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under such judgment, and interest thereon, irrespective of whether the amount for which such order shall have been entered as a judgment is under the sum of Twenty Pounds or over that sum.

35. If any such person against whom such an order shall have been made is possessed of any land under the operation of the "Real Property Act of 1861," or any Act or Acts amending the same, it shall be lawful for the said Chairman of the Board, either in lieu of or concurrently with the procedure mentioned in the last preceding clause, to lodge with the Registrar-General a caveat against any dealings with the said lands, in which caveat the particulars of such order shall be set out as fully as may be, and thereupon the said Registrar-General shall forthwith register such caveat, and it shall not be lawful for the said Registrar-General to remove or discharge such caveat unless and until he shall be satisfied that all moneys due and owing under such order have been fully paid and satisfied to the Chairman of the Board for the time being, or unless he shall be ordered by the Supreme Court to remove such caveat.

Caveats.

36. In any case of an information under the four last preceding sections, the Chairman of the Board may give notice in writing to any banker or other person known or suspected to have the custody or control of or over any money or property of or belonging to the person sought to be made chargeable not to pay or hand over such money or property until such information shall have been heard and disposed of, and thereupon such property shall be thereby attached in the hands of such banker or other person as aforesaid; and he shall pay or hand over the same in accordance with any order which may be made by the Justices on the hearing of such information; and any banker or other person paying or handing over such money or property after receiving such notice as aforesaid, except in accordance with such order, shall be personally liable to make good the amount of money or value of the property so paid or handed over, and such amount or value may be recovered by the Chairman of the Board accordingly by action at law.

Board may attach moneys in hands of banker, &c.

37. The Board may manage, and demise for any term not exceeding three years, the lands of or to which any inmate is seized or entitled, and may make allowances and arrangements with all or any of the tenants or occupiers for the time being of the said lands, and accept surrenders of leases and tenancies, as fully and effectually as such inmate if of the full age of twenty-one years could do.

Board may manage and let estates of children or other inmates.

38. The Board may demand, sue for, collect, and receive, all the rents and profits which shall be due to any such inmate, and may give effectual receipts and discharges for such rents and profits or so much thereof as shall be received, and in case of non-payment of the same or any part thereof, in the names of the Chairman of the Board or in the name and on behalf of such inmate, may enter into and upon all or any of the lands in respect of which any rents shall be unpaid, and may distrain for the said rents and profits, and the costs and expenses of and incidental to the non-payment thereof; and

Board may collect moneys due to inmates.

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and the distress then and there found may dispose of in due course of law, and may take and use all lawful proceedings and means for recovering and receiving the said rents and profits, and for evicting and ejecting defaulting tenants and occupiers from all or any of the said lands, and determining the tenancy or occupation thereof, and for obtaining, recovering, and retaining possession of all or any of the lands held or occupied by such defaulters.

Board may bring actions.

39. The Board may, in the name of the Chairman of the Board, or in the name and on behalf of any such inmate, commence and prosecute at law and in equity all actions, suits, claims, demands, and proceedings, touching any land, estate, interest, or rights of any such inmate, or of his tenants therein or thereto, or touching any matter or thing whatsoever in which any such inmate or his real or personal estate or effects may be in any way interested, affected, or concerned.

Board may appoint agents.

40. The Board may appoint and remove at their pleasure any attorney or agent in respect of all or any of the matters aforesaid, upon such terms and for such remuneration as the said Board shall think fit, and may allow to such attorney or agent all costs, charges, and expenses lawfully incurred by him in executing the powers and trusts reposed in the Board by this Act.

Penalty for breach of rules.

41. Any person or inmate committing a breach of any of the rules or regulations hereinbefore referred to shall, upon conviction thereof by any Justices, forfeit and pay a penalty not exceeding Five Pounds, or be imprisoned, at the discretion of such Justices with or without hard labor, for any term not exceeding three calendar months.

Penalty for false pretences to obtain relief.

