
2nd Session, 3rd Parliament, 12 Victoria, 1849.

BILL.

An Act to amend the Act relating to
Masters and Servants, in the country
parts of Lower Canada.

Received and Read a first time, Wednesday, 28th
March, 1849.

Second Reading, Monday, 2nd April, 1849.

MR. WATTS.

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BILL.

An Act to amend an Act relating to
Masters and Servants in the country
parts of Lower Canada.

WHEREAS it is expedient to repeal the Preamble.
Act hereinafter mentioned, and to
make better provision for the decision of dif-
ferences arising in the country parts of Lower
5 Canada, between Masters and Mistresses, and
their Apprentices, Servants, Journeymen or
Labourers: Be it therefore enacted, &c.

And it is hereby enacted by the authority of
the same, That the Act of the Legislature of Act of L. C.
6 W. 4 C. 27,
repealed.
10 Lower Canada, passed in the sixth year of
the Reign of His late Majesty King William
the Fourth, and intituled, "*An Act for the
more easy and less expensive decision of dif-
ferences between Masters and Mistresses and
15 their Servants, Apprentices and Labourers, in
the country parts of this Province,*" shall be
and is hereby repealed.

II. And be it enacted, That this Act shall To what places
this Act shall
apply.
20 apply to those parts of Lower Canada which
are not within the cities of Quebec or Mon-
treal, or the town of Three Rivers, and to no
other part of this Province.

III. And be it enacted, That any and all Penalty on
Servants dis-
obeying their
Masters, &c.
25 Apprentices or Servants of either sex, or
Journeymen or Labourers bound by act of
indenture or written contract or agreement,
and all Servants of either sex, or Journey-
men or Labourers verbally engaged before
one or more witnesses for one month or for
30 any longer or shorter period, who shall be
guilty of ill behaviour, refractory conduct,
or idleness or of deserting from their service
or duties, or of absenting themselves by day

or night, without leave, from their said service, or from the house or residence of their employers, or who shall refuse or neglect to perform their just duties, or to obey the lawful commands which shall be given them 5
 by their Masters or Mistresses, or who shall be guilty of any fault or misdemeanor in the service of their said Masters or Mistresses, or of any unlawful act that may affect the interest or disturb the domestic arrangements 10
 of their said Masters or Mistresses, or who shall be guilty of dissipating their Masters' or Mistresses' property or effects,—shall be liable, upon conviction before any Justice of the Peace, to a penalty not exceeding *five* 15
pounds currency, and to an imprisonment not exceeding thirty days, for each and every offence.

How recoverable.

What warning shall be given, &c., on either side.

IV. And be it enacted, That every Domestic Servant, Journeyman or Labourer, 20
 engaged for a fixed period by the month or for a longer space of time, and not by the piece or job, who shall intend to quit the service in which he or she shall be during that time engaged, shall give or cause to be 25
 given notice of such intention, at least one month before the expiration of such agreement; and if any of the said persons quit the service without giving such notice, (although the time of service be expired,) he' or she 30
 shall be considered as having deserted from the said service, and be punished accordingly; and every Master, Mistress or Employer, shall give to his or her Servants, Journey- 35
 men or Labourers like notice of his or her intention no longer to keep or employ them after the expiration of their time of service; Provided always, that every Domestic Ser- 40
 vant, Journeyman and Labourer, engaged for a time, may be discharged by his or her Master, Mistress or employer, at or before the expiration of his or her engagement, without notice, upon full payment of the wages which he or she would have received for all the time of his or her service; if the 45

Proviso: Servants may be discharged on paying wages for the time of warning.

time shall be expired, the person so discharged without notice shall be entitled to wages for the full time included between the day when such notice should have been given, and the day of his or her discharge as aforesaid.

V. And be it enacted, That any and every Domestic Servant, Journeyman or Labourer, engaged by the month or longer space of time, or by the piece or job, who shall desert or abandon the service or job for which he, she or they shall have been engaged, before the time agreed upon, shall for each and every offence be liable to a fine or penalty not exceeding *five pounds* currency, and to an imprisonment not exceeding thirty days.

Penalty on Servants deserting their work.

VI. And be it enacted, That any and all persons designedly harbouring or concealing any Apprentice or Servant engaged by written act or agreement, who shall have abandoned the service of his or her Master or Mistress, or instigating or engaging any Apprentice or Servant to abandon such service, shall be liable to a fine or penalty not exceeding *five pounds* currency, and to an imprisonment not exceeding thirty days for each and every offence.

Penalty on persons harbouring runaway servants, &c.

VII. And be it enacted, That all complaints founded upon contravention of any of the four next preceding sections of this Act, may be heard and determined before any one Justice of the Peace, who may summon the offender before him, and on proof of the service of such summons may, either in the absence or presence of the offender, determine such complaint in a summary manner, on the oath of any one or more credible witness or witnesses to be sworn before him, and may if the offender, be convicted, sentence such offender to the penalty and imprisonment hereby imposed for the offence, and may commit such offender to Gaol accordingly, and levy such penalty by warrant of

How complaints under the four preceding sections shall be heard and determined.

distress and sale of the offender's goods and chattels.

As to complaints by servants against their masters, &c.

VIII. And be it enacted, That any Apprentice, Domestic Servant or Journeyman, bound or engaged as aforesaid, having any just cause of complaint against his or her Master, Mistress or Employer, for any mis-usage, defect or insufficiency of wholesome provisions or food, or for cruelty or ill-treatment of any kind, may cause such Master 10 or Mistress to be summoned and to appear before one of the nearest Justices of the Peace to the residence of the party complained against, to answer the complaint to be preferred against him, her or them, by 15 such Apprentice, Domestic Servant or Journeyman; and any and every Master or Mistress, convicted upon such complaint of any offence aforesaid, towards his, her or their Apprentice, Domestic Servant or 20 Journeyman, shall upon each and every conviction be liable to a penalty not exceeding *five pounds* currency, or to an imprisonment not exceeding thirty days; such complaint to be heard and determined, and such 25 penalty levied, or such imprisonment enforced in the manner provided by the Section of this Act.

Penalty and how enforced

Justice may annul the agreement between Master and Servant in certain cases.

IX. And be it enacted; That upon complaint by any Master, Mistress or Employer, 30 against his, her or their Apprentice, Servant or Journeyman, or by any Apprentice, Servant or Journeyman, against his, her or their Master, Mistress or Employer, of continued mis-conduct or mis-usage, and of repeated 35 violations of the ordinary and established duties of the parties towards each other, any two Justices of the Peace may at a special sitting, upon due proof of the facts, annul the contract or agreement, whether written 40 or verbal, by which such Master, Mistress or Employer, and such Apprentice, Servant or Journeyman may be bound to each other.

X. And be it enacted, That no complaint under this Act shall be received, unless and until the complainant shall have given security to the satisfaction of the Justice before whom the complaint is made, to pay all lawful costs awarded against him if such complaint be dismissed.

Complaint not
to be heard
unless security
be given for
costs.