4 2	7's -	- 76 -	-	4 -
8's -	- 64 -	-	1 8	8's -	- 84 -	-	4 5	8's -	- 80 -	-	4 3
Cleared tops, extra, 1 d. Narrowed heels.				Wetted. Narrowed heels and gusseted.				Wetted and narrowed heels.			
WOMEN'S.				HALF-HOSE.				Boys'.			
Leads.		s. d.		Boys'.	Leads.	s. d.		Boys'.	Leads.	s. d.	
62	-	-	2 1½	1's -	- 48 -	-	1 6	1's -	- 44 -	-	1 6½
64	-	-	2 2½	2's -	- 50 -	-	1 7	2's -	- 47 -	-	1 8
66	-	-	2 3½	3's -	- 52 -	-	1 8	3's -	- 50 -	-	1 9½
68	-	-	2 4½	4's -	- 54 -	-	1 9	4's -	- 53 -	-	1 11
70	-	-	2 5½	5's -	- 56 -	-	1 10	5's -	- 56 -	-	2 -
72	-	-	2 6½	6's -	- 59 -	-	1 11½	6's -	- 59 -	-	2 2
Wetted and narrowed heels.				7's -	- 62 -	-	2 1	7's -	- 62 -	-	2 3½
				8's -	- 65 -	-	2 2½	8's -	- 65 -	-	2 5
				Narrowed heels and cleared tops.				Narrowed heels.			
				Nar. gussets, extra, 2 d.				Cleared tops, extra, 1 d.			
MEN'S.				Leads. MEN'S.				Leads. MEN'S.			
Leads.		s. d.		Leads.	MEN'S.	s. d.		Leads.	MEN'S.	s. d.	
62	-	-	2 1½	72	-	-	3 5	75	-	-	4 -
64	-	-	2 3½	74	-	-	3 6½	76	-	-	4 3
66	-	-	2 4½	76	-	-	3 9½	78	-	-	4 6
68	-	-	2 6	78	-	-	3 11	81	-	-	4 6
70	-	-	2 7½	80	-	-	4 -	84	-	-	4 9
72	-	-	2 9	82	-	-	4 2	87	-	-	5 -
74	-	-	2 10½	84	-	-	4 3½	90	-	-	5 3
76	-	-	3 -	86	-	-	4 5	93	-	-	5 6
Wetted and narrowed heels.				88	-	-	4 6½	96	-	-	5 9
Out-sizes, extra, 2 d.				90	-	-	4 8	99	-	-	6 -
				92	-	-	4 9½	Wetted. Narrowed heels.			
				94	-	-	4 11	Gusseted, extra - 3 d.			
				Wetted. Narrowed heels.				Spliced heels, extra - 3			
				Gusseted, extra, 2 d.				Cut heels, less - 3			
				Out-sizes, extra, 2 d.				Square heels, less - 3			
				Women's, under 76, less, 1 ½ d.				Out-sizes, extra - 3			
				76 and above - less, 3 d.				Women's, less - 3			
				Cut heels, less, 2 d. Sq. heels, less, 2 d.							
MEN'S HALF-HOSE.				MEN'S HALF-HOSE.				(24 GAUGE.) SINGLE WROUGHT BRANCH.			
Leads.		s. d.		Leads.		s. d.		Boys'.	Leads.	s. d.	
50	- chop-offs -	-	10	62	-	-	2 1	1's -	- 66 -	-	3 6
52	- bound-heels -	-	11½	64	-	-	2 2½	2's -	- 72 -	-	4 -
54	- nar. toes -	-	1 2	66	-	-	2 4	3's -	- 78 -	-	4 6
56	-	-	1 3	68	-	-	2 5½	4's -	- 84 -	-	5 -
58	-	-	1 4	70	-	-	2 7	5's -	- 90 -	-	5 6
60	- nar. heels -	-	1 6	72	-	-	2 8½	6's -	- 96 -	-	6 -
62	-	-	1 7	Wetted. Narrowed heels.				7's -	- 102 -	-	6 6
64	-	-	1 8½	Gusseted, extra, 2 d.				8's -	- 108 -	-	7 -
66	-	-	1 10	Out-sizes, extra, 2 d.				Nar. heels, gusseted, and spliced heels			
68	-	-	1 11½	Women's, under 76, less, 1 ½ d.							
70	-	-	2 1	76 and above - less, 3 d.							
Cleared tops, extra, 1 d.				Cut heels, less, 2 d. Sq. heels, less, 2 d.							
If any of the above be cleared toes, extra, 1 ½ d.											

