

6 Edw. VII. No. 30, 1906. *Contractors' and Workmen's Lien Act.*

and provisions of the Principal Act, or in respect of the erection and provision whereof a contract has been made and signed on or before the first day of December, one thousand nine hundred and six.

An Act to Make Better Provision for Securing the Payment of Money Due to Contractors and Workmen, and for other purposes.

6 Edw. VII.
No. 30.
THE
CONTRACTORS'
AND
WORKMEN'S
LIEN
ACT OF 1906.

[ASSENTED TO 14TH DECEMBER, 1906.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as "*The Contractors' and Workmen's Lien Act of 1906,*" and shall commence and take effect on and from the first day of January, one thousand nine hundred and seven.

Short title and commencement.

2. In this Act, unless inconsistent with the context— Interpretation.

"Contract price" includes the money payable for the performance of any work under any contract, express or implied, and whether the price was fixed by express agreement or not ;

"Contractor," as regards an employer, means a person who contracts directly with the employer for the performance of work (including in such expression any material the property of the contractor used in connection with the work performed by him) for him ;

"Court" means the Court in which any proceeding may be taken under this Act, and includes the judge of any such Court, and, in the case of the Small Debts Court, a police magistrate and any two or more justices of the peace sitting in that Court ;

"Employer" means and includes any person by whom a contract is made with another person for the performance of work, or at whose request or upon whose credit or on whose behalf with his privity or consent work is done, and includes also all persons claiming under him whose rights are acquired after the work in question has commenced ;

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“Owner” means the person to whom the land upon or in respect of which the work to be done belongs, and includes a person having a limited estate or interest in the land ;

“Work” includes any work or labour, whether skilled or unskilled, executed or done, or commenced to be executed or done, by any person of any occupation upon or in connection with—

- (a) The construction, decoration, alteration, or repair of any building or other structure upon any land ; or
- (b) The development or working of any mine, quarry, sand pit, drain, embankment, or other excavation in or upon any land ; or
- (c) The placing, fixing, or erection of any material or of any plant or machinery used or intended to be used for any of the purposes aforesaid ;

“Workman” means a person employed in doing work, whether he is employed by the owner of the property upon which the work is to be done or by a contractor, and whether his remuneration is to be according to time or by piecework or at a fixed price or otherwise.

Liability of
the Crown.

3. This Act shall be deemed to apply to His Majesty, the Queensland Railway Commissioner, the Secretary for Public Instruction in Queensland, and to any body corporate, Board, or Local Authority, procuring or undertaking the performance of any work for any public purpose.

Declaration of Rights of Lien and Charge.

Lien upon
land for
labour.

4. A contractor or workman who does or procures to be done any work upon or in connection with any land, or any building or other structure or permanent improvement upon land, is entitled to a lien upon the whole interest of the employer in that land or upon the moneys payable to the contractor, as the case may require, for the contract price of or wages for his work, subject to the conditions and limitations following, that is to say,—

- (i.) The lien of a contractor does not exceed the amount for the time being due to him under the contract between him and the employer ;

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- (ii.) The lien of a workman does not exceed the amount for the time being payable to him for his work, whether he was employed by the employer or by a contractor ;
- (iii.) The total liability of the employer in respect of all such liens together does not, except in the case of fraud, exceed the contract price payable under the contract or contracts between him and the contractor or workmen with whom he directly contracts ;
- (iv.) The lien of a workman in respect of one contract does not exceed thirty days' earnings.

5. When a person knowingly allows work to be done upon any land or chattel of which he is the owner, under a contract made by some other person representing himself to be the owner, or to be acting for the owner, such first-mentioned person shall be subject to the same liabilities as if he were himself the employer. Owner standing by.

6. A workman is entitled to a charge for the money due to him for his work upon any money payable to the contractor by whom he is employed. Charge in favour of workmen.

A charge created by this Act in favour of a workman shall take effect in order of priority as hereinafter provided, notwithstanding any assignment of or charge on any money against which charge would be enforceable.

7. When land upon which a lien attaches under this Act is mortgaged under a mortgage duly registered before the registration of a lien under this Act against such land under the contract in respect of which the lien arises, the mortgage shall, unless the mortgagee is a party, or assents in writing, to the contract, have priority over the lien; but if the mortgagee is a party, or assents in writing, to the contract the lien shall have priority. Provision in case of mortgaged land.

All moneys which a mortgagee may pay in respect of a lien shall be added to and form part of the principal money mentioned in his mortgage, and shall bear interest accordingly, and, notwithstanding anything in the mortgage, shall be a debt payable on demand by the mortgagor to the mortgagee.