42. Any person who shall obtain or attempt to obtain from the Board or from any officer administering the funds thereof, any pecuniary or other relief or assistance, or any goods or chattels or other property, by way of gift or loan, by means of any false pretence; and any person in any institution under the control of the Board, who shall wilfully waste, spoil, or damage any of the wearing apparel, tools, implements, or utensils, or other property belonging to such institution shall, upon conviction thereof, be liable to imprisonment with hard labor for any term not exceeding six calendar months.

Penalty for fraudulent appropriation of property of asylum.

43. If any person who shall be entrusted with, or to whom shall be lent, by way of relief or assistance, any article of wearing apparel or bedding, or any tool, implement, or utensil, or any other property, goods, and chattels whatsoever the property of, or under the care or control of the Board, shall fraudently take or convert to his or her own use, any such property, or shall carry away any such property, such person, whether he or she shall or shall not determine the bailment, shall be guilty of larceny, and shall be liable, on conviction, to imprisonment for not more than six calendar months, with or without hard labor.

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AS TO INDUSTRIAL AND REFORMATORY SCHOOLS,
INCLUDING PLACING OUT THE CHILDREN
WITH FOSTER PARENTS AND BINDING THEIR
INMATES AS APPRENTICES.

44. It shall be lawful for the Governor to establish, for the purposes of this Act, industrial schools; and in every such school the males shall be kept separate and apart from the females.

Industrial schools to be established.

45. It shall be lawful for the Governor to establish, for the purposes of this Act, reformatory schools; and in every such school the males shall be kept separate and apart from the females.

Reformatory schools to be established.

46. Destitute children and neglected children may be received by the Board into any of the industrial schools, and whenever any destitute child, or neglected child, shall be so received into any industrial school, such child may be detained therein, and may be removed to any other industrial school, and be there detained until he or she shall attain the ages of sixteen or eighteen years respectively, as hereinbefore provided, unless in the meantime the father, or, if there be no father, the mother of such child, shall be desirous of removing such child from such school, and shall satisfy the Board that he or she is able to maintain such child, in which case the Board shall, except in the cases provided for by section 47, and except where the parent so desirous of removing any such child shall be a known or reputed prostitute, or a known or reputed thief or drunkard, or a person convicted of vagrancy, make an order directing such child to be discharged from such school, and given over to the care of such father or mother, as the case may be; and until such order shall be made, the superintendent, matron, or manager of any such school, shall be and are hereby authorised to detain any such destitute child, or neglected child, who has been so received into such school as aforesaid, and may justify such detention accordingly: Provided that if the father or mother of any such destitute child, or neglected child so detained as aforesaid, shall be dissatisfied with the refusal of the Board to make an order for the discharge of such child, he or she may apply to a Judge, who, on being satisfied by affidavit or otherwise that such father or mother is able to maintain such child, and is a proper person as regards character to have the charge of such child, may order that such child be discharged from such school, or be otherwise dealt with as he may in any such order direct.

Destitute and neglected children to be received into industrial schools.

47. If, upon the admission of any destitute child, or neglected child, into any industrial school, the father, or, if the father be dead or absent from the province, or in custody of the law, or a lunatic, the mother of such child shall surrender the care and custody of such child to the Board, and shall sign a consent that such child shall remain in such school, or in some other industrial school, or in charge of some suitable person, who, at the discretion of the Board under

Surrender of child.

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under the provisions of this Act, shall be selected for that purpose, if a boy, until he shall attain the age of sixteen years, or if a girl, then eighteen years, then and in such case no order shall be made for the discharge of such child before so attaining such age, without the written consent of the Board for that purpose being first obtained.

Destitute and neglected children may be taken before Justices.

48. Any constable finding a destitute child, or a neglected child, may immediately apprehend such child without any warrant, and forthwith take such child before any Justices, to be dealt with according to this Act.

Parents liable to contribute to support.

49. The grand-parent, parent, or step-parent of every inmate of any industrial or reformatory school shall (if of sufficient ability so to do) contribute to his or her support for the period during which such inmate shall be detained in any such school: Provided that such contribution shall not exceed Ten Shillings per week for the maintenance of such inmate, and shall be recoverable as provided in clauses 32, 33 and 34 of this Act.