(24 Gauge—continued.)			(24 Gauge—continued.)			(24 Gauge—continued.)		
Boys' HALF-HOSE.			HALF-HOSE.			MEN'S HALF-HOSE.		
Boys'.	Leads.	Price.	Boys'.	Leads.	Price.	Leads.	Price.	Price.
		s. d.			s. d.		s. d.	s. d.
1's	54	2 5	1's	54	2 3½	94	4 10½	
2's	57	2 6½	2's	57	2 4½	97	5 1½	
3's	60	2 8	3's	60	2 5½	100	5 4½	
4's	63	2 9½	4's	63	2 6½	103	5 7½	
5's	66	2 11	5's	66	2 7½	106	5 10½	
6's	69	3 1	6's	69	2 8½	Narrow heels and gusseted.		
7's	72	3 2	7's	72	2 9½	Out-sizes, extra, 3 d.		
8's	75	3 3½	8's	75	2 10½	(21 GAUGE.)		
Cleared tops, nar. heels, and gusseted.			Narrow heels, and gusseted.			CIRCULAR FEET, &c.		
MEN'S.			MEN'S.			Boys'.		
Leads.		s. d.	Leads.		s. d.	Leads.		s. d.
99		6 -	91		4 8	1's	23	7
102		6 3	95		4 11	2's	24	7½
105		6 6	99		5 2	3's	25	8
108		6 9	103		5 5	4's	26	8½
111		7 -	107		5 8	5's	27	9½
114		7 3	111		5 11	6's	28	10
117		7 6	Narrow heels and gusseted.			7's	29	10½
120		7 9	Spliced heels, extra, 3 d.			8's	30	11½
Narrow heels and gusseted.			Out-sizes, extra, 2 d.			Cut feet. Frized toes.		
Spliced heels, extra, 3 d.			Women's less, 2 d.			WOMEN'S.		
Outsized, extra, 3 d.			MEN'S HALF-HOSE.			Leads.		s. d.
Women's less, 3 d.			Leads.		s. d.	30	plain	11
MEN'S HALF-HOSE.			80		3 4½	32		11½
Leads.		s. d.	84		3 7½	30	heeled	1 5
79		3 8½	88		3 10½	32		1 5½
82		3 11½	92		4 1½	30	heeled and gusseted	1 7½
85		4 2½	Nar. heels, gusseted, and cleared tops.			32		1 8
88		4 5½	(30 GAUGE.)			MEN'S.		
91		4 8½	SINGLE WROUGHT.			32	plain	1 -
94		4 11½	Boys'.	Leads.	s. d.	34		1 -½
Cleared tops, nar. heels, and gusseted.			1's	83	4 8	32	heeled	1 6
Spliced heels, extra, 3 d.			2's	90	5 -	34	ditto	1 6½
(24 GAUGE.)			3's	97	5 6	32	heeled and gusseted	1 8½
WIDE WROUGHT.			4's	104	6 -	34	ditto	1 9
Boys'.	Leads.	s. d.	5's	111	6 6	OUT-SIZES.		
1's	66	3 4½	6's	118	7 -	34	heeled and gusseted	1 10
2's	72	3 9½	7's	125	7 6	36	ditto	1 10½
3's	78	4 2½	8's	132	8 -	4 leads, 1 d., frized toes.		
4's	84	4 7½	Nar. heels, gusseted, and spliced heels.			If cut feet, less, 1½ d.		
5's	90	5 1½	MEN'S.			If cleared toes, extra, 1½ d.		
6's	96	5 7½	Leads.		s. d.			
7's	102	6 1½	129		8 3			
8's	108	6 7½	132		8 6			
Wetted. Nar. heels and gusseted.			135		8 9			
			138		9 -			
			147		10 3			
			Full fashioned and spliced heels.					
			Out-sizes, extra, 3 d.					
			Women's less, 3 d.					

Notes.—It is requested that in no case Slender Men's be given out to the workmen for Out-size Women's.

Notice.—If any dispute arises in reference to any kind of work not included in the above, the party must apply to the Secretary of the Trade.

We, the undersigned manufacturers, agree to give the above list of prices, so long as they are not infringed upon in the district.

Mr. G. Woodcock.
Messrs. Flavell & Abell.
Mr. T. Payne.
Mr. S. Davis.

Mr. J. Atkins.
Mr. G. Neale.
Mr. T. Murcott.

We, the undersigned, on behalf of the workmen of the district, agree to accept the above list of prices, and hereby pledge ourselves to do our best to prevent any infringement of the same in the district; and we hereby request every workman to refuse any work that is not paid for as above.

W. Watts,
J. Goddard,
G. Rice,
J. Ginns, Chairman,
J. Sketchley, Sec.
— Goodwin,
— Needham,
Step. Herbert, Sec.

Hinckley Committee.

Barwell Committee.

W. Langham,
J. Lee,
I. Abbott, Sec.

J. Moore,
B. Whitmore,
W. Bennett, Sec.

Earl Shilton Committee.

Burbage Committee.

Appendix, No. 2.

PAPER delivered in by Mr. *Thomas Piper*, 24 April 1860.

Appendix, No. 2.

BUILDERS' SOCIETY.—28th August 1858.

SPECIAL MEETING to receive a Deputation from the Carpenters and Joiners relative to Working only Nine Hours per Day.

PRESENT:

Mr. SMITH, in the Chair.

Mr. Kelk.	Mr. Watts.
„ Newson.	„ W. Watts.
„ Dunnage.	„ Myers.
„ Willson.	„ Mansfield.
„ J. Bird.	„ Holland.
„ Nixon.	„ T. Piper, jun.
„ Browne.	

George Potter, as secretary to the committee, introduced the business.

The names of the Deputation and the Employers were handed in.

George Potter, in the employ of Elliott & Co.	
Martin - „ - Holland.	
Peperell - „ - Kelk.	
Ball - „ - Myers.	
Mead - „ - Piper & Son.	
Fordham - „ - Jay.	
Browne, representing a Society.	
Good - ditto.	
Kennedy, Government Works, Houses of Parliament.	

The main arguments adduced by the speakers were as follows:—

The introduction of machinery into the manufacture of joinery had so greatly diminished labour, to the profit of the master, that it was considered the operative should share the benefit by diminishing his hours of labour from 10 to 9 hours.

Next, that by the absorption of a large amount of joiners' labour by the use of machinery, a large number of men were out of employment very constantly, and by reducing the hours of labour a larger number of men could be employed to do the work.

Some of the speakers dwelt at length on their need of a longer period of relaxation after their daily labour, for mental culture.

The question of wages was discussed; the deputation said it was a main point with them that the present standard of 5s. 6d. per day should not be lowered; and one of the speakers gave an elaborate account of his weekly expenditure for wife and three children.

The chairman made a few remarks as to the advantage of machinery to the operative in the manufacture of joiners' work; that the hardest and most toilsome parts of the work were done by the machine; that the employment of machinery naturally increased the amount of trade to be done; that the prices of provisions and clothing were now so manifestly in favour of the operative class, that the claim to diminish the hours of daily labour, and keep up the standard rate of payment at 5s. 6d., was an anomaly that could not be reconciled.

The deputation having withdrawn, a discussion ensued as to the reply, when the following resolutions were unanimously agreed on:

That the question, although raised by the carpenters and joiners, is really a question involving all trades.

That inasmuch as there is no compulsion by which workmen are obliged to labour for any given number of hours, it really only amounts to an alteration in the rate of wages.

