

Neglected Children and Youthful Offenders.

A.D. 1896.

(d) Offences by Inmates.

Punishment for misconduct in Industrial School.

78 If a child sent to an Industrial School, and while liable to be detained there, being apparently above Ten years of age, and whether lodging in the School or not, be guilty of gross and repeated insubordination, he shall be guilty of an offence against this Act, and on summary conviction thereof before Two Justices shall be liable to be imprisoned, with or without hard labour, for any term not exceeding Three months; and the Justices before whom he is convicted may direct him to be sent, at the expiration of the term of his imprisonment, to a Training School, and to be there detained until the expiration of the period assigned for his original detention.

Escape of children from Industrial Schools.

79 If any child sent to an Industrial School, and while liable to be detained there escapes from the School, he shall be guilty of an offence against this Act, and may be apprehended without warrant and brought before any Justice of the Peace on complaint of any Officer of any such School, and such Justice may punish such child by imprisonment for any term not exceeding Twenty-one days, and may direct him to be sent at the expiration of the term of his imprisonment to a Training School, and to be there detained until the expiration of the period assigned for his original detention.

Refusal to conform to rules of Training School.

80 If any inmate of a Training School wilfully neglects or wilfully refuses to conform to the rules thereof, he shall, upon summary conviction before a Justice, be imprisoned with or without hard labour for any term not exceeding Three months; and at the expiration of his term of imprisonment he shall, by and at the expense of the Managers of the School, be brought back to the School from which he was taken, there to be detained during a period equal to so much of his period of detention as remained unexpired at the time of his being sent to prison.

Escaping from Training School.

81 If any inmate of a Training School escapes therefrom, he may, at any time, be apprehended without warrant, and if the Managers of the School think fit, but not otherwise, may be then brought before a Justice having jurisdiction in the place or District where he is found, or in the place or District where the School from which he escaped is situate, and he shall thereupon be liable, on summary conviction before such Justice, to be imprisoned with or without hard labour for any term not exceeding One month; and at the expiration of such term he shall, by and at the expense of the Managers of the School, be brought back to the School from which he escaped, there to be detained during a period equal to so much of his period of detention as remained unexpired at the time of his escaping, but no inmate shall be detained after attaining Eighteen years of age.

Constables to apprehend children escaping from any Institution.

82 All Justices and Constables are hereby empowered and directed to apprehend and cause to be conveyed into the custody of the Directors of any Institution, or their proper Officer, every child who may escape or be unlawfully removed or enticed from any Institution.

Alternative punishment of child who absconds from or misconducts himself in any Institution.

83 If any child while an inmate of any Institution absconds therefrom, or is guilty of gross or repeated insubordination, it shall be lawful for the Directors, instead of proceeding under the preceding Sections, either to order that such child shall be kept apart from the

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other inmates of such School and fed upon bread and water only for any period not more than Two days, or to order that such child, being a male, shall suffer such moderate corporal punishment as the Directors may prescribe; and a report of every case in which any such punishment is inflicted shall be made in a book to be kept specially for that purpose in such School, which book shall be produced to any Inspector of Schools under this Act who may desire to view the same. A.D. 1896.

PART VII.

BOARDING-OUT COMMITTEES, VISITORS, &c

84 The Governor in Council may appoint Committees for boarding out neglected children, and may at any time remove any Member thereof, and appoint another person in the room of any Member resigning or removed. Committees for boarding out children.

Every such Committee shall consist of not less than Three persons; and if at any time from any cause such Committee does not consist of Three persons, or if any Member refuses to act, then the remaining Members of such Committee shall have and exercise all the powers of such full Committee until the appointment of their successors, and if all the Members of such Committee cease to be such Members or refuse to act, then all the powers of a full Committee shall vest in and may be exercised by such person as the Governor in Council appoints to exercise the same.

Every such Committee may exercise all or any of the powers contained in the Regulations now or hereafter in force under this Act.

Every Committee acting under those Sections of "The Public Charities Act, 1873," which are hereby repealed, shall be continued and have the same authority as though appointed under this Act. 37 Vict. No. 15.