Class of children to be sent to industrial schools.

50. Destitute children and neglected children only shall be sent to, or detained at, any industrial school: Provided always, that where any such child, in the opinion of the Justices, ought to be sent to a reformatory school, such Justices may, regard being had to the circumstances of the case, order such child to be sent to a reformatory school accordingly

Destitute or neglected children not to be detained after certain age.

51. No destitute child or neglected child shall be detained at any of the said industrial schools after he or she shall have attained the ages of sixteen or eighteen years respectively, as hereinbefore provided.

Class of children to be sent to reformatory schools.

52. Except as provided in clause 50, convicted children only shall be sent to or detained at any reformatory school: Provided always, that where any child has been convicted of any offence punishable by imprisonment, but has not been previously convicted of any offence so punishable, the Judge or Justices may order such child to be sent to an industrial school, if in their opinion such child ought to be so sent.

Convicted children not to be detained after certain ages.

53. No convicted child shall be detained at any reformatory school after he or she shall have attained the age of sixteen or eighteen years respectively, as hereinbefore provided.

Neglected children to be detained.

54. Whenever any child shall hereafter be brought before any Justices, and be charged with being a destitute child or a neglected child, the said Justices shall proceed to hear the matter of the said charge, and if the same shall be established to the satisfaction of the Justices, it shall be lawful for them to direct such child to be sent forthwith to any one of the said industrial or reformatory schools, to be there detained until he or she reaches the age or

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apparent age of sixteen or eighteen years respectively, as hereinbefore provided, or for such shorter period (not being less than one year) as the Justices may think fit.

55. Whenever any child shall hereafter be convicted of any offence, either upon information or summary conviction, punishable by imprisonment, it shall be lawful for the Judge or the Justices by whom such child shall be so convicted, in addition to the sentence which may then and there be passed as a punishment for the said offence, to direct such child to be sent, at the expiration of such sentence, to any one of the reformatory schools, to be there detained until he or she reaches the age or apparent age of sixteen or eighteen years respectively, as hereinbefore provided, or for such shorter period (not being less than one year) as the Justices may think fit.

Convicted children to be detained.

56. The Justices before whom any child shall be brought upon the charge of being either a destitute child or a neglected child, or upon a charge of having committed some offence punishable by imprisonment shall, upon the hearing of such charge, and at the time of conviction of such offence, examine into the means and ability to maintain such child of the persons by this Act made liable for the maintenance thereof, and upon proof thereof such Justices shall make an order on such parents, relatives, or other persons for the maintenance of such child during the period of its detention in any industrial or reformatory school, such order to be enforced as is provided in clauses 32, 33 and 34 of this Act.

Justices to examine into ability of persons liable for maintenance of neglected, destitute, and convicted children.

57. If any child is or shall hereafter be imprisoned under sentence for an offence punishable by imprisonment, the keeper of the gaol wherein such child shall be imprisoned shall take such child before any Justices, and such Justices may, if they think fit, direct such child to be sent to and detained in any one of the reformatory schools, pursuant to this Act: Provided always, that no such child as last aforesaid shall be sent to or detained in any reformatory school unless the unexpired term of imprisonment of such child shall be at least six months, nor for any longer period than such unexpired term.

Children in gaols to be detained.

58. Whenever any child has been detained in any reformatory school during the period for which he was ordered to be detained, and the conduct of such child during such detention has been such as to merit his being sent to an industrial school, the superintendent of such reformatory school shall bring such child before any Justices, and thereupon such Justices may order such child to be sent to some one of the industrial schools, there to be maintained until such child shall attain the age of sixteen or eighteen years respectively, or for such shorter period as the Justices may think fit, and the Board or any such Justices may remove any inmate from any industrial school to any other industrial school, or from any reformatory school to any other reformatory school, under this Act.

Child may be sent to industrial school as reward for good conduct.

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Order not to form part of judgment.

59. When the Judge or Justices shall direct any child to be detained under the provisions of this Act, such direction shall not be included in, or form any part of, the judgment and adjudication of such Judge or Justices, but shall be a distinct and collateral proceeding.