That

That within the last four or five years the price of skilled labour has been advanced 10 per cent., and that it does not appear to this meeting that there is anything in the circumstances of the present times to warrant a further increase to the extent suggested.

Appendix, No. 2.

That, looking at the very large amount of the interests involved, not only as it regards the building trade, but obviously even beyond these bounds, this meeting does not feel that they can accede to the request made, and they come to this resolution with the best possible feeling of good-will towards the workmen, and they are bound to say that the manner in which this question has been brought forward and discussed is very creditable to those who have appeared as its advocates.

Appendix, No. 3.

PAPER delivered in by Sir *Joseph Paxton*, M. P., 24 April 1860.

MEMORANDUM by *Thomas Winters*, relative to the Laws relating to the Settlement of Disputes between Masters and Workmen; the Causes of Failure of the various Acts; the necessity for further Legislation in order to meet the requirements of the times and the necessities of the age in which we live.

Appendix, No. 3.

It appears, from early records, that the customs in most of the enfranchised cities and towns favoured the principle of settling disputes between various classes by equitable means and in an easy and satisfactory manner.

Subsequent to the reign of Edward the Third, successive Parliaments were often engaged in the consideration of laws having for their object the prevention of litigation between masters and workmen, and also the security of the workman's wages. This principle was more directly acknowledged during the reign of his Majesty King George the Second, when the laws relating to this subject were improved and simplified, and further extended during the reign of his Majesty King George the Third, and again extended and consolidated during the reign of his Majesty King George the Fourth.

It may be desirable to allude briefly to the progress made by the Legislature in furtherance of the object contemplated by the Bill of Mr. Mackinnon, intitled, "Masters and Operatives." Passing by the various enactments prior to the reign of George the Second, I find that under the provisions of the 20 Geo. 2, c. 19, "all complaints, differences, and disputes which shall happen or arise between masters, mistresses, and artificers, handicraftsmen, miners, colliers, keelmen, pitmen, glassmen, potters, and other labourers, shall be heard and determined by one or more justice or justices of the peace of the county, riding, city, liberty, town corporate, or place where such master or mistress shall inhabit, although no rate or assessment of wages has been made that year by the justices of the peace, or by the mayor, bailiffs, or other head officer where such complaints shall be made, or where such differences or disputes shall arise." Doubts having arisen after the passing of this Act whether it applied to servants in husbandry who should be hired for one year or a less time, it was declared by the 27 Geo. 2, that it be deemed and construed to extend to all servants employed in husbandry, though hired for a less time than one year.

These Acts proved very useful to the people engaged in the particular trades referred to, and a demand was afterwards made to Parliament to extend the principle to the cotton manufacture of England. A difficulty however arose in applying the Act as it stood, because the justices were unacquainted with the technicalities of the cotton manufacture and the mode of working, and therefore unable to decide disputes in a satisfactory manner. It was therefore considered desirable to select persons as arbitrators from among the masters and workmen engaged in the cotton manufacture, who might be considered by the justice of the peace competent persons to form a correct judgment in the matters referred to them. The Act 39 Geo. 3, c. 90, declared that "each party might appoint his own referee, at his own discretion." This mode, however, did not produce the beneficial effects expected; and it was deemed expedient to amend the Act, so far as related to the settlement of disputes by arbitration in manner therein mentioned; and under the 44 Geo. 3, c. 87, it was declared that at the request of either parties to a dispute, the justice should "propose not less than four nor more than six persons, one-half of whom should be master manufacturers, or agents or foremen of some master manufacturer, and the other half of whom shall be weavers in such manufacture; out of which master manufacturers, agents, or foremen, the master engaged in such dispute, or his agent, shall choose one, and out of which weavers so proposed, the weaver or his agent shall choose another, who shall have full power to hear and finally determine such dispute."

Under the 43 Geo. 3, c. 151, the provisions relating to arbitration were extended to the cotton manufacture of Scotland. The preamble of the Act states that "it is desirable a proper mode should be devised which may tend to prevent, and that a cheap and summary mode should be adopted for settling all disputes which may arise between masters and weavers in the cotton manufacture in Scotland;" and that it shall be lawful for a justice of

Appendix, No. 3.

the peace, and he is hereby required, at the request of either party, to nominate referees for the settling the matters in dispute. But unlike the Act relating to England, the justice was authorised to appoint one on each side, and the parties to the dispute had each two peremptory challenges, a principle which caused great delay and inconvenience. Under this Act, however, the justice of the peace had power to appoint, in the absence of a master manufacturer, or his agent, or foreman, some workman having a competent knowledge of the manufacture, who should act for and on the part of the master manufacturer.

Under the provisions of the 53 Geo. 3, c. 75, the principles and most of the details of the 43 Geo. 3, c. 151, were extended to the cotton manufacture in Ireland.

The settlement of disputes in other branches of manufacture by arbitration under the Statute Law were left in abeyance until the consolidation of the statutes referring to this subject took place, in 1824.

In that year a Committee of the House of Commons was appointed to consider the laws relating to combination and arbitration, artisans, and machinery. The Committee consisted of the following eminent individuals and statesmen :

Mr. JOSEPH HUME (Chairman),

Mr. Sturges Bourne,	Mr. Charles Grant,	Mr. Attorney General,
Mr. G. R. Dawson,	Mr. R. Bernal,	Mr. George Philips,
Mr. Davis Gilbert,	Mr. Frankland Lewis,	Mr. Peter Moore,
Mr. Stuart Wortley,	Mr. Littleton,	Mr. Birch,
Mr. Thomas Pares,	Mr. Egerton,	Mr. Hobhouse,
Mr. Huskisson,	Mr. Grey Bennett,	

Sir Thomas Acland, and Sir Henry Parnell.

