



1849.

No. 5.

ORDINANCE Enacted by the Governor of South Australia, with the advice and consent of the Legislative Council thereof.

To amend an Ordinance (No. 9, of 1847) "To amend the Laws relating to Masters and Servants."

[1st August, 1849.]

WHEREAS by an Ordinance of the Governor of South Australia, with the advice and consent of the Legislative Council thereof, passed on the twenty-third day of July, one thousand eight hundred and forty-seven, (No. 9), "To amend the Laws relating to Masters and Servants," it was *inter alia* (Section 11) Provided, "that no labourer shall be compelled to serve under any such contract (as therein mentioned) made out of the Province, after reimbursement 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 labourer 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 labourer in the Province : Provided also, that on such reimbursement 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 labourer, the contract, so far as respects the future service of such labourer, shall determine and be of no force or effect": And whereas it is expedient that an exception should be made in the provisions aforesaid, as to any contracts of service made within the limits of the United Kingdom and the Australasian Colonies :

Preamble.

No. 9 of 1847.

Sec. 11. Limitation of contracts of service made out of the Province.

Be

Not to extend to contracts of service made within the United Kingdom and Australasian Colonies.

before or after the passing of this Ordinance?

Be it therefore Enacted by the Governor of South Australia, with the advice and consent of the Legislative Council thereof, That from and after the passing hereof, the said recited provisions shall not extend to any contracts of service made within the limits of the United Kingdom of Great Britain and Ireland, or of the British Colonies or Australasia.

Magistrates may, at discretion, punish offences by penalties.

II. And whereas it is expedient that Magistrates should have the discretion of punishing offences against the said Ordinance by penalties, and that the provisions thereof should be extended to female servants; Be it Enacted That for any offence against the said Ordinance it shall be lawful for any two Justices of the Peace, if it shall seem to them to meet the justice of the case, in lieu of the punishment thereby prescribed (but besides awarding an abatement or forfeiture of wages, if any), to impose a penalty not exceeding Twenty Pounds, with costs, which shall be recoverable in summary manner, according to the laws for regulating the proceedings of Justices of the Peace.

Ordinance to extend to female servants.

III. And be it Enacted That the provisions of the said Ordinance as hereby amended, shall extend to and include all female as well as male servants.

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

*Passed the Legislative Council, this }
First day of August, One Thousand }
Eight Hundred and Forty-nine. }*

W. L. O'HALLORAN,
Clerk of Council.