Mandate for detention.

60. Whenever any child shall be directed to be detained in any school established under this Act, the Judge or Justices shall issue a mandate in such one of the forms contained in the Schedule to this Act as shall be applicable to the case.

Mandate to be delivered with child to superintendent, &c.

61. The mandate for detention in any school, or a duplicate thereof, shall be forwarded to the superintendent or matron of the school with the child, and shall be a sufficient warrant for the conveyance of the child thither, and the detention of such child there.

Mandate to be a defence to actions.

62. In every action for anything done in obedience to any such mandate as aforesaid, it shall be sufficient for the defendant to justify under such mandate alone, without setting forth the previous proceedings, in like manner as any Sheriff can and may justify under any process issued out of the Supreme Court in any civil action, and proof of the matters alleged shall be sufficient evidence in support of such plea.

Mandate to be obeyed, and to be authority for, and evidence of, detention.

63. Every mandate issued under this Act shall be executed and obeyed by the person to whom the same is directed and delivered, and the production thereof, with a statement annexed thereto, signed by the superintendent or matron of any industrial or reformatory school, that the child named in such mandate was duly received into, and is at the signing thereof detained in such school, or has been otherwise dealt with according to law, shall in all proceedings whatsoever be sufficient evidence of the facts by this Act required to be stated in such mandate, and of the subsequent detention and identity of the child named therein.

Power to discharge child or extend term of detention.

64. The Governor may order the release of any inmate from the industrial or reformatory school in which he or she may be detained, and he or she shall, upon the production of such order, be discharged accordingly, and may extend the term of detention specified in any mandate or order made or to be made until the child named therein shall have attained the age of sixteen years if a boy, or eighteen years if a girl.

Children may be put out on certain conditions.

65. Notwithstanding anything herein contained, it shall be lawful for the Board to place any inmate of any industrial or reformatory school to reside with the mother or other relative of such inmate, or with any other suitable person to be named in the licence hereinafter mentioned, who shall be willing to receive such inmate for adoption or service, and be qualified in the opinion of the Board to provide for and take care of such inmate, and to grant to such inmate a licence to reside with the person so to be named

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named therein as aforesaid, either for adoption or service, for any term not exceeding the term for which such child could be lawfully kept in such industrial or reformatory school; and it shall be lawful for the Board to require such inmate to return to the said school at any time during the said term, unless he or she shall have been previously discharged as aforesaid; and it shall be lawful for the Board to require any such person to whom such inmate may be indentured or licensed to return such inmate as aforesaid, at any time during the said term; and it shall be lawful for the Board to pay to such person for the care, clothing, and education of such child, until such child shall attain the age of thirteen years, such annual or other sum not exceeding Seven Shillings a week as may be allowed by the Governor; and any inmate having such licence who shall abscond from the person named therein during such term, or shall neglect or refuse to return to the said school at the expiration of the term for which such inmate shall be licensed to dwell with any such person, in case such term shall be less than the period for which such inmate was directed to be sent to such industrial or reformatory school, or when required to return as aforesaid, shall be held to have absconded from the said school: Provided always that no inmate of any reformatory school shall be so placed out before the expiration of one-third of the term of detention originally allotted.

66. At any time before the expiration of the order or mandate authorising the detention of such inmate in schools, the Board may bind the inmate of any industrial or reformatory school apprentice to such useful calling or occupation as shall be approved by the Board, for a period not exceeding five years; and such binding shall be as effectual as if such child were of full age and by indenture bound himself.

Board may apprentice children.

67. Indentures of apprenticeship, or licences for adoption or service, shall contain covenants, on the part of the master, parent, or foster-parent to whom such child shall be bound or placed out, with the Chairman of the Board for the providing such child with food, lodging, clothing, and other necessaries proper for such child, having regard to the condition in life of the said master, parent, or foster-parent and child respectively, and for the due payment of the wages (if any) agreed for, and shall be in the form prescribed by the rules and regulations aforesaid, and shall be executed in duplicate by the Chairman of the Board, on behalf of the said child, and by the master respectively.