LIST of Members subsequently added :

Lord Milton,	Lord Sandon,	Lord Brecknock.
Sir John Newport,	Sir George Clerk,	

Mr. W. W. Whitmore,	Mr. A. Baring,	Mr. C. Ross,
Mr. Chas. Arbuthnott,	Mr. E. G. Stanley,	Mr. T. E. Kennedy,
Mr. Pascal Grenfell,	Mr. Daniel Sykes,	Mr. T. S. Rice,
Mr. E. C. Desbrow,	Mr. John Mansfield,	Mr. J. Walker,
Mr. J. E. Denison,	Mr. G. R. Philips,	Mr. Hudson Gurney,
Mr. James Gratton,	Mr. J. W. Maxwell,	and
Mr. M. S. Lascelles,	Mr. W. Astell,	Mr. T. Ellia
Mr. F. Lawley,	Mr. John Gladstone,	

The Committee, after sitting 36 days, and examining 122 witnesses, Reported, among other Resolutions,

“ That the practice of settling disputes by arbitration between masters and workmen has been attended with good effects, and it is desirable that the laws which direct and regulate arbitration should be consolidated, amended, and made applicable to all trades.”

A Bill was introduced into the House of Commons by Mr. Hume, on the 21st of June 1824, repealing all the statutes on this subject, and enacting, in their stead, the present Act, 5 Geo. 4, c. 96.

At the time this consolidation of the statutes was effected, the provisions of the present Act appeared sufficient and satisfactory. Since that period many statutes, which then crippled the energies of the capitalists and fettered the action of workmen, have been repealed, and their repeal has been the precursor of many causes which have tended to make the present Act in many respects inoperative.

Its failure, also, has been hastened through the increase of the population, the extension of commerce into new districts that were then a waste, improvements in machinery, development of skill, the extension of the arts and sciences, the creation of new branches of industry, and an extended system of division of labour in all our mechanical and industrial operations.

At the time the consolidation was effected the justices were nearly all gentlemen unconnected with manufacturing pursuits, and in whose judgment, honour, and impartiality (so far as related to questions between masters and workmen) the people placed implicit confidence.

The Legislature, in the 12th section of the 5 Geo. 4, c. 96, declared “ that no justice of the peace, being also a master manufacturer or agent, shall act as such justice under this Act.”

Since the passing of the Parliamentary and Municipal Reform Acts, there has been a great increase of justices in many cities and boroughs, who are by this Act not entitled to administer the law, and this fact alone has still further rendered the present Act inoperative, arising from the difficulty experienced in finding gentlemen in the commission of the peace who are not so connected.

It is also very invidious, even where justices are to be found, when cases contemplated by this Act come before the Bench, that those connected with manufacture must retire, and who, probably, would be the best qualified to give a correct opinion. Again, in most large and populous districts, the working classes engaged in trade and manufacture have

a prejudice

a prejudice against justices deciding these cases, from a want of faith in their ability to decide, or some local cause occasioned by or arising out of their connexion with traders and commercial men. Appendix, No. 3.

In addition to these reasons, I may add—

First. That there is a mutual dislike on the part of masters and workmen to refer a dispute to the decision of an unknown set of men who are nominated by a justice of the peace, without reference to the general body of masters and operatives.

Second. Going before a justice, under the order of a summons delivered by a police officer, bears the impress of a criminal proceeding, and when resorted to by workmen often terminates in the loss of employment.

Third. There is no power under the present Act to compel the arbitrators or referees when appointed to appear and adjudicate in any case; and, should they refuse, the matter is left solely in the hands of the justice to decide upon, and he, under the very terms of the Act, is incompetent to give a practical opinion in consequence of his entire unacquaintance with the particulars of the dispute as a practical man of business.

Fourth. A reference being demanded in each separate case, and a new set of arbitrators to be appointed, causes long and unnecessary delays in the settlement of disputes, extending over (in some cases) 14 days, during which period the workman would be without employment.

Fifth. Disputes are as frequent among females and young persons as they are among adults, and they being entirely ignorant of the laws and means of redress, suffer wrongs to go unredressed.

There are numerous disputes arising out of existing contracts, where custom assumes the form of law, under various pretences and pretexts; in some, where the operatives work by the piece, and are liable to losses for alleged damage done to work or delay in finishing the work, or not finishing it in a good and workmanlike manner, or in losses occasioned by delays in altering machines for the making of new patterns; for reductions in wages, which assume different forms in different branches of industry, and are too numerous to mention in this memorandum.

On the other hand, the masters, in periods of extraordinary trade, or even in ordinary times, will receive work indifferently executed, and pay above its true value, rather than appeal to a justice of the peace or run the risk of a long strike and contention with his workmen by incurring their ill-will, or constituting himself sole judge in his own case.

The numerous disputes which continually arise could easily be adjusted if a permanent equitable council of arbitration was appointed in the district where they are likely to arise, instead of being left in abeyance, as they now are, to accumulate and fester, eventually becoming a grievance as annoying and oppressive to the workmen as it is unjust to the fairly-disposed master.

Discrepancies in a general list of prices to be paid for a given description of manufacture (being the same in quantity, quality, weight, length, and breadth), in the same town or neighbourhood, soon produces uneasiness and inquiry among the best paying masters, and who, to retain a market, are compelled to descend in the scale of prices paid for labour. When it arrives at that pitch, the workmen often resist, although, if all the circumstances could have been explained and made known, they would have paused before entering into a contest which must end in a waste of time, capital, and labour, and impoverishing those connected with it.

In addition to the more immediate local causes of disputes arising out of existing contracts, there are others of a more general and extended character, which interfere in a great degree with the future prospects of others, viz., those engaged in trades dependent upon the continued industry of those directly employed in the trade where the dispute exists, which can only be regulated or controlled by the mutual sympathy and action of masters and operatives.

Under this head may be classed all disputes arising out of demands to increase or decrease the general tariff of wages; to increase or decrease the number of hours which shall constitute a working day; changes in the mode of working, and other causes of differences, which are influenced more or less by the changes and vicissitudes of trade, caprices of fashion, the increase or decrease of bullion, the alteration of tariffs, the opening of new or the closing of old markets, improvements in machinery, increased facilities or impediments of transit, the price of raw material, the competition of foreign or of female labour, the advantage of local or general circumstances that one nation may possess over others; these and other influences all contribute more or less to cause changes in our arrangements, and which it is impossible, from the isolated position of the masters and the isolated position of the workmen, to duly appreciate, in their separate relations to each other, in fixing the price of labour.