85 The Governor in Council may appoint for every Receiving Depôt and School subject to this Act, and also for the boarded-out children in any locality, so many fit and proper persons as may be determined by the Regulations in that behalf, and in default of any such determination as may seem desirable, a majority of whom reside in the locality, to be a Visiting Committee, and the members of such Visiting Committee shall from time to time visit such Depôt, School, or Children as occasion may require, and may report to the Minister as to them may seem fit. Visiting Committee.

86 Subject to the Regulations, all ministers of religion, or any person being duly authorised by the recognised head of any religious denomination, shall have admission to every Receiving Depôt and to every such School maintained at the sole expense of the State, and access to such of the persons placed or detained therein as may be members of their respective denominations, and may give instruction to them on the days and at the times allotted by such Regulations for the religious education of such persons of their respective denominations. Religious instruction.

87 It shall be lawful, upon the representation of the parent, or in the case of an orphan then of the guardian or nearest adult relative, of any youthful offender detained in any Training school, for a minister of the religious persuasion of such offender, at certain fixed hours of the Religious instruction to youthful offenders.

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- A.D. 1896. — day which shall be fixed by the minister, to visit such School to afford religious assistance to such offender, and to instruct him in the principles of his religion.
- Other visitors. **88** Subject to the Regulations, all persons authorised in that behalf by the Minister, all Executive Councillors, Members of either House of Parliament, Judges of Courts, and Justices, shall be entitled to visit every Receiving Depôt and School, and shall have admission to the same accordingly.
- Visitors' book. **89** Every person entitled to visit any such Depôt or School as aforesaid, and every minister of religion, may inscribe in a book (to be for that purpose provided and kept in such Depôt or School by the Superintendent or Matron thereof) any remarks or observations which he may think fit to make touching or concerning such Depôt or School, and the Superintendent, Matron, teachers, officers or servants, or the persons placed or detained therein, or any of them, and such book shall be produced to the Inspector whenever he visits such Depôt or School.

PART VIII.

LIABILITY OF PARENTS FOR MAINTENANCE.

- Definition of parent. **90** In this part of this Act, and in any complaint, summons, order, or distress warrant issued or made hereunder, "parent" shall include "father," "mother," "stepfather," or "stepmother," of any ward of the Department, and any person against whom an order of affiliation has been made as the putative father of any illegitimate child, and shall include mother or stepmother of any such ward, notwithstanding a father or stepfather of the child is alive, also the putative father of any illegitimate child which he may have recognised as his though no order of affiliation may have been made against him. And where more persons than one are liable to contribute to the maintenance of any child under the provisions of this Part of this Act, one order may be made against all of them, or separate orders may be made against each or any of them jointly or severally, as to the Judge or Justices may seem fit, so that such persons shall not be liable to pay more than Twelve Shillings a week in the aggregate in respect of any one child.
- Where several liable. **91** Every parent of any child who is a ward of the Department shall be liable to pay for or towards its maintenance during the period such child remains a ward of the Department, a periodical sum not exceeding Ten Shillings a week, to be fixed in manner hereinafter mentioned—
- i. By the Judge or the Justices by whom the child is committed, by the order committing the child or any subsequent order made within One month thereafter :
 - ii. If within the period aforesaid such Judge or Justices fail to make such order, or in the case of any child who was an inmate of an Industrial School or of a Training School before the commencement of this Act, or has been committed to the charge of the Secretary by the Minister as aforesaid, by any Two Justices.
- Amount payable by parent how fixed.

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In fixing the amount to be paid as aforesaid regard shall be had to the ability of the parent against whom such order is made to maintain or contribute to the maintenance of such child: Provided always, that no parent shall be liable to pay anything for the maintenance of any child during any time the child is at service or apprenticed, and is not chargeable to Her Majesty. Provided also, that the executors or administrators or other personal representatives of any parent who may have died leaving any estate shall be liable to the amount of such estate to pay for the past or future maintenance of any child of such parent, and an order may be made against such personal representatives accordingly.

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92 The amount so fixed may by subsequent orders from time to time made by Justices be increased to any amount not exceeding the maximum if such parent is able to pay such greater amount.

Power to increase the amount.

93 Any such order may be made either during or after the time the child remains a ward of the Department, or increasing the sum payable by any parent, and may name any day, not earlier than the day on which the child became a ward of the Department, as from which the payment or increased payment is to take place, and such parent shall be liable to make such payment or increased payment accordingly.

Power to make order retrospective.

