

their refusal may commit them to Ward, there to remain until they will be bound to serve as an Apprentice shall serve, according to the Statute. *No person shall be compelled to be an Apprentice, unless he be under Twenty one years of Age.*

Apprentice, signifieth one that is bound by Covenant in writing, Indented to serve another Man of Trade, for certain years, and that his Master shall, in the mean time, endeavour to instruct him in his Art or Trade. The usual Covenants for Apprentices, see *Cap. 128.* And note, that in such and all other Covenants, *Conventio legem vincit.*

Every person being a Householder, and using half a Plough-land, at least, may take an Apprentice above Ten years of Age, and under Eighteen to serve in Husbandry. 5 Eliz. 4.

Every Householder dwelling in any City, Borough, or Town Corporate, and exercising any Art, Mystery, or Manual occupation, may retain the Son of a Freeman not occupying Husbandry; nor being a Labourer, and inhabiting in the same, or in any other City, &c. To serve and be bound as an Apprentice for seven years, at least; so as the term expire not before the Apprentice be Twenty four years old, but in Market Towns not Corporate, they may take the Child of an Artificer. 5 Eliz. 4.

No Merchant, Mercer, Draper, Goldsmith, Ironmonger, Imbroiderer, or Clothier; dwelling in a Corporate Town, may take any Apprentice except the Apprentice or Father have Freehold Lands to the value of Forty pounds per Annum, &c. But if such Master live in a Market Town not Corporate, his Apprentice, or his Friends, must have 3 l. per annum in Freehold. 5 Eliz. 4.

But these Artificers, viz. Smiths, Wheel-wright, &c. may take such Children Apprentices, whose Parents may dispend no Lands. 5 Eliz. 4.

Every Cloth-worker, Fuller, Shearman, Weaver, Taylor, and Shoemaker, that keep three Apprentices, shall keep one Journey-man; and for every Apprentice above three, shall keep one Journey-man, upon pain of Ten pounds for every Default. 5 Eliz. 4.

§. 3.
Mistake.

If any Master shall misuse his Apprentice, or that the said Apprentice shall have just cause to complain, or if the Apprentice do not his duty to his Master, upon complaint thereof made by the Master, or Apprentice being grieved, to any one Justice of Peace of the County where such Master dwelleth, the said Justice (by his discretion) shall take order between the said Master and his Apprentice; and for want of Conformity in the Master, the said Justice may bind him to appear at the next Sessions to be holden in the said County; where the Justices of Peace, or four of them, whereof one of them to be of the *Quorum*, if they shall think meet, may discharge the said Apprentice of his Apprenticeship, and Indentures. But if there shall be Default in the Apprentice; the said Justices (at their said Sessions) may cause due Correction to be ministred to him, as they shall think meet. Also it seemeth, That if the first Justice of Peace, to whom complaint was made, shall find the Default to be in the Apprentice, that then the said Justice of Peace may send him to the House of Correction, as an idle or disorderly person, by the Statute of 7 Jac. c. 4. And needeth not to trouble the Sessions with him, *tamen quære.* But from the Sessions they may send him to the House of Correction. 7 Jac. 4.

It seemeth by this Clause, that for ill usage of the Master towards the Apprentice, upon complaint by the Apprentice in the manner directed by the Act, the Justices may discharge the Apprentice from the Masters service, and not e converso, but only that, for miscarriage of the