8. The several liens and charges created by this Act shall, as between themselves, have priority in the order following, that is to say,— Priority of liens.

- (a) The liens and charges of workmen for wages ;
- (b) The liens of contractors ;

but as between themselves each of the said two classes of persons shall rank equally, so that if there is any deficiency it shall be borne by them in proportion to the amount of their respective claims.

Lien or Charge, how Established.

Notice of
claim of lien.

9. A person who intends to claim a lien upon any land under this Act shall, before the completion of the work in respect of which it is claimed or within seven days after the completion, give notice to the owner, if liable, specifying the amount and particulars of his claim, and stating that he requires the owner to take the necessary steps to see that it is paid or secured to the claimant.

He shall also give notice of having made such claim to the person who but for the claim would be entitled to receive from the person to whom the notice of claim is given the money in respect of which it is given.

A notice of claim of lien may be given, although the work is not completed or the time for payment of the money in respect of which the lien is claimed has not arrived.

If no such notice is given, the lien shall not attach.

Notice of
claim of
charge.

10. A workman who intends to claim a charge upon money payable by the employer shall, before the completion of the work in respect of which it is claimed, or within seven days after the completion, give notice to the employer or contractor, as the case may be, specifying the amount and particulars of his claim, and stating that he requires the employer or contractor to take the necessary steps to see that it is paid or secured to the claimant.

He shall also give notice of having made such claim to the person who but for the claim would be entitled to receive from the person to whom the notice of claim is given the money in respect of which it is given.

A notice of claim of charge may be given, although the work is not completed or the time for payment of the money in respect of which the charge is claimed has not arrived.

If no such notice is given, the charge shall not attach.

Form of
notice of lien
or charge.
[Schedule.]

11. A notice of claim of lien or charge may be in one of the forms of the Schedule hereto, or to the like effect. But its validity shall not be affected by any inaccuracy or want of form if the property or money sought to be charged and the amount of the claim can be ascertained with reasonable certainty from the notice.

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Such notice may be served upon the person liable by posting it in a prepaid letter addressed to him at his usual or last known place of residence, or, if he has no such residence in Queensland, then addressed to him at the land on which the work was done.

Duty and Obligations of Employer or Contractor.

12. Upon receipt of notice of a claim of lien or charge, it shall be the duty of the person by whom it is received to retain in his hands, until the time prescribed by this Act for taking proceedings for enforcing the lien or charge has expired, a sufficient part of the money payable by him under his contract to satisfy the claim of the claimant. Consequences of claim of lien or charge.

In default of such retention, he shall, subject to the provisions herein contained, be personally liable to pay to the claimant the amount of his claim not exceeding the amount he should have retained in the same manner and to the same extent as if the claimant had been employed by him personally.

13. All payments up to three-fourths of the contract price or other moneys reasonably estimated as payable in respect to the contract to be paid for the work made in good faith by the employer or owner to the contractor, before notice in writing by the person claiming the lien or charge has been given to such employer, owner, or contractor, as the case may be, of the claim of such person, shall operate as a discharge *pro tanto* of the lien or charge created by this Act; but this section shall not apply to any payment made for the purpose of defeating or impairing a claim to a lien or charge existing or arising under this Act. Payment up to three-fourths before notice given to operate as discharge.

An employer or contractor shall and, notwithstanding any legal obligation to the contrary, may retain in his hands one-fourth part of the money payable under the contract to the contractor until the expiration of eight days after the completion of the work. One-fourth to be retained for eight days.

Enforcement of Lien or Charge.

14. When notice has been given of an intention to claim a lien or charge under this Act, and the person to whom it is given does not pay or make satisfactory arrangements for paying to the claimant the amount claimed, the claimant may recover the amount of the lien or charge from the owner, if liable, of the land or the person by whom the money subject to the charge is payable. If notice not followed by payment, proceedings may be taken to enforce lien.

Summary
procedure.

15. Claims under this Act may be enforced, and questions and disputes between persons claiming a lien or charge under this Act and any other person or persons liable or alleged to be liable to pay any amount claimed, or otherwise interested in any property or money which may be affected by a lien or charge or claim of lien or charge, and also between persons or classes of persons claiming a lien or charge, may be settled upon application in a summary manner to any Court having jurisdiction in the matter as declared by this Act.

Jurisdiction.