94 In any proceeding for fixing or increasing the amount payable by any parent under this Part of this Act, such parent shall be presumed to be able to pay the sum of Ten Shillings a week unless the contrary is shown, and may be ordered by the Judge or Justices to enter into recognizances, with or without some sufficient surety or sureties, conditioned for compliance with the order as to payment of maintenance, and to be imprisoned until such recognizances are entered into.

Burden of showing inability to pay to be on parent, who may be ordered to give recognizances.

95 Applications to fix or increase the sum payable by any parent, or to vary or revoke any order suspending or dispensing with payment, or to recover payment of the same, may be made by or on behalf of any person authorised by any general or special order of the Minister, but after the commitment of any child no order shall be made before the parent has been summoned to answer the complaint of such person.

By whom applications may be made.

96 Every such sum shall be a debt due to Her Majesty by such parent, and shall be paid by such parent at the several times appointed for paying the same to some Clerk of Petty Sessions or other collector of imposts appointed by the Governor in Council to receive the same.

Maintenance money how payable.

97 No bankruptcy proceedings, liquidation by arrangement or composition with creditors under any law now or hereafter to be in force relating to bankruptcy, shall discharge any parent from liability to pay any such sum or any part thereof.

Proceedings in bankruptcy not a discharge.

98 If any parent be so poor as to be unable to pay the said sum, any Justices may, upon his application, from time to time make an order suspending payment of the whole or any part thereof for any time not exceeding Six months, or reducing the amount payable, or

Persons too poor to pay may be relieved from payment.

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altogether dispensing with payment ; and any Justices may from time to time, upon the application of any person authorised as aforesaid, vary or revoke any such order ; and payment of such sum or any part thereof of which payment may be suspended shall not be enforced while such suspension lasts, but no such parent shall be therefore discharged from liability to pay the same.

Payment may be recovered before Justices.

99 In addition to any other remedy for the recovery thereof, every such sum and every part thereof may be recovered before any Justices on the complaint of any person authorised as aforesaid to sue for the same, and if such parent do not pay the amount due forthwith, or within any time not exceeding Seven days that such Justices may fix, or prove to the satisfaction of such Justices that he has not then, and has not had since the order made against him, sufficient means and ability to pay the amount due, or any part thereof, and that he does not intend to go away with intent to evade payment, such parent shall be liable to be imprisoned, with or without hard labour, if the amount due do not exceed Twenty Pounds, for any term not exceeding One month, and if the amount due exceed Twenty Pounds, for any term not exceeding Three months, unless the amount due, together with the costs of the proceedings, be sooner paid, or unless security, with one or more sufficient sureties, to the satisfaction of any Justices, for payment of such amount and costs by instalments or otherwise within such reasonable time as to such Justices may seem fit.

Imprisonment to be ordered only once for the same arrears.

100 No imprisonment as aforesaid shall discharge any parent from his liability to pay any sum he has not paid, but no parent shall be imprisoned twice for non-payment of the same arrears.

Warrant may issue in the first instance for arrest of parent.

101 If it be made to appear to any Justice, upon the complaint in writing of any person authorised as aforesaid to sue for the same, that any parent has neglected to pay any such sum or any part thereof to the Clerk of the Court or other collector of imposts appointed to receive the same on any day on which the same is payable, such Justice may issue his warrant for apprehending such parent and bringing him before any Justices to answer the said complaint and to be further dealt with according to law ; but a summons may issue in the first instance instead of a warrant, if that be thought more advisable.

Constables to assist in collecting money from parents.

102 All Registrars of Courts and Constables shall assist every collector of imposts appointed to receive the same in the recovery of the moneys payable to Her Majesty by the parents of wards of the Department and inmates, and in particular by obtaining and furnishing information as to the residence, occupation, movements, and means of every such parent who may be in or may leave any district of which such Registrar or Constable has charge or in which he is on duty.

Existing maintenance orders continued.

103 All orders made under any of the Acts hereby repealed for payment of maintenance money shall be of the same force and effect as though made under this Act, and shall be subject to the provisions hereof.

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PART IX.

OFFENCES, PENALTIES, AND LEGAL PROCEEDINGS.

104 In the construction of this Part of this Act—

Interpretation.