The want of sympathy, and a common understanding with each other, causes as much bitterness as though they were of different races coming from different climes. It is to reconcile these unseemly conflicting elements in our social arrangements that equitable councils of conciliation are advocated.

Whenever and wherever they have been tried, they have been successful in promoting good-will. Difficult and intricate questions have been solved under the genial influence of a common cause, and a common understanding. Yet, notwithstanding these great and important advantages, they have fell into disuse for the want of a legal authorisation to act.

Appendix, No. 3.

Their success has been made manifest in France, Belgium, and other countries, by a long practical experience (in France fifty-two years), during which period they have been gradually extended to all the principal manufactures in the empire. They have been proved of advantage to the interests of manufactures and commerce, have conciliated the differences between masters and workmen, and have been a benefit to the community in general.

The Chancellor of the French Embassy, in 1856, testified to the usefulness of the *conseils des prud'hommes* in France, and said they were a benefit, and that France had benefited by these institutions.

His Excellency M. Van de Weyer, minister from the Court of Belgium in 1856, said they had proved of great value since their introduction into Belgium.

In 1832, Dr. Bowring, when examined before a Select Committee of the House of Commons on the silk trade, said, that when he was in France he attended the sittings of the *conseils des prud'hommes* in Lyons, and "was very much struck with the general good sense of their proceedings. The men who represented the weavers appeared to me," said the Dr., "to be men of sound discretion and sober judgment. The tribunal sits in open court, and their discussions were an object of great interest, and their decisions gave general satisfaction; they act as a court of conciliation." "I," said the Dr., "was a disinterested observer; I listened to the evidence given, watched the course of their proceedings, and thought the conseil exhibited appropriate knowledge, and applied it with a deal of sagacity. Few institutions in France have greater claims to regard."

Monsieur Arles Dufour, a very extensive silk merchant in Lyons (1852), testified to the usefulness of these conseils. Monsieur Brisson, president of the Lyons conseil, also bore evidence of their usefulness and tendency to maintain a good understanding.

Monsieur Michel Chevalier, the well-known political economist, says, "each centre of manufacture ought to have its conseil des prud'hommes." The power of reconciliation which these courts possess is really wonderful; and he adds, "the time is come when the sphere of the powers of these valuable bodies ought to be enlarged."

The constitution of these courts is set forth in a Parliamentary Paper, No. 526, Session 1855, intitled, "*Conseils des Prud'hommes*" (France and Belgium); and Sir Henry Halford, Bart., gives a complete history of them at page 286 of the Report, "*Masters and Operatives*," 1856, No. 343.

The people of this country have long expressed a desire at their meetings, and by petitions to the House of Commons, to have councils of conciliation; they believe they would be of great utility and public advantage, and have further expressed their feelings on this subject before a Committee of the House of Commons in 1856. These councils would produce confidence and sympathy between masters and operatives and a more intimate acquaintance of each other's views, and a greater knowledge of the fundamental laws which regulate trade, commerce, capital, and wages. They therefore feel a necessity for some tribunal of ready access, capable of securing the respect and confidence of all parties in cases of dispute, and of exercising salutary moral influence with regard to matters affecting trade in general.

They believe that institutions in which the interests of both classes are fairly represented is not foreign to the spirit of our laws; being well calculated to promote a just understanding, and due appreciation of mutual rights, interests, and duties.

In furtherance of this object, I beg to set forth the principles of a Bill I have the honour to submit for the consideration of the Committee, which I believe will carry out the views herein expressed.

I have in the preamble mentioned three statutes which councils of conciliation should take cognisance of, because they are Acts amending the 5 Geo. 4, c. 96, extending the time allowed for appeal, and providing in certain cases for the delivery of tickets of work to be produced in case of dispute about the same.

I propose to make it lawful for the chairman, recorder, or other presiding magistrate in quarter session, or the justices, or any number of them, then and there assembled, for any city, borough, county, or other place, to establish in any town over which they have magisterial jurisdiction, equitable councils of conciliation and arbitration in any trade or trades, and to be composed of an equal number of masters and an equal number of workmen, who shall exercise the same power and authority, as respects the settlement of disputes, as set forth and explained in the 5 Geo. 4, c. 96, and in the other Acts referred to; viz., the 1 Vict. c. 67; 8 & 9 Vict. c. 77; and the 8 & 9 Vict. c. 128.

I further propose to make it lawful for these councils to hear and determine other cases of dispute, if submitted by the mutual consent of both parties; and in any case of strike or lock-out they shall have power to make inquiries into all the facts and circumstances of such strike or lock-out, and report to the chairman of quarter session, whether sitting or not; and such report to be published immediately, for public information.

I conceive that these councils can only take legal cognisance of that class of disputes as are already acknowledged in the statute before referred to, without unduly interfering with the individual and collective rights of both masters and operatives, and leading to results affecting the liberty of the subject in the highest degree; but while I would confine their legal judicial functions to that class of cases set forth in the Act, I think the other permissive and conciliatory powers would have a general tendency to put a wholesome check upon any unreasonable proceedings of either masters or workmen.

The possibility of a lock-out or a strike taking place, unless under the most paramount necessity, could not, I think, occur without the conduct of the parties entering into such a contest being severely and immediately censured by public opinion.

Any check, however distant, to a system which brings misery and ruin in its train, should receive the calm attention of those who are desirous of improving the social relations of

masters

masters and operatives, and the moral and physical condition of those who live by manual labour.

How often do we see the evil effects of these misunderstandings and trials of strength throw out of employment thousands of persons engaged in affinitive occupations, who have nothing to do with the cause of dispute which others may originate.

It is to give speedy and easy justice, to check the prevalence of strikes, and to bring about a more friendly feeling, that these councils are proposed.

The magistrates are proposed in order to give consistency to these councils, because they are already authorised to appoint referees for each separate case, but which principle is not suited to the present requirement of the times, and therefore should be extended.

