



ANNO QUINQUAGESIMO OCTAVO ET QUINQUAGESIMO NONO

VICTORIÆ REGINÆ.

A.D. 1895.

No. 641.

An Act to amend the Law relating to State Children, and for other purposes.

[Assented to, December 20th, 1895.]

BE it Enacted by the Governor of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said province, in this present Parliament assembled, as follows:

PART I.

PRELIMINARY.

PART I.

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| 1. This Act may be cited as "The State Children Act, 1895." | Short title. |
| 2. This Act is divided into parts, as follows:— | Parts. |
| PART I.—Preliminary : | |
| PART II.—The State Children's Council: its Constitution, Powers, and Functions : | |
| PART III.—Institutions: their Establishment, Inspection, and Abolition : | |
| PART IV.—State Children : | |
| (a) Their Commitment, Detention, and Release : | |
| (b) Apprenticing and Placing Out : | |
| PART V.—Maintenance of Children by their Relatives : | |
| PART VI.—The Licensing and Supervision of Lying-in Homes and Foster-mothers : | |
| PART VII.—Procedure, Penalties, and General Matters. | |

3. The

*The State Children Act.—1895.***PART I.****Repeal.**

3. The Acts specified in Schedule A to this Act are hereby repealed to the extent specified in the third column of that Schedule: Provided that—

- (1) Any appointment (except as hereinafter provided), mandate, or order made, any licence granted, and any indenture of apprenticeship or contract entered into under any enactment hereby repealed, shall continue in force as if the same had been made, granted, or entered into under this Act:
- (2) Any enactment or document referring to any enactment hereby repealed shall be construed to refer to the corresponding enactment in this Act:
- (3) Any deed, licence, mandate, order, or other document referring to the State Children's Council shall, after the appointment of the Council under this Act, be deemed to refer to such last-mentioned Council:
- (4) Except as aforesaid, this repeal shall not affect any right, interest, or liability already created, incurred, or existing; nor anything lawfully done or suffered under any enactment hereby repealed; and any proceeding in respect of any such right, interest, or liability may be carried on as if this Act had not been passed:

Interpretation.

4. In this Act, unless the context otherwise requires, the following expressions in inverted commas have the meanings hereby assigned to them respectively, that is to say—

- “Chief Secretary” means the Chief Secretary of the province:
- “Child” means any boy or girl under the age of eighteen years; and, in the absence of positive evidence as to age, means any boy or girl under the apparent age of eighteen years:
- “Convicted child” means any child found guilty or convicted of any crime or offence punishable by imprisonment:
- “Council” means the State Children's Council constituted under this Act:
- “Destitute child” means any child who has no sufficient means of subsistence apparent to the Justices, and whose near relatives are, in the opinion of the Justices, in indigent circumstances and unable to support such child, or are dead, or unknown, or cannot be found, or are out of the jurisdiction, or in the custody of the law; or any child born in any establishment under the control of the Destitute Board:
- “Foster-mother” means a female having the care, charge, or custody of a child under two years of age to adopt, rear, nurse, or otherwise maintain such child apart from his or her parent, and not being a near relative of such child:

“Foster-parent”

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“Foster-parent” means any person to or with whom a State child is apprenticed or placed out under this Act, or under any enactment by this Act repealed, and includes the assignee of such person :

“Inmate” means a State child maintained in an institution :

“Institution” means and includes the Receiving Depôt, the Reformatory School for Boys, the Reformatory School for Girls ; every depôt, industrial school, probationary school, or reformatory school established under this Act ; and every private reformatory school or private institution proclaimed under this Act ; and all other institutions, schools, and places for the time being under the care, control, or supervision of the Council :

“Judge” means a Judge of the Supreme Court :

“Justice” means a Justice of the Peace, and “Justices” means a Special Magistrate, or any two or more Justices of the Peace :

“Lying-in home” means a place for the accommodation of females during their confinement and lying-in, but does not include any asylum or place under the control of the Destitute Board.

