

Servants and Apprentices' Act 1852, Tasmania

1852 – 1854

URL: http://www.austlii.edu.au/au/legis/tas/num_act/aatrtaocotiaaatctlrtaasatsopilt16vn231669/

Details

The Servants and Apprentices' Act 1852 with the full title, "An Act to repeal the Act of Council of this Island intituled an Act to consolidate the Laws relating to Apprentices and Servants and to substitute other Provision in lieu thereof" (Act no.16 Vict. No.23) repealed and replaced the Apprentices and Servants 1840 (Act no. 4 Vict. No.12). This legislation was active until 1854 when it was replaced by The Master and Servant Act 1854 (Act no.18 Vict. No.8).

The Servants and Apprentices' Act 1852 sets out the legal consequences for employees and employers for failure to meet their contracts or maltreatment. An employee could be imprisoned for up to 2 months of hard labour and lose his/her wage for a 'reasonable amount of time' if they ran away or abandoned their work. An indentured apprentice or servant would face up to 1 month of imprisonment and hard labour and may even lose their apprenticeship for the same crime. Keeping in mind most apprentices were children between 12 and 18 years of age. Under this legislation anyone who knowingly employed or harboured a run-away could face a fine of up to 50 pounds.

The punishment for employers who were found by the court to have maltreated their indentured apprentice or servant was the loss of that apprentice. It is not clear whether the apprentice in question would be transferred to new employment or simply become unemployed. Employers could also be forced to pay up to six months' worth of wages to an employee if found guilty of maltreatment.

The legislation also goes on to detail who can and should represent a female servant who has been 'seduced' by her employer in the court. Before clarifying that any contracts of employment or apprenticeship made in Australia, Great Britain or Ireland are legally binding regardless of where the individuals the contract relates to are located.

This legislation was repealed and replaced in 1854 by The Master and Servant Act 1854 (Act no. 18 Vict. No.8).

More info

Chronology

- Apprentices and Servants 1840, Tasmania (1840 - 1852)
 - **Servants and Apprentices' Act 1852, Tasmania (1852 – 1854)**
 - The Master and Servant Act 1854, Tasmania (1854 - 1856)
 - The Master and Servant Act 1856, Tasmania (1856 - 1986)

Related Entries

Related Glossary Terms

- [Apprenticeship \(1860s - 1960s\)](#)

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