I propose to leave with those who may desire these councils the power to fix the number of persons which shall compose them, on the ground that in some places there are very few masters in any one particular branch of manufacture, while in others there are large numbers of both masters and workmen; and where there is an affinity in the occupations of the people they might amalgamate; then there would be a greater necessity to have a larger number, in order to make the duties as light as possible, and to give as great a prestige and moral power over their neighbours as would be consistent with public convenience.

To ensure some degree of unanimity of desire and fitness for duty, there should be a joint petition of masters and operatives, they having been seven years in the trade; in order to secure men of intelligence and experience, men with whom masters would act, and masters in whom the workmen would place confidence, for without confidence the value of the institution would soon cease.

I propose that the ultimate appointment should rest with the justices, but upon the nomination of the masters and the workmen, each from their own class. I propose this mode, because—

First, it is necessary, in conformity with the law, that all ulterior proceedings of a penal character should be vested, as at present, in the justices.

Second, that the justices who may be called upon to carry out the awards of the council should have a voice in the appointment.

At the time of appointment the justices should deliver a certificate, differing very little from the form now granted. After the first appointment the clerk of the peace or his deputy shall, in the month of December in each year, convene a meeting or meetings of masters and workmen, together or separate, for the purpose of nominating persons for the year ensuing, and who shall return the names, when so nominated, to the justices in quarter session for ratification.

When the council are appointed they shall appoint a chairman during pleasure, in such form as they may agree to. Provided they cannot agree upon the name of the person to be chairman, each member of the council may propose one, and the names so proposed shall be submitted to the presiding magistrate of quarter session, whether sitting or not, whose choice and decision shall be final and conclusive.

The selection of the presiding magistrate is made, because he is a gentleman above suspicion of acting unfairly, and whose acts would be always open to the criticism of the public.

The chairman should be invested with the power of carrying out the awards of the council; and in cases of an equality of votes he should decide.

To ensure attendance at the Council Board, I propose to give the council power to inflict a small fine upon members who may disobey the orders, unless good and satisfactory reasons are produced in excuse for non-attendance; and in order to lighten the duties as much as possible, and secure speedy settlement of disputes, I propose that one master and one workman, and the chairman, may hear and determine cases. To prevent any undue influence, I would prevent any relation of plaintiff or defendant, or the employer or servant, adjudicating in any case which affected them personally.

In order to provide rooms, fuel, furniture, &c. for the council, I propose that the justices of the city, borough, county, or other place shall do so at the cost of the same, and be defrayed out of the city, borough, or county funds, as the case may be; and the councils be empowered to charge fees not higher than those set forth in the Act 5 Geo. 4, c. 96, to levy fines for non-attendance, and receive voluntary contributions or rates towards defraying their expenses.

The present laws to remain in full force and effect; but in all cases of dispute the Acts referred to shall be read with this Act as one Act.

It closes with an interpretation clause, forms, and schedules, all of which I humbly submit to the Committee for their careful attention.

Appendix, No. 4.

Appendix, No. 4.

BILL laid before the COMMITTEE, and proposed for their consideration on Monday, 30 April, together with the Bill before Parliament.

Preamble.

5 Geo. 4, c. 96.

WHEREAS an Act was 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:"

1 Vict. c. 67.

And whereas another Act was passed in the first year of the reign of Her present Majesty Queen Victoria (chapter sixty-seven), intituled, "An Act to Amend an Act of the fifth year of His Majesty King George the Fourth, for Consolidating and Amending the Laws relative to the Arbitration of Disputes between Masters and Workmen:"

8 & 9 Vict. c. 77.

And whereas another Act was passed in the eighth and ninth years of the reign of Her present Majesty (chapter seventy-seven), intituled, "An Act to make further regulations respecting the Tickets of Work to be delivered to persons employed in the Manufacture of Hosiery in certain cases:"

8 & 9 Vict. c. 123.

And whereas another Act was passed in the eighth and ninth years of the reign of Her present Majesty (chapter one hundred and twenty-eight), intituled, "An Act to make further regulations respecting the Tickets of Work to be delivered to Silkweavers in certain cases:"

And whereas it is expedient to alter and amend the said recited Acts so far as they relate to the mode of the appointment of arbitrators and referees therein mentioned, and to further increase or lessen the number of arbitrators and referees in certain cases, and to extend the period of their appointment to one year:

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, as follows:—

Lawful for chairman, recorder, or justices in quarter session to appoint councils of conciliation, &c.

Councils to have same powers as referees and others under 5 Geo. 4, c. 96.

Councils may determine other disputes by mutual consent.

Councils may inquire into the cause of any strike, &c.

Report to chairman of quarter session.

Report to be published at the cost of city, borough, or county rates.

Councils to be composed of not more than twelve masters and twelve workmen and a chairman, nor less than two masters and two workmen and a chairman.

1. That from and after the *first day of January, One thousand eight hundred and sixty-one*, it shall be lawful for the chairman, recorder, or other presiding magistrates, or the justices or any number of them in quarter session assembled for any city, borough, town, stewartry, riding, division, barony, liberty, or other place within the United Kingdom of Great Britain and Ireland, to establish in any such city, borough, town, stewartry, riding, division, barony, liberty, or other place equitable councils of conciliation and arbitration. Such councils to be composed of an equal number of masters and of workmen engaged in any one particular trade, manufacture, or occupation, or trades, manufactures or occupations having affinity one to another, which said council or councils when so established as in manner hereafter set forth shall be authorised to have, and shall have, hold, and exercise all and every authority and power whatsoever as is at present granted to and held by arbitrators and referees as set forth and awarded under the various enactments and provisions of the hereinbefore mentioned recited Acts, as if all and every of the said enactments and provisions were herein set forth and specified; and the said councils shall be, and are hereby further authorised and empowered to hear and determine any other dispute or difference than those specified and set forth in the before mentioned recited Acts, and make their award thereon, provided such dispute or difference has been submitted to such council for their award by the mutual consent of the parties having a dispute and difference between them; and any award the said council may make in any such case or cases, shall have the same force and effect as all other awards made by them, and the same proceedings shall be had to enforce their decision as is had in their other proceedings; and the said councils are hereby further authorised and empowered to make full inquiry into the cause and effect of any case of strike or lockout within their several jurisdictions, and the said councils shall after due inquiry make a report of all the facts and circumstances, with such remarks as they may deem expedient to annex thereto, to the chairman, recorder, or other presiding magistrate of quarter session of the district, and such report when so made shall be published, whether the quarter sessions are being holden or not, and the cost of such publication shall be paid out of the city, borough, or county rates wherever such strike or lockout takes place.