“Maintenance” includes clothing, support, training, and education :

“Maintenance order” means an order made by Justices for payment of money by any near relative in respect of the maintenance of a child :

“Member” means member of the Council, and includes President :

“Near relative,” except as regards an illegitimate child, means and includes the father, mother, stepfather, stepmother, grandfathers, and grandmothers of any child ; and, as regards an illegitimate child, means and includes the mother, putative father, and the husband of the mother of such child :

“Neglected child” means any child who—

- I. Habitually begs or receives alms, whether under the pretext of sale or otherwise, or frequents any public place for the purpose of so begging or receiving alms ; or
- II. Wanders about, or frequents any public place, or sleeps in the open air, and does not satisfy the Justices that he or she has a home or settled place of abode ; or
- III. Resides in any reputed brothel, or associates or dwells with any person known to the police or reputed to be a prostitute, whether such person is the mother of such child or not ; or

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- iv. Associates or dwells with any person who has been convicted of vagrancy, or is known to the police as of bad repute, or who has been or is reputed to be a thief or habitual drunkard; or
- v. Being under the age or apparent age of ten years, sells or offers for sale, between the hours of eight o'clock in the evening and five in the morning, in any public place or in any place other than the child's home, any matches, newspapers, or any other article whatsoever; or
- vi. Is brought by his or her parent before Justices as an uncontrollable or incorrigible child to the intent that such child may be sent to an institution, or otherwise dealt with pursuant to this Act, and whose parent undertakes to give security to the satisfaction of the Justices for the maintenance of such child in such institution; or
- vii. Is under the guardianship of any person whom Justices shall consider unfit to have such guardianship; or
- viii. Is illegitimate, and whose mother is dead or is unable to maintain or take charge of such child, and whose father or putative father is not known, or cannot be found, or is unable to maintain such child, or is out of the province:

“President” means the president of the Council:

“Prescribed” means prescribed by this Act or the regulations:

“Private institution” means an institution or establishment for the detention, maintenance, training, education, and employment of destitute or neglected children, established and maintained by private persons:

“Private reformatory school” means a school or institution for the detention, maintenance, reformation, training, employment, and education of convicted children, established and maintained by private persons:

“Proclamation” means proclamation by the Governor in the *Government Gazette*.

“Public place” means and includes every erection, building, or place to which free access is permitted with the express or tacit consent of the owner; or to which the public are admitted on payment of money, and the test of the right of admission to which is the payment of money only; and also every road, street, thoroughfare, footway, court, or alley to which the public have the right of access, or which the public are allowed to use:

“Putative father” means a person adjudged to be the putative father of an illegitimate child:

“Regulations”

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“Regulations” means the regulations in force under this Act:

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“State child” means a “convicted child,” “destitute child,” or “neglected child” received into or committed to an institution, or apprenticed or placed out under the authority of this Act or any Act heretofore in force:

“The Destitute Board” means the board appointed pursuant to Act No. 210 of 1881:

“This Act” includes regulations:

“Writing” includes printing and *vice versâ*, and any document directed to be in writing or printed may also be partly written and partly printed.

5. After the passing of this Act the Destitute Board shall not have any care, control, management, supervision, power of apprenticing or placing out, of any State child, or of any institution or property under the control of the Council; or of any illegitimate child nursed by any foster-mother outside any establishment under the control of such board; nor any power of licensing persons to act as foster-mothers, anything to the contrary contained in section 24 of “The Destitute Persons Act, 1881,” notwithstanding.

Limitation of functions of the Destitute Board

PART II.

PART II.

THE STATE CHILDREN'S COUNCIL: ITS CONSTITUTION, POWERS, AND FUNCTIONS.

6. For the purpose of carrying the provisions of this Act into effect an honorary Council, to be constituted of not more than twelve nor less than five persons, shall be appointed, as hereinafter provided.

Council to be constituted.

7. The Council shall be a body corporate under the name of “The State Children's Council,” and by that name shall have perpetual succession and a common seal, may sue and be sued, and may accept, purchase, hold, demise, and alienate real and personal property.

Council to be a corporation.

8. The members of the Council shall be appointed by the Governor.

Members to be appointed by Governor.

9. Four members of the Council shall retire in December in every year, commencing in the year one thousand eight hundred and ninety-six. The members to retire shall be those who have been longest in office without re-appointment; and, in case of equality, the members to retire shall be determined by lot amongst those of equal length of service. Every retiring member shall be eligible for re-appointment.

Retirement of members.

10. Until the appointment of a quorum of the Council, the State Children's Council, appointed under the Destitute Persons Act Amendment Act, shall hold office as if appointed under this Act.

Until new Council appointed, former Council to hold office.

11. Until

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Until Council otherwise determines, servants of former Council to hold office.

11. Until otherwise determined pursuant to this Act, the Secretary and all other officers and servants of the former Council shall hold office and exercise and carry out their respective duties and powers as if they respectively had been appointed under this Act.

Upon appointment of new Council former Council to be dissolved.