Form of indentures of apprenticeship.

68. The Board may provide in any indenture or licence that such proportion of the wages to become due to the child or inmate as may be fixed by the Board generally, or in each particular case, shall be deposited in such manner, and at such periodical times, by the master or foster-parent, in the Savings Bank of South Australia, on account of such child; and every such deposit shall be deemed and allowed as a payment to such child, but shall not be withdrawn by the child without the consent, in writing, of the Chairman of the Board

Wages may be deposited in Savings Bank.

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Board, until the expiration of the indentures of apprenticeship or licence respectively.

Wages due to inmates.

69. The wages or earnings due by any person to any inmate who may have been licensed out may be sued for and recovered by the Board, or any attorney or agent appointed by the Board for that purpose.

Indentures of apprenticeship may be assigned with consent of Board.

70. The master or foster-parent of any such child may, with the consent of the Board in writing, but not otherwise, assign such child to any fit and proper person; and every such assignment shall be in the form prescribed by the rules and regulations aforesaid, and shall be executed in duplicate by the old and new master or foster-parent respectively, and the consent of the Board shall be notified under the hand of the Chairman upon the said parts respectively, and one part, signed by the new master or foster-parent, shall be kept by the said Board.

Indentures to be void on death of master, but on application of widow, &c., fresh indentures may be entered into.

71. On the death of the master or foster-parent of any such child, the said indenture or licence shall cease and determine, unless within three months from such death the widow of such master or foster-parent, or the executor or administrator of such master or foster-parent, shall apply by writing to the said Board for a mandate directing that such child shall be bound for the residue of the term of the original indenture or licence to some fit and proper person, to be mentioned in such application, and the said Board may grant or refuse such application; and if the said Board shall grant such application, they shall issue a mandate accordingly, and thereupon the like indentures or licences shall be executed as in the case of an original apprenticeship under this Act, nevertheless, for the unexpired term only of the original indenture or licence.

On insolvency of master or his removal, indentures may be cancelled by Board.

72. In case the master or foster-parent of any such child shall become insolvent, or so far reduced in his circumstances as to be unable to maintain and employ such child, or shall remove from the said province, it shall be lawful for the said Board, on the application either of the master, or foster-parent, or child respectively, requesting them to discharge such child for some of the reasons aforesaid, to inquire into the matter of such allegations, and either to grant or refuse such application; and, if the said Board shall grant such application, they shall issue a mandate accordingly, and every such mandate shall release and discharge the said master or foster-parent and such child respectively from the said indenture of apprenticeship or licence and from every covenant and agreement therein contained.

Master to give notice to Board of his removal; and of death, illness, or absconding of apprentice.

73. Every master, or mistress, or foster-parent, to whom any child has been bound, assigned, or licensed, shall, immediately on his or her removal to some other city, town, township, district, or place than those in which such master resided when the indentures or licences were executed, give notice in writing to the said Board of such

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such removal or intended removal, and of the place where such master, or mistress, or foster-parent has removed or intends to remove, and so on as often as the said master, or mistress, or foster-parent shall so remove: And the said master, or mistress, or foster-parent shall in like manner give notice to the said Board immediately upon the absconding, serious illness, or death of any such child, and every master, or mistress, or foster-parent offending against this provision shall, on conviction before any Justices, be liable to forfeit and pay a fine for each offence not exceeding Ten Pounds.

74. No person or persons to whom such child or children shall be apprenticed, assigned, or licensed as aforesaid shall transfer any such apprentice or licensed child to another, or in any way discharge or dismiss from his or her service any such child, without the consent in writing of the Board, under the penalty of Ten Pounds.

75. Any person who shall ill treat, or who shall neglect to discharge his duty towards any child who is licensed out or apprenticed with such person, may be summoned to appear before two or more Justices; and, upon conviction, shall be fined by the said Justices any sum not exceeding Ten Pounds, or may be imprisoned for any term not exceeding two months, with or without hard labor; and such Justices may, if they see proper, discharge such child, by warrant and certificate under their hands and seals, from such apprenticeship or licence.