2. That the hereinbefore mentioned councils shall be composed of not less than two masters and two workmen and a chairman, nor more than twelve masters and twelve workmen and chairman. The exact number which shall in each case constitute the said council shall be inserted in the petition praying for the establishment of the same, and the said number shall in like manner be inserted in the certificate authorising the said petitioners to form such council.

3. Any

3. Any number of masters and workmen of full age, and having been engaged or employed in their occupations or employments for seven years, and having resided within the district of any proposed council for a period of twelve calendar months last past, shall be entitled to petition the justices or others for the establishment of a council under the provisions of this Act; and if the said persons so qualified shall, at a meeting specially convened for that purpose, agree to and jointly petition the chairman, recorder (or other presiding magistrate, as the case may be), and justices in quarter session, to form a council of conciliation and arbitration; and provided the petition so agreed to containeth the Christian and surname, and the occupation and the place of abode of each petitioner, and the proposed number of masters, the proposed number of workmen to form such council, and the name of the parish or parishes or place where the aforesaid petitioners reside, and when formed into a council they intend to hold their meetings, the chairman, recorder (or other presiding magistrate), or justices, or any number of them at such quarter sessions, shall appoint from among the said petitioners such number of masters and such number of workmen to form a council as is hereinbefore mentioned; and such persons, when so appointed, shall receive from such chairman, recorder (or other presiding magistrate), or justices, a certificate (according to the form to this Act annexed) unto the persons so appointed; and the said certificate shall be a sufficient authority for the said council so appointed to act; and the said council shall be appointed from that day forward until the last day of January next ensuing.

Masters and workmen of seven years' standing may petition for councils.

Petition to contain name in full, occupation, and place of abode, and the parish or place where the council intend to hold their meetings.

Chairman or justices to appoint council from petitioners.

Certificate to be sufficient authority to act.

Council to be appointed till the last day of January.

4. The clerk of the peace for the city, borough, town, stewartry, riding, division, barony, liberty, or other place where a council of conciliation has been established, shall, either by himself or his deputy, on or about the *twenty-eighth day of December* in each year convene (by advertisement or other published notice, fourteen clear days' notice having been given) a general meeting of such masters and such workmen (either together or separate) as are engaged or employed in a trade or trades, manufactures, or other occupations or employments having a council under the provisions of this Act, for the purpose of the said masters and the said workmen nominating the requisite number of masters and the requisite number of workmen to constitute the aforesaid council for the year ensuing; and the said masters and the said workmen, when so assembled in such meeting or meetings, shall then and there nominate a list of persons each from their own class or calling (such persons to be so nominated must have been a master or a workman for seven years); and the names of the persons so nominated as aforesaid, together with their occupation and place of abode, shall be returned to the chairman, recorder (or other presiding magistrate, as the case may be), and justices at the ensuing Epiphany quarter sessions; and the said chairman, recorder (or other presiding magistrate, as the case may be), or the justices, or any number of them so assembled, shall then and there appoint from the list of names so nominated and returned as aforesaid mentioned the requisite number of masters and the requisite number of workmen to form such council as aforesaid mentioned, in accordance with the original certificate granted unto them; and the said persons, when so appointed, shall be appointed for one year, namely, from the first day of February next ensuing, and continue in office until the last day of January following. The chairman, recorder (or other presiding magistrate, as the case may be), shall renew the certificate forming such council as aforesaid mentioned.

Clerk of the peace to summon meetings of masters and workmen to nominate councils.

Persons nominated, to have been in the trade seven years.

To be returned to justices.

Chairman of justices to appoint councils.

To be appointed for one year.

Certificate to be renewed.

5. The council shall at their first meeting, after receiving their certificate, proceed to the appointment of a chairman in such form and manner as they may agree to, and when so appointed his name, occupation, and place of abode shall be returned to the chairman, recorder (or other presiding magistrate, as the case may be) and justices, who granted the certificate forming the said council; and the said chairman, when so appointed and the return made, shall preside at the meetings of the said council, and in the event of an equality of votes he shall have the casting vote. He shall sign all orders, notices, summonses, awards, and other proceedings of the council; but in all proceedings of distress, sale, and imprisonment the same power shall be had towards enforcing any award or other proceeding by application to any justice of the peace of the city, borough, town, stewartry, riding, division, barony, liberty, or other place within which the parties shall reside, as is now held in accordance with the Act passed in the fifth year of the reign of his late majesty King Geo. 4, c. 96, as are therein prescribed for enforcing awards made under and by virtue of its various enactments and provisions.

Chairman to be appointed by council.

Name to be returned to chairman of quarter sessions.

Chairman to have casting vote.

In all proceedings of distress, sale, and imprisonment, same process to be had as awarded under 5 Geo. 4, c. 96.

6. The council shall appoint the chairman during pleasure; provided the council cannot agree upon the name of the person who shall be chairman, each member of the said council may nominate one person, and the names of the persons so nominated shall be referred to the chairman, recorder, or other presiding magistrate of quarter session of the district where such councils shall hold their sittings, and his decision shall be final and conclusive. In Scotland it shall be referred to the sheriff of the burgh or district, as the case may be.

Chairman to be appointed during pleasure.

In case the council cannot agree, decision left with the clerk of the peace; In Scotland, with the sheriff.

Councils may appoint clerk and other officers.