16. Claims of lien or charge by workmen for wages, and all other claims of lien or charge, and all matters arising under this Act, if the amount in question does not exceed the jurisdiction of the Court in which the claim is brought, may be heard and determined and enforced as a civil proceeding in such Court.

The Supreme Court shall have jurisdiction in all matters arising under this Act.

Appeal.

17. An appeal may be made from the decision of any Court exercising jurisdiction under this Act to the same Court and in the same manner, and subject to the same conditions and restrictions respectively, as in the case of other appeals from decisions of such Court.

Costs.

18. Subject to this Act, costs of any party or parties in any proceeding may be allowed in the discretion of the Court, and may be ordered to be paid by any other party or parties or out of any fund or property under the control of the Court.

Form of
procedure.

19. Proceedings in respect of a lien or charge shall be commenced by summons, which may be in any form prescribed by rules of Court or other practice of the Court. Such proceedings must be commenced within thirty days after the completion of the work in respect of which the lien or charge is claimed.

If proceedings are not taken within that time, the lien or charge shall be extinguished.

A statement of the claim shall be filed by the plaintiff with the proper officer of the Court, who shall thereupon issue the summons, which shall be directed to the person from whom payment is claimed, and also to every person who, if the claim were not made, would be entitled to receive the money claimed by the plaintiff. In all cases the claim must be verified by affidavit filed with it.

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A copy of the claim and of the affidavit verifying it shall be served with the summons.

20. The claim must state—

- (a) The name and residence of the claimant and of the person for whom or upon whose credit the work was done, and the period within which it was done, and in the case of a claim of lien the name of the owner of the property to be charged; ^{Form of claim.}
- (b) The nature of the work done;
- (c) The sum claimed to be due;
- (d) The date of expiry of the period of credit, if any, agreed to by the claimant for payment for his work where credit has been given;

and in the case of a claim of lien must describe the property sought to be charged.

The claim may be in one of the forms of the Schedule ^[Schedule.] hereto, and shall be verified by the affidavit of the claimant or some other person having full knowledge of the matters required to be verified, and the affidavit of an agent shall state that he has such knowledge.

The validity of a claim shall not be affected by any merely formal defect or inaccuracy, if the provisions of this Act with respect thereto are substantially complied with.

21. The summons shall be served in such manner ^{Service.} and be returnable on such date as the rules or practice of the Court may prescribe.

In the absence of and until the making of rules on the subject by any Court, the practice of the Court in matters relating to summary applications to the Court shall, as nearly as possible, be followed.

Unless and until otherwise provided by rules of Court—

- (1) Service of a summons shall be sufficient if it is duly made seven days before the date appointed for the hearing of the summons;
- (2) Service of a summons may be made by delivering a copy of it, together with a copy of the claim and affidavit of verification, to a defendant personally or to his authorised agent;

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- (3) The Court may proceed to hear and decide the claim or dispute in the absence of a defendant upon proof of personal service on the defendant or his agent, or upon proof that all reasonable efforts have been made to effect personal service on the defendant or his agent, and that copies of the summons, claim, and affidavit have been affixed in some conspicuous place upon the work in respect of which the claim or dispute arises.

Payment into Court by person liable.

22. If there is no dispute as to the amount which an owner, employer, or contractor is liable to pay, but the question or dispute is limited to determining who are the persons entitled to receive payment of it, such owner, employer, or contractor may, at any time after the claim is made, by payment into Court of the amount claimed, relieve himself and his property of all further liability in respect of such amount and of any costs of the proceedings.

In disputed cases owner may by payment into Court release property from lien.

23. If the fact or extent of the liability of an owner or employer is in dispute, he may, by payment into Court of the amount claimed or on giving security to the satisfaction of the Court, relieve the land or property upon which a lien is claimed from liability to the lien.

Protection of property.

24. A Court may, upon the application of a plaintiff *ex parte*, make such interim orders for the custody or preservation of any property concerned as may be necessary for the protection of the interests of any party or parties interested, pending the decision of the Court upon the claim or dispute.

In addition to any penalty or punishment which a Court may be authorised to impose for the breach or contempt of its decrees or orders, any person who, after notice of any such order, disobeys it or acts contrary to it shall be liable, in the discretion of the Court, to a penalty not exceeding fifty pounds; and such penalty may be enforced by the Court, on application by the plaintiff or any other person interested in or affected by the claim in dispute, in the like manner and by the like process as a judgment of such court could be enforced under the ordinary procedure applicable.

Several claims for wages may be joined.