“Institution” means any Receiving Depôt or Probationary School established hereunder, or any Industrial School or Training School, or any Institution approved by the Governor in Council hereunder; and also any building, yard, or ground belonging to any such Depôt, School, or Institution as aforesaid:

“Officer” includes every Superintendent or Matron, and every Teacher, Officer, and Servant of any such Institution.

105 If any person without lawful authority or excuse—

- i. Holds or attempts to hold any communication with any child in any Institution; or
- ii. Enters any such Institution, and does not depart therefrom when required to do so by any officer thereof—

Penalty for entering schools, &c., or holding communication with wards of the Department.

he shall, on conviction of any such offence before Justices, be liable to a penalty not exceeding Twenty Pounds.

106 If any officer negligently or voluntarily permits any ward of the Department to escape, every person so offending shall, on conviction of any such offence before any Two Justices, be liable to a penalty not exceeding Twenty Pounds.

Penalty for allowing ward of the Department to escape.

107 If any person directly or indirectly—

- i. Withdraws unlawfully any child, or counsels or assists directly or indirectly, or induces any child to abscond from any Institution, or from any person to or with whom such child is licensed, apprenticed, placed, or boarded out, or who has custody of such child under the provisions of this Act; or
- ii. Knowing any such child to have been so withdrawn or to have so absconded, harbours or conceals or assists in harbouring or concealing such child, or prevents such child from returning to the Institution from which, or the person from whom, such child has been so withdrawn or has so absconded; or
- iii. Being a person to or with whom any such child is licensed, apprenticed, placed, or boarded out, or having the control of any such child, ill-treats or neglects to discharge his duty to such ward or child;

Penalty for inducing any ward of the Department to abscond, &c., or ill-treating any such ward.

every person so offending, on conviction of any such offence before any Two Justices, shall be liable to a penalty not exceeding Ten Pounds, or to be imprisoned for any term not exceeding Fourteen days.

108 No proceedings shall be taken in any Court touching the conduct of the Secretary as guardian of the person or estate of any person, or in respect of anything done or omitted or purported to be done or omitted under the provisions of this Act, without the previous consent in writing of the Attorney-General.

Consent of the Attorney-General required to proceedings against Secretary, &c. in his character of guardian.

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Determination of age by Court to be conclusive.

109 When for the purpose of exercising any of the powers conferred by this Act it is necessary to determine the age of any person, the Court or Justices dealing with the case shall determine such age as they may be best able having regard to the evidence before them, or, if there is no other sufficient evidence, to the appearance of such person; and every order directing any person to be committed to the care of the Department, or to a Training or Industrial School, or to the care of any person or institution, shall state the age of the person so committed as determined by the Court or Justices making such order; and the statement of the age of any such person contained in any such order shall be conclusive for the purposes of this Act.

PART X.**EVIDENCE, REGULATIONS, AND PROCEDURE.**

Additional rules as to evidence.

110 In addition to the several provisions hereinbefore contained, the following Rules are enacted with respect to evidence under this Act :—

Judicial notice of signatures.

i. All Courts, Judges, and persons acting judicially shall take judicial notice of the signature of the Minister, the Secretary, the Inspector, and of any Governor or Manager, Superintendent, or Matron, or Clerk of a Court, or of any person acting in any of such offices, to every document required to be signed for the purposes of this Act.

Detention of child in Training School.

ii. The production of any Order or Office Copy Order mentioned in Part III. of this Act, in pursuance of which any youthful offender is ordered to be detained in a Training School, with a statement endorsed thereon or annexed thereto, purporting to be signed by the Superintendent or other person in charge of the School, to the effect that the offender therein named was duly received into, and is at the date of the signing thereof detained in the School, or has been otherwise dealt with according to law, shall, in all proceedings relating to such offender, be evidence of the identity of, and of the due conviction and imprisonment of, and subsequent detention of the offender named in such Order or Office Copy Order. So likewise the production of any such Order or Office Copy Order relating to any child committed to or transferred to any Industrial School, with a statement endorsed thereon or annexed thereto, purporting to be signed by the Superintendent or other person in charge of the School, to the effect that the child therein named was duly received into, and is at the date of the signing thereof detained in the School, or has been otherwise dealt with according to law, shall, in all proceedings relating to such child, be evidence of the identity of, and of the due commitment or transference of, and subsequent detention of the child named in such documents.

Detention of child in Industrial School.

