

(No. 10.)



1857.

T A S M A N I A.

RESOLUTIONS

ADOPTED AT A MEETING OF INHABITANTS OF GLAMORGAN,
HELD AT THE "TRAVELLER'S REST," SWANSEA, ON THE
12TH NOVEMBER, 1857, TO CONSIDER THE PROPOSED NEW
MASTERS AND SERVANTS ACT.

Laid upon the Table by Mr. Whyte, and ordered by the Council to be printed,
20 November, 1857.



At a Meeting of the Inhabitants of Glamorgan, held at the *Traveller's Rest*, Swansea, on the 12th instant, the Rev. J. Mayson in the Chair, the adoption of the Six following Resolutions, passed at a Public Meeting at Carrick on the 31st October last, to consider the proposed new *Masters and Servants Act*, was proposed by J. Meredith, Esq., seconded by G. Burgess, Esq., and carried unanimously:—

1st. That this Meeting views with much alarm the introduction of the proposed new *Masters and Servants Act* now before the House of Assembly, inasmuch as its provisions do not secure to the Master that protection which the circumstances of the Colony demand.

2nd. That it is highly objectionable that the wages of the Servant should be forfeited to the Master for misconduct or breach of agreement: that where a fine is inflicted for the above-named offences, that the amount of the fine should be paid to the Crown; and that upon non-payment of a fine imprisonment or some other punishment should be substituted.

3rd. That whereas the proposed Act provides that any Servant who wilfully or negligently spoils, destroys, abandons, or loses any property of his Master shall be liable to pay to his Master any sum not exceeding Twenty Pounds, no provision is made for the punishment of the Servant in the event of his not paying to his Master the amount in which he may be fined for the offence; and that it is necessary and just that some other punishment should be substituted in lieu thereof.

4th. That whereas the proposed Act provides that no Master may without lawful cause dismiss his Servant from his service or work before the termination of the service or completion of the work:—that the phrase “lawful cause” is so ambiguous, that a Master by the misinterpretation of it renders himself liable to a penalty of Ten Pounds;—that the Master being liable, in case of conviction of misconduct or breach of agreement towards the Servant, to a penalty of twice the amount of that 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 at any time might be inflicted on a Master for misconduct or breach of agreement to be paid to the Servant would be productive of the most pernicious, vexatious, and demoralising results, by tempting 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.

5th. That whereas the proposed Act provides that all complaints shall be heard and determined, and all debts and sums of money due shall be recoverable, in a summary way, by one or more Justices of the Peace: it is deemed inexpedient and dangerous that such an undue amount of power should be vested in any one Justice of the Peace, and that no complaint under the *Masters and Servants Act* should be heard and determined except before two or more Justices of the Peace; and that it is just and necessary that any Justice of the Peace should have power to issue a Warrant for the apprehension of any parties failing to obey his Summons, or that any two Justices of the Peace should have

the power to issue a Warrant under the *Masters and Servants Act* without a Summons having been previously issued; and in case of non-payment of any sum of money adjudged to be paid under the *Masters and Servants Act*, that they shall be empowered to imprison such party failing to pay such sum of money.

6th. That whereas the proposed Act does not provide for written discharges, and any production of discharges from last service by Servants;—that the Sections 31, 32, 33, and 34 of the present *Masters and Servants Act* be retained, excepting that the words at the end of Section 31, viz.—“That no such Certificate shall be necessary in the case of any Servant employed for any period of time less than fourteen days”—be expunged, as they have been found most useful and efficacious, and that the penalty prescribed in Section 33 apply equally to the Servant in case of producing false discharge.”

Proposed by A. Graham, Esq., seconded by J. Amos, Esq. :—

That a Committee, consisting of Messrs. J. Meredith, B. Shaw, J. Mayson, G. Burgess, and A. Graham, be appointed to draw up Petitions to His Excellency the Governor and the two Houses of Parliament, embodying the above Resolutions against the adoption of the proposed new Act.