12. Upon the appointment of a quorum of the Council, the State Children's Council, appointed under the Destitute Persons Act Amendment Act, shall be and is hereby dissolved; and all real and personal property vested in or belonging to, and all State children and other persons, and all institutions and other property, under the care, management, or control of, and all rights, privileges, duties, and authorities conferred upon, or acquired, or incurred by, the Council so to be dissolved, shall be and are hereby vested in, or shall belong to and be under the care, management, or control of, and be discharged and exercised by the Council constituted under this Act.

Member may resign from Council.

13. Any member, by notice in writing to the Chief Secretary, may resign from the Council.

Vacancy in Council, how caused.

14. If any member shall resign, or be adjudicated insolvent, or execute a deed of assignment, or compound with his creditors for less than Twenty Shillings in the Pound, or be absent without leave of the Council from the meetings thereof for three consecutive months, or go to permanently reside outside the province, the seat of such member shall thereupon become vacant.

Quorum and seal.

15. Five members shall form a quorum of the Council, and may at any meeting exercise all the powers and authorities vested in the Council. The seal of the Council shall be affixed to deeds and documents in such manner as may be prescribed, or as may be determined by the Council and approved by the Chief Secretary.

General powers of the Council.

16. The Council shall have the following general powers and functions, namely:—

- (1) The care, management, and control of the persons and property of all State children; and the supervision of all children nursed by foster-mothers outside any establishment under the control of the Destitute Board:
- (2) Power to apprentice and place out State children.
- (3) Power to licence fit and proper persons to be foster-mothers to children under the age of two years:
- (4) Power, subject to the approval of the Governor, to appoint institutions for the reception, detention, education, employment, training, or reformation of State children:
- (5) Power to grant licences for lying-in homes:
- (6) The control, supervision, and management of all institutions as hereinafter provided:
- (7) The control and supervision of lying-in homes:

(8) Power

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- (8) Power, subject to the approval of the Governor, to appoint a secretary:
- (9) Power, subject to the approval of the Chief Secretary, to appoint superintendents, matrons, inspectors, teachers, officers, and servants:
- (10) The management, custody, and control of all property, real or personal, vested in or belonging to the Council:
- (11) The administration, subject to the regulations of the Public Service, of all moneys voted by Parliament, or otherwise acquired by the Council, for the purposes of this Act.

PART II.

17. All property, real or personal, given, devised, or bequeathed to the Council for the benefit of State children shall, subject to the provisions of this Act, the regulations of the Public Service, and the deed or document of gift (if any), be held, invested, applied, or dealt with in such manner as the Council may consider most conducive to the benefit or advantage of State children, or of the particular State child or children intended to be benefited.

Gifts to Council to be applied for benefit of objects of such gifts.

18. The Council shall keep accurate records of their proceedings and of all moneys received and paid, and so far as known of the names, ages, dates of reception, near relatives, nationality, sex, religion, and dates of departure of all State children, and of all dispositions of and dealings with such children.

Record of State children to be kept.

19. The Council shall, on or before the first day of August in every year, report to the Governor on the working of this Act, and shall in such report specify the number of children in the several institutions, the number placed out and apprenticed during the period covered by the report, and set out a summary of the receipts and expenditure of the Council during the same period, and any other particulars which the Chief Secretary may direct from time to time to be included in such report. All reports shall be laid before Parliament.

Council to make annual report to Governor.

PART III.

PART III.

INSTITUTIONS: THEIR ESTABLISHMENT, INSPECTION,
AND ABOLITION,

20. The Governor may, by Proclamation, establish and place under the control of the Council, or abolish, homes, depôts, probationary schools, reformatory schools and other institutions for the reception, detention, education, employment, training, and reformation of State children.

Governor may establish institutions.

21. The Governor, on the recommendation of the Council, may proclaim any private reformatory school as a reformatory school, and thereafter such school, until abolished as by this Act provided, shall be under the control and supervision of the Council.

Private schools may be proclaimed as reformatory schools.

22. The

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Private institution may be proclaimed for detention of State children.

22. The Governor, on the recommendation of the Council, may proclaim any private institution as an institution for the reception, detention, maintenance, education, employment, and training of State children; and thereafter such institution, until abolished as by this Act provided, shall be under the supervision of the Council.

Proclamation to set out names of governing body and other particulars.

23. Every such Proclamation shall set forth the name and description of the reformatory school or institution, as the case may be, the names of the superintendent, and of the managers, directors, or other persons (hereinafter called the "governing authority") having the management or control thereof, and all such other particulars as the Governor shall think fit.