25. A claim for wages may include the claims of any number of workmen whose primary claim is against the same person and who may choose to join in it. In any

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such case, if a lien is claimed, each claimant must verify his claim by affidavit substantially in accordance with the form in the Schedule hereto.

26. All payments made by an employer or contractor to any person under and in compliance with an order of a Court having jurisdiction under this Act shall be a sufficient discharge to the person making the payment of his liability to pay the money to the person who but for the order would have been entitled to receive the money from him. Effect of payment under order of Court.

Remedies against Land.

27. When a person entitled to a lien upon land intends to have recourse to the land, he must register his lien against the land in the following manner:— Registration of lien.

- (1) When the land is held under "*The Real Property Acts, 1861 to 1887*,"* a copy of the statement of claim of lien and affidavit, certified by the proper officer of the Court in which the original has been filed, shall be lodged in the office of the Registrar of Titles or local Deputy Registrar of Titles of the district in which the land is situated, who shall thereupon register the claim of lien upon the title to the land in question in the manner in which caveats are required to be registered: Land under Real Property Acts.

Notice of the claim of lien shall be given by the Registrar, by letter through the post office, to the registered proprietor and to every mortgagee or encumbrancee of the land: Notice.

The registration shall be deemed to have been made at the time of the day on which the claim of lien is lodged in the office;

- (2) When the title to the land is not held under "*The Real Property Acts, 1861 to 1887*,"* a claim of lien may be registered in the same manner as any deed or instrument affecting such land may by law be registered. Land not under Real Property Acts.

28. A claim of lien upon land shall not be liable to any stamp duty. Registration fee.

A fee of one shilling, and no more, shall be payable upon the registration of a claim of lien.

* 25 Vic. No. 14, *supra*, page 2148; 41 Vic. No. 18, *supra*, page 2196; 48 Vic. No. 4, *supra*, page 2206; and 51 Vic. No. 3, *supra*, page 2207.

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When claim
to be
registered.

29. A claim of lien upon land must be registered not later than thirty days after the completion of the work.

If the claim of lien is not registered within that time, the lien shall be extinguished.

Until registration, the land shall not be affected by lien or claim of lien. Notwithstanding anything to the contrary herein contained, all prior registered mortgages, encumbrances, liens, estates, and interests shall have priority over such lien or claim of lien, but subject to the provisions of section seven hereof.

Death of lien-
holder.

30. In the event of the death of a person entitled to a lien under this Act, his right of lien shall pass to his personal representatives.

Discharge of
liens.

31. A lien may be discharged by a receipt, signed by the claimant or his agent duly authorised in writing, acknowledging payment of the amount claimed, and verified by affidavit and filed, or upon such other evidence of payment into Court, payment to claimant, or that the lien is not sustainable, as the Registrar of Titles may deem sufficient. The receipt or such other evidence shall be numbered and entered or recorded by the Registrar of Titles or local Deputy Registrar of Titles in the same manner as other instruments. The fee shall be the same as for registering a claim of lien.

After the expiration of four months from the lodgement of the statement of claim of lien, such lien shall (whether the land is or is not held under the said Real Property Acts) be deemed to have lapsed unless the Court shall make an order extending the time. The Court may make such order upon any terms it thinks just.

Cost of
registering
discharge.

32. The registration of discharges of liens shall be at the cost of the owner, unless the Court otherwise orders.

Action by
lien-holders
for joint
benefit.

33. Any number of persons, each of whom is entitled to a lien of the same order of priority, may join in one proceeding to enforce their liens; and any action brought by any person to enforce a lien shall be taken to be brought on behalf also of every person entitled to a lien of the same order of priority, who has, before the date appointed for hearing the claim or any adjournment of the hearing, filed in the proper office of the Court from which the summons issued a duly verified statement of his claim of lien endorsed with a request that the claimant may be added as a party to the action.

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34. When separate actions are brought against the same person or against several persons in respect of work done under the same contract between the employer and the contractor, the Court may order them to be consolidated upon such terms as may be just.

Consolidation of proceedings.

When proceedings have been commenced in more than one Court and are still pending in respect of separate claims of lien against the same person for work done under the same contract made by him as employer, such proceedings may be remitted to the Court in which proceedings were first instituted if the amounts claimed in such remitted proceedings are within the limits prescribed by this Act or otherwise within the jurisdiction of such last-mentioned Court, and in any other case may be remitted to some Court having jurisdiction to deal with the whole matter in question in such proceedings.