7. The councils are further hereby authorised to appoint a clerk and such other officer or officers as they may deem necessary in order to carry out the orders and other proceedings of the council.

8. Any person appointed to the office of arbitrator, referee, chairman, or other office, and being summoned by the clerk or other proper officer to hear and determine any case of dispute or other cause, and who shall neglect or refuse to attend at the time and place

Penalties on referees and others for refusing or neglecting to attend cases.

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therein notified when so summoned, shall pay for such neglect or refusal such fine as the council may order, not exceeding one pound; and the same proceedings shall be had for enforcing payment thereof, as is given for enforcing awards under the before-mentioned recited Acts, unless the person so liable to be fined is prevented by illness from attending, or other unavoidable cause.

Quorum of three may hear and decide cases.

9. In any case of dispute one master and one workman, and the chairman, may proceed to the hearing and adjudication of any cause submitted to them for settlement, provided nevertheless, that no member of the hereinbefore mentioned council is hereby or shall be authorised to adjudicate in any case in which he or his relations, employers or workmen is plaintiff or defendant.

No relation, employer, or workmen of plaintiff or defendant to adjudicate.

Room, fuel, lights, and furniture to be provided by justices.

10. Each city, borough, town, stewardry, riding, division, barony, liberty, or other place wherever councils are appointed shall provide for the use of the said councils a room, lights, fuel, and furniture. The same to be ordered by the justices in quarter session, and charged upon the rates of the said city, borough, town, stewardry, riding, division, barony, or other place where the said councils may meet for the transaction of business.

List of fees, charges, &c.

11. Each council shall be empowered to make out a list of fees which shall be taken for any proceedings under this Act, the said fees not to exceed the fees allowed to be taken by the clerks to justices, and the constable or other peace officer, under the before-mentioned Act (5 Geo. 4, c. 96, s. 30), and to inflict such fines for non-compliance with the orders of the council as may be sanctioned by the justices in quarter session; and the said council are hereby authorised to receive voluntary contributions or rates in aid of their expenses, and the said fees, fines and contributions shall form a fund from which the costs for stationery, payments to arbitrators and others, and incidental charges shall be defrayed.

5 Geo. 4, c. 96, &c. to remain in force, but for the purposes of this Act to be read with it.

12. All and every enactment of the Acts hereinbefore recited shall remain in full force and effect as though this Act was not enacted into a law; but for the purposes of this Act each and every enactment and provision of the Acts before recited shall be read and considered with this Act as one Act.

Citation of Act.

13. In citing this Act for any purpose whatever, it shall be sufficient to use the expression, "Councils of Conciliation and Arbitration Act."

Construction of terms.

14. The word "master" in this Act shall be understood to mean any person employing workmen on his own account, such person not being a middleman, subcontractor, undertaker, or other person making or manufacturing goods for another, for hire or wages. That the word "workman" shall be understood to mean any person working by the year, month, week, or day, or for any other period, or by the piece, for hire or wages, he not being an apprentice, or domestic servant, or servant in husbandry. That in all cases under this Act, the singular is to include the plural, and the masculine the feminine, and in any proceedings against partners, joint stock companies, trustees, or others, it shall be sufficient to proceed against one partner, trustee, and another or others, and in all cases of complaint one person may appear for another, he being connected with the trade, occupation or calling in which such case, dispute or difference may arise.

SCHEDULE OF FORMS.

1. Form of Petition for Certificate.

To the Chairman [*Recorder, or other presiding magistrate, as the case may be*], and Justices in General Quarter Session assembled, for the [*here state the name of the city, borough, town, stewardry, riding, division, barony, liberty, or other place, as the case may be*].

The humble Petition of the Undersigned [*here state the trade or occupation in which the petitioners are engaged or employed in*] of the [*here state the name of the city, borough, or other place, as the case may be*],

Humbly sheweth,

That we whose names, occupation, and place of abode are hereunto annexed, are desirous of establishing a council of conciliation and arbitration, in accordance with the provisions of an Act passed in the _____ year of the reign of Her Majesty Queen Victoria, chapter intituled, An Act [*here state the title of this Act*]; the council to be composed of [*here state the number*] masters, and [*here state the number*] workmen, and a chairman, in accordance with and pursuant to a resolution agreed to at a special general meeting, duly convened for that purpose, held at [*here state the name of the place*], on the _____ day of _____ 18 _____.

We therefore humbly solicit your worships to grant a certificate, authorising the formation of a council of conciliation and arbitration to the beforementioned trade or trades [*as the*
the

SELECT COMMITTEE ON MASTERS AND OPERATIVES.

111

the case may be]; and further, that you will appoint from the subscribers hereunto annexed, Appendix, No. 4. from those names marked C, the requisite number of persons to constitute the council, which said persons shall be appointed until the last day of January next ensuing.

Signed this day of 18 .

NAME.	OCCUPATION.	PLACE OF ABODE.

2. Form of Certificate authorising Councils.

City of [or as] WE, the undersigned, being justices of the peace for the [here state the city, the case may] borough, county, or as the case may be] do hereby certify that—
be], to wit.

	NAME.	RESIDENCE.	TRADE OR CALLING.
Masters - -			
Workmen - -			

are duly appointed a council of conciliation and arbitration, under the provisions, and pursuant to the Act of the year of the reign of Her Majesty Queen Victoria, intituled, "An Act [here state the title]; and this certificate, from the date hereof, shall be sufficient authority to the persons herein named to hear, determine, and make any award, according to the Act before recited, from this day forward until the day of 18 . . . As witness [our or my hand or hands, seal or seals, as the case may be], this day of 18 .

(L. S.) _____ }
 (L. S.) _____ } Justice (or Justices) of
 (L. S.) _____ } the Peace for the [here
 (L. S.) _____ } state the city, borough,
 county, as the case may
 be].

I N D E X.

[*N. B.*—In this Index the Figures following the Names of the Witnesses refer to the Questions in the Evidence; those following *App. p.* to the Paging of the Appendix; and the Numerals following *Rep. p.* to the Paging of the Report.]

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