76. Any Justices, upon application or complaint made by any master or foster-parent against any such child, touching or concerning any misdemeanor, miscarriage, or misbehaviour in such his or her service, may hear and determine the same in a summary way, and may either dismiss the information or punish the offender by commitment to the nearest industrial or reformatory school, according to the circumstances of the case; and such Justices may, in his or their discretion, and as the justice of the case may require, on the application of the master or foster-parent, either with or without such punishment, discharge such child from his or her apprenticeship or licence, in the like form and manner as hereinbefore directed.

77. Where any Justices shall discharge an apprentice or licensed child from his or her apprenticeship, or licence, under the provisions of this Act, such Justices shall forthwith intimate their decision to the Board, who shall have power, if they think fit, to order the return of such child to the control of the Board, or otherwise further dispose of such child as to the said Board shall seem meet, subject nevertheless to the provisions of this Act.

78. The Board, or some member thereof, or some person nominated by the Board, shall once at least in every four months visit all children placed out or apprenticed in order to ascertain whether all stipulations regarding such children have been fulfilled, and that the treatment and care of all such children are satisfactory; and for such

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Master offending to be liable to fine not exceeding £10.

No person to whom any child shall be apprenticed or assigned shall dismiss or discharge such child from his or her service without consent, under a penalty of £10.

Justices may hear complaints made by apprentices against their masters or mistresses, and impose a fine not exceeding £10, or may discharge such apprentice, as they see fit.

Justices may also hear complaints against apprentices for misbehaviour, &c., and may punish the offender.

Decision of Justices to be intimated to Board.

Board or other persons duly appointed to visit and report.

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such purposes every such master, or mistress, or foster-parent shall personally produce any such child on the request of such visitor, or show sufficient cause for his or her absence, and every such master, or mistress, or foster-parent failing to show sufficient cause for the non-production of such apprentice or child shall be liable to forfeit and pay a penalty not exceeding Ten Pounds.

Visitors.

79. All members of the Executive Council, all members of the Legislature, all Judges of Courts (whether of record or otherwise), and all Justices shall be entitled to visit every such school as aforesaid, and shall have admission to the same accordingly.

Ministers of religion to have access.

80. Subject to the regulations to be made as hereinbefore mentioned, all ministers of religion shall have admission to every industrial and reformatory school, and may give instruction on the days and at the times allotted by such regulations for the religious education of the inmates of their particular denominations respectively.

Visitors' book.

81. Every person who, by virtue of the provisions hereinbefore contained, is entitled to visit any such school as aforesaid, and every minister of religion may inscribe in a book (to be for that purpose provided and kept in such school by the superintendent or matron thereof) any remarks or observations which he may think fit to make touching or concerning such school, and the superintendent, matron, teachers, officers, servants, or inmates thereof, or any of them; and every such book shall be carefully preserved by every such superintendent or matron, and every superintendent or matron obliterating any such remarks or observations, or destroying any such book, or any part thereof, shall, on conviction, be liable to a penalty not exceeding Ten Pounds.

Penalty for permitting escape.

82. If the superintendent or matron of any industrial or reformatory school, or any teacher, officer, or servant thereof, shall negligently or voluntarily permit any inmate thereof to escape therefrom, every such offender shall, on conviction thereof, forfeit and pay any sum not exceeding Twenty Pounds.

Punishment for infringing rules.

83. If any inmate of any industrial or reformatory school shall wilfully violate any of the rules or regulations hereby authorised to be made for the preservation of order, decency, health, or cleanliness of the inmates of any such schools, such inmate shall be brought before any Justices, who shall make inquiry as to the complaint made against such inmate; and upon proof that such inmate has wilfully violated any of the rules and regulations aforesaid, may order such inmate to be whipped in manner hereinafter provided: or in lieu of whipping, may order such inmate to be punished by being fed on bread and water alone for any period not exceeding seven days: Provided always that, in awarding such punishment, regard shall be had by the Justices to the age and apparent constitution of the inmate.

84. If