35. In the event of the death of the plaintiff or his refusal or neglect to proceed, any other claimant of a lien of the same order of priority who has filed his claim in the manner and within the time prescribed by this Act may be allowed by the Court to prosecute the action on such terms as may be deemed just and reasonable.

Prosecution of claim when plaintiff dies, &c.

36. If judgment is recovered against an employer or owner upon a claim of lien, the Court (including a Small Debts Court) may direct a sale of the land to take place at any time after one month from the recovery of the judgment, and may direct such public notice, not being less than fourteen days, of such intended sale as may be deemed necessary.

Time when sale may be made.

37. When judgment is given for enforcing a lien, the Court may add to the judgment the costs of and incidental to registering the lien as well as the costs of the proceedings.

Costs.

38. The Court may direct the cancellation of the registration of a lien upon payment into Court of the amounts claimed in or under any proceedings instituted upon the lien, or upon such other terms as may be just.

Registration may be annulled.

39. When a sale of any estate or interest in land is directed under this Act, the sale shall be made by the bailiff of the Court in which the decision is pronounced upon delivery to him of a copy of such decision duly certified by the registrar of the Court or other proper officer, which shall be a sufficient warrant and authority

Execution upon a sale order by Court.

to such bailiff to effect and complete the sale in the same manner and with the same powers and authorities as the sheriff is required or authorised to effect a sale of land under an execution pursuant to a judgment of the Supreme Court, including the execution of any instrument necessary to convey or transfer to a purchaser the estate or interest sold.

General Provisions.

Person
prejudicially
affected may
apply to
Court.

40. Any person alleging that he is prejudicially affected by a claim of lien or charge or by registration under this Act may at any time apply to the Court to have such claim or registration cancelled or the effect thereof modified, and such order may be made as may be just.

Vexatious
notice of
claim.

41. If any person vexatiously or without any reasonable grounds gives notice of claim of lien or charge or registers any lien, such person shall be liable to pay to any person prejudicially affected thereby such compensation as a Court, on a summary application, may fix and determine.

Special
provision for
enforcing lien
on personal
chattels.

42. (1.) When a workman has done work upon a chattel in his possession by way of alteration or improvement or for the purpose of imparting an additional value to it, so as thereby to be entitled to a lien upon such chattel for the amount or value of the work done, then, in case the amount to which he is entitled remains unpaid for two months after it ought to have been paid, he may, in addition to all other remedies provided by law, cause the chattel in respect of which the lien exists to be sold by auction.

(2.) At least one week's notice of the sale shall be given by advertisement in a newspaper published in the locality in which the work was done, or, if there is no newspaper so published, then in a newspaper circulating in the locality, stating the name of the person indebted, the amount of the debt, a description of the chattel to be sold, the time and place of sale, and the name of the auctioneer, and leaving a like notice in writing at the last known place of residence (if any) of the owner, if he is a resident of the locality.

(3.) The proceeds of the sale shall be applied in payment of the amount due under the lien and the costs of advertising and sale, and any surplus shall be paid over to the clerk of petty sessions at or nearest to the place of sale to be held by him for the benefit of the person entitled to it.

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43. Any affidavit required to be made under this Act may be sworn before a justice of the peace or before any other person authorised to take affidavits in the Supreme Court, and no fee shall be payable or taken for administering the oath. Affidavits to be sworn without fee.

44. Except to the extent otherwise mentioned in this Act, nothing herein contained shall be construed to impair or affect any right or liability accruing or accrued under "*The Mining Act of 1898*,"* or "*The Wages Act of 1870*,"† or "*The Wages Act, 1884*,"‡ or the right of any person to whom a debt is due for work done or materials furnished to maintain a personal action to recover the debt against any person liable for it; and the judgment, if any, obtained by the plaintiff in any such action shall not impair or otherwise affect any lien or other right to which he is entitled under this Act. Saving of other remedies.

45. This Act shall not apply to contracts which may have been entered into before the passing of this Act. Contracts made.

46. Any contract or agreement of a contractor or workman which, if it were valid, would have the effect of disentitling him to the benefit of the provisions of this Act shall, to that extent, be absolutely void and inoperative. Contracting out.

47. The Governor in Council may, from time to time, make such Regulations consistent with this Act as he considers necessary for giving effect to this Act. Regulations.

SCHEDULE.

FORM 1.

Notice of Intention to Claim Lien.

Schedule.

[See ss. 11 and 20.]

