



1852.

No. 6.

An Act further to amend the Laws relating to Masters and Servants.

[Assented to 2nd November, 1852.]

WHEREAS it is expedient further to amend the laws relating to masters and servants, so far as regards contracts made out of the Province of South Australia: Preamble.

Be it therefore Enacted, by the Lieutenant-Governor of South Australia, with the advice and consent of the Legislative Council thereof, That, from and after the passing of this Act, so much of a certain Ordinance, No. 9 of the year one thousand eight hundred and forty-seven, "To amend the Laws relating to Masters and Servants" (clause 11), as provides that no laborer shall be compelled to serve under any contract made out of the Province, after re-imbusement or tender shall have been made to the master whom he may have contracted to serve of all sums which may have been defrayed or advanced on account of the expenses of the conveyance to the Province of the laborer so contracting, and his wife and family, if any, and not in any case after the period of one year from the arrival of such laborer in the Province, and that, on such re-imbusement or tender being made, and in any event on the expiration of one year from and after the day of arrival in the Province of any such laborer, the contract, so far as regards the future service of such laborer shall determine and be of no force or effect, shall be, and the same is hereby repealed. No. 9 of 1847, Sec. 11, limitation of contracts of service made out of the Province repealed.

2. And be it Enacted, That in the case of any contract of hiring, made out of the Province, it shall be lawful for any two or more Justices of the Peace, or any Special Magistrate, after the expiration of one year from the commencement of service under such contract within the Province, to put an end to such contract at the instance of the person contracting to serve under the same, upon payment by Servants to be free from contracts on the expiration of one year, by re-paying their masters money spent for conveying them to the Colony.

such servant to his master of such sum of money, not exceeding in any case the amount of any moneys paid or advanced on account of the conveyance to the Province and outfit of such servant, his wife and family, if any, as in the opinion of such two Justices, or Special Magistrate, shall be a reasonable compensation to the master for any loss he may sustain by reason of the putting an end to such contract, and such matter shall be heard and determined by such Justices, or Special Magistrate, in a summary manner.

3. And be it Enacted, That nothing herein contained shall extend to repeal or alter an Ordinance, No. 5 of the year one thousand eight hundred and forty-nine, to amend an Ordinance, No. 9 of the year one thousand eight hundred and forty-seven, "To amend the Laws relating to Masters and Servants."

Commencement of
the Act.

4. And be it Enacted, That this Act shall come into operation from and after the Lieutenant-Governor's assent shall be given to it.

JOHN MORPHETT, Speaker.

*Passed the Legislative Council this fifteenth
day of October, one thousand eight
hundred and fifty-two.*

F. C. SINGLETON,
Clerk of the Legislative Council.

In the name and on the behalf of Her Majesty I assent to this Act.

H. E. F. YOUNG,
Lieutenant-Governor.

Government House, Adelaide,
2nd November, 1852.