Change in governing authority to be notified and gazetted.

24. Upon any change being made in the persons constituting any such governing authority the same shall be immediately notified to the Council, and notice thereof published, by the institution, in the *Government Gazette*.

Private reformatories may be proclaimed as for particular religious denominations.

25. If any private reformatory school or private institution shall be established and maintained for the children of any particular religious denomination or denominations exclusively, the Governor may, by Proclamation, limit the same as a reformatory school or institution for such children only, and in such case no child shall be committed to such school who is not of the denomination, or of one of the denominations, mentioned in the Proclamation.

Private reformatory schools may be abolished.

26. The Governor may, on the report of the Council, if dissatisfied with the condition or management of any private reformatory school, or private institution, by Proclamation abolish it as a reformatory school or institution as from a date to be named in the Proclamation, and thereupon from and after such date such school or institution shall cease to be a reformatory school or institution within the meaning of this Act: Provided that no such Proclamation shall issue until two months have elapsed from the date of the transmission to the superintendent or matron of such school or institution of a copy of the report of the Council.

Upon abolition of private reformatory inmates may be sent to other institutions.

27. Upon any private reformatory school or institution being so abolished, the Council may order all State children being inmates thereof, and all State children apprenticed or placed out by the governing authority thereof, to be sent to and detained in any other institution, or otherwise dealt with under this Act.

Superintendent or matron of private reformatory to be approved by Council.

28. No person shall be appointed or continue to be the superintendent or matron, or have chief control or management of any private reformatory school, or private institution proclaimed under this Act, unless approved of by the Council, or if disapproved of by the Council.

Ex officio visitors to institutions.

29. All members of the Executive Council and members of the Legislature and Justices of the Peace shall be entitled to visit every institution and the inmates thereof.

30. Every

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30. Every person by this Act authorised to visit an institution may inscribe and sign in a book, to be for that purpose kept in each institution, any observations which he may think fit to make concerning such institution, and the superintendent, matron, teachers, officers, servants, or inmates thereof, or any of them; and every such book shall be carefully preserved by the superintendent or matron. Any person wilfully defacing, altering, or obliterating, wholly or partially, any remark or observation made in any such book, or destroying, defacing, or concealing any such book, or any part thereof, shall, on conviction, be liable to a penalty of not exceeding Ten Pounds.

PART III.

Visitors' book to be kept.

PART IV.**PART IV.****STATE CHILDREN.***(a) Their Commitment, Detention, and Release.*

31. The hearing or trial of all complaints and informations against any child for offences, punishable, on summary conviction, before a Justice or Justices, with or without the consent of the accused or any other person, shall—

Places for hearing complaints against State children.

(a) Within the city of Adelaide and the town of Port Adelaide, be held in some room or place approved of or appointed in that behalf by the Chief Secretary, and not in any police or other court house, any Act or law heretofore in force to the contrary notwithstanding:

(b) Outside such city or town may be held in any police or other court house, but so that the hearing or trial shall take place at an hour other than that at which ordinary trials are taken:

But the Chief Secretary may, under special circumstances, by notice in writing to the Justice or Justices, suspend the operation of this section in any particular case.

32. Any constable may, without a warrant, apprehend any child appearing or suspected to be a destitute or neglected child, and take such child before Justices.

Constables may arrest destitute or neglected children.

33. The Justices, upon complaint being made in the prescribed form, and upon being satisfied that any child charged with being a destitute child or a neglected child, is in fact a destitute child or a neglected child, may order such child to be forthwith sent to an institution, to be there detained or otherwise dealt with under this Act until such child shall attain the age of eighteen years.

Justices may order destitute or neglected children to be sent to an institution.

34. If any child is brought before Justices charged by his parent with being an uncontrollable or incorrigible child the Justices, upon being satisfied that the charge is well founded, may—

Uncontrollable or incorrigible child may be sent to an institution, whipped, or released on probation.

(a) Order the child to be sent to an institution to be there detained or otherwise dealt with under this Act until eighteen years of age: (b) If

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- (b) If the child is male, and under the age of fourteen years, order him to be whipped:
- (c) Release the child on probation, in which case he shall be subject to the supervision of the Council until he attain the age of eighteen years, and shall periodically report himself to the Council at such place and times and in such manner as the Council may direct.
- (d) Order the child to be sent to a probationary school, to be there detained for a period of not exceeding three months.

