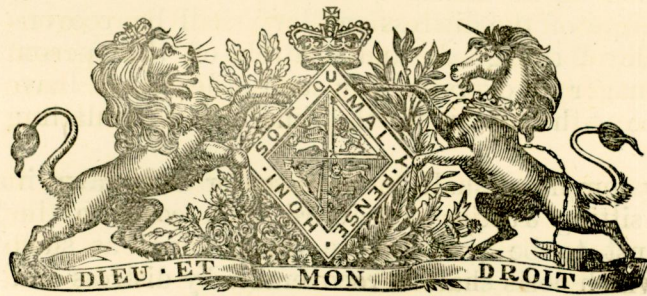


This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

*Legislative Assembly Chamber,
Sydney, 7 March, 1876.* }

STEPHEN W. JONES,
Clerk of Legislative Assembly.

New South Wales.



ANNO TRICESIMO NONO

VICTORIÆ REGINÆ.

No. .

An Act for the summary recovery of Money not exceeding Fifty Pounds for Labour.

WHEREAS it is expedient to make provision for the summary Preamble.
recovery of money due for labour which might not come under
the designation of wages recoverable by the "Masters and Servants
Act of 1857" Be it therefore enacted by the Queen's Most Excellent
5 Majesty by and with the advice and consent of the Legislative
Council and Legislative Assembly of New South Wales in Parliament
assembled and by the authority of the same as follows:—

1. Whenever any sum of money not exceeding fifty pounds Money not exceeding
£50 due for labour
may be recovered
before two Justices.
shall be claimed to be due to any person on account of any kind of
10 labour whatsoever performed for any other person it shall be lawful for
any Justice or Clerk of Petty Sessions upon complaint made to him
touching or concerning the non-payment of any such sum to summon
the person complained against to appear before any two or more
Justices at the nearest Petty Sessions to the place where the labour for
15 which the money is claimed shall have been performed or where the
person complained against shall reside and the Justices there assembled
may

Summary recovery of Money for Labour.

may examine the parties and their respective witnesses touching the complaint and may inspect any agreement or duplicate copy thereof if produced and may make an order for the payment by the person complained against of any sum not exceeding fifty pounds as shall
 5 appear to such Justices lawfully due together with all costs incurred and damages sustained by the complainant in prosecuting such claim and in case of refusal or non-payment forthwith of any sum so ordered to be paid the same as well as the costs and charges of the distress and
 10 levy shall be recoverable by distress and sale of the goods and chattels of the person so ordered to pay as aforesaid in accordance with any law for the time being regulating the same.

2. Whenever any sum of money not exceeding fifty pounds shall be claimed to be due to any person on account of any kind of labour whatsoever performed at the instance of any agent manager or
 15 overseer of any person whomsoever and for such person the like proceedings may be taken and had against such agent manager or overseer as provided by section one hereof in other cases and in the event of refusal or non-payment forthwith of any sum of money
 20 ordered to be paid by such agent manager or overseer the same as well as the costs and charges of the distress and levy shall be recoverable by distress and sale of the goods and chattels of the person against whose agent manager or overseer any such order shall have been made in accordance with any law for the time being regulating the same.

Agent manager or overseer may be summoned and principal goods sold in case of non-payment of order.

3. Whenever any complaint shall be dismissed or withdrawn it shall be lawful for the sitting Justices to award such costs to the person complained against to be paid by the complainant as such
 25 Justices shall think fit which costs shall be recoverable by distress and sale as aforesaid.

Costs may be awarded against complainant on dismissal of case.

4. Any person ordered under this Act to pay any sum of money
 30 amounting to ten pounds who shall think himself aggrieved thereby may appeal to the next Court of Quarter Sessions unless such Court shall be held within fourteen days next ensuing and in that case to the next Court but one to be holden at or nearest to the district within
 35 which the order was made upon giving immediate notice to the adjudicating Justices of his intention so to appeal and finding sufficient security to their satisfaction for duly prosecuting such appeal at the said Court and for abiding the determination of the said Court thereon and such Court is hereby authorized and required to hear and deter-
 40 mine the matters of such appeal in a summary way and either to confirm or set aside the said order and to award such costs to either party as to it shall seem reasonable and such decision shall be final and conclusive.

Appeal.

5. No person shall be liable to imprisonment for default of
 45 distress made under this Act any law to the contrary notwithstanding.

Liability for default of distress.

6. This Act may be cited as the "Summary recovery of Money
 for Labour Act of 1876." Short title.