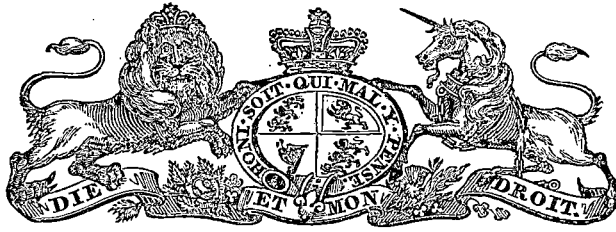


(No. 14.)



1857.

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T A S M A N I A.

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P E T I T I O N

FROM RESIDENTS IN THE DISTRICTS OF LONGFORD, WEST-  
BURY, AND LAUNCESTON AGAINST THE NEW MASTERS AND  
SERVANTS BILL.

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Presented by Mr. Nairn, and ordered by the Council to be printed, 1 December,  
1857.



*To the Honourable the President and Members of the Legislative Council,  
in Parliament assembled.*

The humble Petition of the undersigned Landholders, Householders, Mechanics, Contractors, and other Employers of Labour, resident in the Districts of Longford, Westbury, and Launceston.

RESPECTFULLY SHOWETH :

THAT whereas a new Masters and Servants Act has been, or will be, brought under the consideration of your Honourable House : that its provisions do not secure to the Master that protection which the circumstances of the Colony demand.

That it is highly objectionable that the wages of the Servants should be forfeited to the Master for misconduct or breach of agreement ; but that where any Servant who wilfully or negligently spoils, destroys, abandons, or loses any property of his Master's, it is but just that the amount in which he may be fined for such offence should be paid to his Master : and, upon non-payment of any fine, that imprisonment or some other punishment should be substituted.

That whereas the proposed Masters and Servants Act provides, that no Master may, without lawful cause, dismiss his Servant from his service or work before the termination of his service or the completion of his work ; that the phrase "lawful cause" is so ambiguous, that a Master may, by misinterpretation of it, render himself liable to a penalty of Ten Pounds. That the Master being liable, in case of conviction of misconduct or breach of engagement towards a Servant, to a penalty of twice the amount to which the Servant is liable for a similar offence, is harsh and unjust to the Master ; and that to permit the amount of fine which might, at any time, be inflicted upon a Master for misconduct or breach of engagement to be paid to the Servant, would be productive of the most pernicious, vexatious, and demoralising results, by tempting and inducing Servants to concoct charges against their Masters, and to commit the most foul perjuries for the sake of the amount of fine to which the Master would be liable.

That it is inexpedient and dangerous that any one Justice of the Peace should hear and determine any complaint under the Masters and Servants Act. That it is just and necessary that any Justice of the Peace should have power to issue a Warrant for the apprehension of any party failing to obey his Summons ; and that any Two Justices should be empowered to issue a Warrant under the Masters and Servants Act without a Summons having been previously issued.

That Sections Nos. 31, 32, 33, 34, of the present Masters and Servants Act have been found most useful and efficacious ; but that it is just and desirable that the penalty prescribed in Section 33 should apply equally to the Servant in case of producing false discharges ; and that the words at the end of Section 31—viz. "That such certificate shall not be necessary in the case of any Servant employed for any period less than Fourteen days,"—be expunged.

That whereas by the proposed Masters and Servants Act, in case a Servant liable to pay to a Master any sum of money by order of a Justice or Justices has left the Master's service before such sum has been satisfied, the Master may, at any time within three years after the date of such order, attach the wages or other moneys due, or to become due, by any future Master to such Servant. That from the circumstance of Labourers rarely having any property excepting clothes and tools, and from the utter impossibility of tracing the Servant after he has left the Master to whom he is indebted by reason of his change of residence and name, or his probable departure from the Colony ; as also by reason of his liability to successive fines for other convictions under the Masters and Servants Act, or for felony or other offences, that the mode of recovery of

moneys due to the Master as provided by the proposed Act is perfectly impracticable. And that any Act providing certain punishment to the Master should also provide an equally certain punishment to the Servant; upon conviction of a similar offence; and the amount of punishment to which the Master is liable should be the same as that to which the Servant is liable for similar offences.

That your Petitioners believing that, should the proposed Masters and Servants Act become Law, its effects would jeopardise the best interests of the Country, by compelling all large employers of labour greatly to curtail, or altogether abandon, their operations in consequence of the vexatious annoyances, loss, and expense to which they would be subject, thereby entailing serious loss upon individuals and the Country generally, and by throwing labourers out of employment drive them out of the Country.

We, therefore, humbly and earnestly pray that your Honourable House will take into your favourable consideration this our humble Petition; and that your Honourable House will not repeal the present Masters and Servants Act, but amend it in accordance with the spirit of the suggestions in this our humble Petition.

And, as in duty bound, your Petitioners will ever pray.

John Miller	Henry Laird	James Richardson
Thomas Hendley	John Isaac	Jane Jordon
William Beveridge	Thos. W. Roberts	James Jordan
William Jones	C. H. Wright	George Gregory
Robert Gibson	W. M. M'Creery	Patrick Hoggarty, his ×
John Yates	James Hogan	mark
Henry Crockford	C. C. Greenway	George Rouse
James Smith, his × mark.	William Goodwin	Christopher Breaden
Witness—John Millar	James Clancy	William Orledge
Edwin Meredith	John Williams	Martin M'Gee, his × mark
A. R. Walker	John Denley	Joseph Pittam, his × mark
Roddam H. Douglas	Shadrack Pinton, his ×	Reuben Cousins, his × mrrk
W. M. Dean, Senior	mark. Witness—J. G.	Walter M'Gee, his × mark
W. M. Dean, Junior	Paterson	James Haggarty, his ×
Montague Williams	J. G. Paterson	mark
William J. Upton	W. O'Meara	James Welsh, his × mark
Thos. Young	John Barker	Henry Welch, his × mark
Joseph Pullers	Andrew Balfour	John Leith
William Smith	J. K. Archer, J.P.	Duncan M'Pherson
John Ireland	John Hay	James Robertson
Jesse Pullers	James Robertson	John Strawgetter
Alfred Edwards	Thos. Duggan	John Evans
Peter Brown	George Gibson	Jeremiah Foley
George Miles	Chas. Clayton	Hugh Quigley, his × mark
George Bert	Richard Boutcher	Cornelius M'Carthy, his ×
J. D. Grant	Jas. East	mark
W. Motton	James Hogg	Michael O'Mara
Thomas White	G. Kirkham	John Meagher, his × mark
John Merchant	J. Foley	James Cavannagh, his ×
Daniel O'Meara	Joseph Nixon	mark
Alexr. Stronach	George Scott	James M'Culloch
A. Wren	George Smith	William Beveridge
James King	John Best	W. G. Puggis.
James Halliday	Wm. H. Oldaker	