If probationer fail to report himself, the Council may cause him to be arrested.

35. If any child released on probation, pursuant to section 34, shall fail to duly report himself, or if the Council shall not be satisfied with his conduct while on probation, the Council may, without any warrant, cause him to be arrested and brought before Justices, who may exercise any of the powers specified in subsections (a), (b), (c), and (d) of the preceding section.

Convicted children may be sent to reformatory school, &c.

36. If any child shall be found guilty of any crime or offence (other than homicide) punishable by imprisonment, the Judge or the Justices by or before whom such child shall be so found guilty, in lieu of sentencing such child to imprisonment may—

- (a) Order such child to be sent to a reformatory school and to be there detained or to be otherwise dealt with under this Act until eighteen years of age; or
- (b) Order the parent to give security for the good behavior of such child until the child attains the age of eighteen years, or during such shorter period as the Judge or Justices may think sufficient; and, upon being satisfied that such security has been given, may dismiss the charge and give a certificate of dismissal accordingly; or
- (c) Adjourn the case on a near relative undertaking to punish the child in such reasonable or moderate manner as the Judge or Justices may approve; and on being satisfied that such punishment has been duly inflicted may dismiss the charge and give a certificate of dismissal accordingly.

Parent to be summoned before order made against him.

37. No order shall be made under section 36 against any parent unless he or she has been summoned to attend before the Judge or Justices, and has had an opportunity of being heard.

If child over sixteen years of age at time of committal he may be detained for two years.

38. If any child at the time of being committed to an institution is upwards of sixteen years of age, such child may be ordered to be detained in an institution, or otherwise dealt with under this Act, for the period of two years, notwithstanding that such period would extend beyond the time of such child attaining the age of eighteen years.

39. Except

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39. Except as in this Act otherwise provided, no State child shall be detained in any institution or be under the control of the Council after attaining the age of eighteen years.

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Children over 18 years of age to cease to be under Council's control.

40. Convicted children only shall be sent to reformatory schools: Provided always that if any neglected or destitute child, in the opinion of the Judge or Justices and under the special circumstances of the case, ought to be sent to a reformatory school, such Judge or Justices may order such child to be committed to a reformatory school accordingly.

Convicted children to be sent to reformatory schools, except in special cases.

41. Destitute children and neglected children only shall be sent to institutions other than reformatory schools: Provided that under special circumstances, and with the approval of the Governor, an inmate of any other institution may be transferred for misconduct to a reformatory school; and in like manner any inmate of a reformatory school may, for good conduct, be transferred to any other institution.

Destitute or neglected children not to be sent to reformatory schools, except in special cases.

42. Whenever a child is ordered to be sent to an institution the Judge or Justices making the order shall issue a mandate for the taking of such child to such institution, and for his or her detention during the period of detention specified in the mandate, subject to this Act. Every such mandate shall be executed and obeyed by all persons to whom it is directed and delivered, and shall be forwarded with the child to the superintendent or matron of the institution, and shall be a sufficient warrant for the taking and detention of the child named therein according to the tenor thereof, and no other warrant for such taking and detention shall be necessary.

Mandate for detention.

43. Every mandate by a Judge or Justices committing a child to an institution, shall contain a statement of the age and religion, so far as known, of such child, and the cause for which, and institution in which, the child is to be detained.

Age and religion of child to be stated in mandate.

44. If there shall be an absence or insufficiency of positive evidence or information as to the age of any child, the Judge or Justices may on view determine the age of such child, and shall insert in the mandate or order the age so determined.

In absence of positive evidence as to age, age to be determined on view.

45. The statement in any mandate that the child therein named is of a certain age and religion shall, for the purposes of this Act, be taken to be true, unless within six months from the date of the mandate the Council shall be satisfied to the contrary, and shall indorse on the mandate the correct age or religion.

Statement of age and religion to be *prima facie* evidence.

46. A certificate indorsed upon or annexed to any mandate, and signed by the secretary of the Council or the superintendent or matron of any institution, stating that the child named in such mandate was duly received into such institution, and was at the signing

Certificate of secretary, &c., indorsed on mandate or order to be *prima facie* evidence.

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signing thereof detained in an institution or had been otherwise dealt with under this Act, shall in all proceedings whatsoever be *prima facie* evidence of the facts stated in such certificate, and of the identity of the child therein named.

Removal of inmates from one institution to another by order of the Council.