To Mr. C.D., of

I, A.B. [*name of claimant*], of [*state residence and occupation of claimant*], hereby give you notice that I claim, under "*The Contractors' and Workmen's Lien Act of 1906*," a lien upon your land at [*describe the land in such a manner that it can be identified*], in respect of the following work done upon or in connection with the land, that is to say [*give a short description of the nature of the work done, and for which the lien is claimed*], which work was [*or is to be*] done by me while in the employment of [*state the name and residence and occupation of the person for whom or upon whose credit the work is done*], on or before the day of _____, 19 _____.

The amount which I claim as due [*or to become due*] is £ _____, and I require you to take the necessary steps to see that this amount is paid or secured to me.

Dated at _____, this _____ day of _____, 19 _____.

[*Signature of Claimant.*]

* 62 Vic. No. 24, *supra*, page 6609.

† 34 Vic. No. 16, *supra*, page 1522.

‡ 48 Vic. No. 14, *supra*, page 1524.

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FORM 2.

Notice of Intention to Claim Charge.

To Mr. C.D., of

I, A.B. [*name of claimant*], of [*state residence and occupation of claimant*], hereby give you notice that I claim, under "*The Contractors' and Workmen's Lien Act of 1906*," a charge upon the money which is now or will be payable by you to [*state the name and residence of the contractor to whom the money sought to be charged is payable*], in respect of the following work done by me in respect of your contract with the said E.F., that is to say [*give a short description of the nature of the work done, and for which the charge is claimed*], which work was [*or is to be*] done by me while in the employment of the said E.F., on or before the day of , 19 .

The amount which I claim as due [*or to become due*] is £ , and I require you to take the necessary steps to see that the amount is paid or secured to me.

Dated at , this day of , 19 .

[*Signature of Claimant.*]

FORM 3.

Statement of Claim to be Filed on Commencing Proceedings.

A.B., of [*state residence and occupation of claimant*], claims, under "*The Contractors' and Workmen's Lien Act of 1906*," to recover from [*state the name, residence, and occupation of the persons against whom the claim is made*] the sum of £ , for days' wages as a bricklayer [*or as the case may be (state concisely the nature of the work or service in respect of which the claim is made)*].

The work was done for [*state the name, residence, and occupation of the person for whom or upon whose credit the work was done*], between the day of and the day of last.

The credit agreed to by the claimant expired on

If a lien is claimed, add—The claimant claims a lien for the above sum upon the land of the said C.D. at [*give a description of the property to be charged sufficient for the purpose of registration*].

Dated at , this day of , 19 .

[*Signature of Claimant.*]

FORM 4.

Statement of Claim for Wages by Several Claimants.

The following persons claim, under "*The Contractors' and Workmen's Lien Act of 1906*," to recover from [*state the name, residence, and occupation of the person against whom the claims are made*] the following sums for wages [*state the names, residences, and occupations of the several persons claiming the lien, and particulars of their claims*]:—

A.B., of [*residence and occupation*], £ , for days' wages, as, &c.

C.D., of [*residence and occupation*], £ , for days' wages, as, &c.

E.F., of [*residence and occupation*], £ , for days' wages, as, &c.

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The work was done for [state the name, residence, and occupation of the person for whom or upon whose credit the work was done], between the day of and the day of last.

The credit agreed to by the claimants expired on

If a lien is claimed, add—The claimants claim a lien for the above sums upon the land of the said G.H. at [give a description of the property to be charged sufficient for the purpose of registration].

Dated at , this day of , 19

[Signatures of Claimants.]

FORM 5.

Affidavit Verifying Claim.

I, A.B. [or C.D.], do make oath that the above [or annexed] claim is true [or that the said claim, so far as relates to me (or to A.B.) is true]. [Or We, A.B. and C.D., named in the above (or annexed) claim, do make oath, and each for himself saith, that the said claim, so far as relates to him, is true.]

[Where the affidavit is not made by the claimant himself a clause must be added to the following effect :—I, C.D., have full knowledge of the facts set forth in the above (or annexed) claim.]

Sworn before me at this day of , 19 . }

Or, the said A.B. and C.D. were severally sworn before me at this day of 19 . }

Or, the said E.F. was sworn before me at , this day of , 19 . }

MEASURES.

See WEIGHTS AND MEASURES.

MINING.

An Act to Authorise Advances to be made to Persons and Companies for the purpose of Providing Machinery and Plant for Mining and the Treatment of Metalliferous Ores.

6 Edw. VII.
No. 10.
THE MINING
MACHINERY
ADVANCES
ACT OF 1906.

[ASSENTED TO 5TH NOVEMBER, 1906.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as "*The Mining Machinery Advances Act of 1906.*" Short title.