47. Any inmate of an institution, whether a private institution or not, may, for any reason which shall appear to the Council sufficient, by order of the Council and subject to the provisions of this Act, be removed to and detained in any other institution.

State children absconding, &c., may be apprehended without a warrant and punished.

48. Any State child who shall abscond from any institution, or from his foster-parent, or who, whilst liable to detention, shall refuse or neglect at the end or determination of the term of his apprenticeship or placing out forthwith to return to the institution in which he was last detained, or to such other institution as the Council may order; or who shall neglect or fail to obey any order of the Council or of the governing body of the institution to return to or surrender himself at any institution, may be apprehended without a warrant by any member of the police force, or by an officer of or person appointed by the Council, and conveyed to such institution as the Council may direct.

Punishment of absconding children.

49. Any State child so offending as in the last section mentioned, shall, if the Council shall so direct, for every such offence be detained under the control of the Council, or of the governing body of the institution, as the case may be, for one month beyond the period of detention limited by the mandate for his or her detention, anything in this Act to the contrary notwithstanding.

Governor may release State child.

50. The Governor may order the release of any State child from any institution, or from the control of the Council; and upon production to the Council, or to the Secretary thereof, or in the case of a private institution to the superintendent or matron thereof, of such order, the child shall be forthwith released accordingly.

Governor may extend period of detention till child attain his majority.

51. The Governor, upon the recommendation of the Council, may order that the period of supervision by the Council or of detention of any female State child specified in any mandate shall be extended until such child shall attain the age of twenty-one years or for any shorter period, and such child shall be supervised or detained accordingly.

(b) Apprenticing and Placing Out.

Council or governing authority may apprentice children.

52. The Council, or the governing authority of the institution, as the case may be, may, by indenture of apprenticeship, bind such child apprentice to any suitable person, to be taught such useful trade or calling as the Council or such governing authority shall approve; and such binding shall be as effectual as if the child were of full age at the date of the indenture, and had voluntarily executed the same; but the period of any such apprenticeship shall not exceed five years, nor extend beyond the day of the child attaining the age of twenty-one years.

53. The

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53. The Council, or the governing authority of the institution, as the case may be, may place out any State child to reside and board with any relative of such child, or with a suitable person approved by the Council or governing authority, for such period, subject to this Act, as the Council or governing authority shall think fit; or may place out for such period as aforesaid any State child with any suitable person willing to receive such child for adoption or service, and who, in the opinion of the Council or governing authority, is able to provide for and is suitable to be entrusted with the care of such child. Nothing in this section shall authorise the placing out of any child for any time extending beyond the period of detention of such child.

Council or governing authority may place out children.

54. Every State child over the age of seven years placed out shall be sent regularly to school until thirteen years old, or until he shall pass the compulsory standard required by "The Education Act, 1875," or any Act amending the same or substituted therefor.

Children between seven and thirteen not to be placed out unless provision is made for education.

55. Any foster-parent committing or permitting any offence against section 54 shall be liable to a penalty of Ten Pounds for every such offence, unless for good cause shown he shall be specially exempted by the Council.

Foster-parent liable for offence against last section.

56. No State child shall be apprenticed or placed out for service under the age of thirteen years unless such child has passed the compulsory standard aforesaid.

Child under 13 not to be apprenticed or placed out for service unless such child has passed compulsory standard.

57. The apprenticing or placing out of a State child by any governing authority shall be subject in all respects to the like conditions, restrictions, and limitations as are prescribed in the case of State children to be apprenticed or placed out by the Council, and shall also be subject to the supervision and control of the Council; and no State child shall be apprenticed or placed out by any governing authority contrary to the direction of the Council.

The apprenticing or placing out of children by governing authority to be subject to same restrictions as if done by Council, &c.

58. All indentures of apprenticeship and agreements for the placing out of State children under this Act shall contain provisions to the satisfaction of the Council for the proper keeping, maintaining, clothing, and (where necessary) educating such child, and for the due payment of such wages (if any) as may be payable thereunder.

Indentures of apprenticeship and agreements to provide for maintenance, education, &c.

59. All indentures of apprenticeship and agreements to be used in connection with the apprenticing or placing out of any State child by any governing authority shall be in the forms prescribed, the name of the governing authority for the time being being substituted for the name of the Council: Provided that the name of some person to be nominated by the Council or governing authority for the time being as guardian of such child may be substituted for the name of the Council or governing authority; but such indentures and agreements may notwithstanding be enforced and put in suit

Forms used by governing authority to be same as those prescribed *mutatis mutandis*.