What shall be deemed a new Training School.

iii. A School to which any youthful offender is directed to be sent in pursuance of this Act shall, until the contrary is proved,

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be deemed a new certified Training School within the meaning of this Act. A. D. 1896.

- iv. During the first month in every year a notice of the names of the Managers of every Training School, the names of the Governors of every Industrial School, as well as the name of the Superintendent or Matron of each such School, and of every Receiving Depôt or Probationary School established hereunder shall be gazetted by the Secretary, who shall also gazette the name of any such person appointed during the year immediately after the appointment is made, and no other proof than the production of a copy of the *Gazette* containing any such notification shall be required to establish the fact that the persons named therein are such Managers, Governors, Superintendent, or Matron, as the case may be, of the Institution mentioned in the notice. *Gazette proof of Managers, Governors, &c. of Institutions.*

111 The Governor in Council may from time to time, by order to be published in the *Gazette*, make, alter, and repeal Regulations for the following purposes :— Power to make Regulations.

- i. The conduct, management, inspection, and supervision of Receiving Depôts, Industrial, Training, and Probationary Schools, and for the inspection of any house or building where any ward of the Department may be living :
- ii. The employment, education, supervision, and correction of wards of the Department: Provided that no such Regulation shall permit any corporal punishment, except such as may be lawfully inflicted by schoolmasters :
- iii. The boarding out of wards of the Department :
- iv. The placing out at service or apprenticing of wards of the Department either on land or at sea :
- v. Fixing what (if any) percentage upon moneys recovered from parents shall be paid to persons who have assisted in recovering the same, and the persons to whom, and the times at which, and the conditions on which, such percentage is to be paid :
- vi. Prescribing the forms of orders, warrants, bonds, and other instruments to be used by Courts, Judges, Justices, the various officers mentioned in this Act, and others, in carrying into execution this Act, which may be in addition to or in substitution for any of the forms in the Schedule :
- vii. The collection and investment, either with the Postmaster-General in the Post Office Savings Bank or otherwise, of any earnings of any ward of the Department for Neglected Children and the application thereof, or any part thereof :
- viii. Prescribing the method of keeping account of payments and moneys payable under the provisions of this Act :
- ix. Prescribing the times and conditions during and under which, and not longer or otherwise, children committed under this Act to the care of any private person or institution may be boarded together in any school or asylum or establishment of a like nature :
- x. Defining the duties and powers of Committees for Boarding-out Neglected Children, and the duties and liabilities of

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the foster parents with whom any such child shall be boarded-out, and generally to deal with the care and control of such boarded-out children :

xI. For the various purposes mentioned in this Act, and generally for carrying this Act into effect.

And may by such Regulations appoint such penalties as he deems necessary for enforcing compliance with such Regulations; but no such penalty shall exceed the sum of Ten Pounds.

Regulations to be laid before Parliament.

112 All Regulations made hereunder shall be published in the *Gazette*, and shall be laid before both Houses of Parliament within Fourteen days after the publication thereof, if Parliament is then sitting, or if not then sitting, then within Fourteen days from the next assembling of Parliament: and upon publication in the *Gazette* all such Regulations shall have the force of law.

Continuation of Regulations under repealed Acts.

113 Any Regulations in force at the commencement of this Act under any Acts hereby repealed, shall, until repealed or altered hereunder, have the same force and effect as if made under this Act.

Application of *Magistrates Summary Procedure Act*.

114 *The Magistrates Summary Procedure Act* shall apply to all offences, payments, and orders in respect of which jurisdiction is given by this Act or by the Regulations to Justices, or which are directed to be prosecuted, enforced, or made in a summary manner or upon summary conviction; and any proceedings for breach of any of the provisions of this Act or of any of the Regulations may be taken upon the complaint of the Secretary, the Inspector, or any Superintendent, Matron, or Officer of any School or Receiving Depôt, or by any person duly authorised by the Minister for that purpose, or having the custody of any ward of the Department under this Act; and any person aggrieved by any summary conviction or order made under this Act may appeal therefrom in the mode prescribed by *The Appeals Regulation Act*.

Appeal.

Penalty for breach of Act.

115 Any person found guilty of any breach of any of the provisions of this Act for which no penalty is hereinbefore specifically provided shall, upon conviction, be liable to a penalty not exceeding Five Pounds.

Use of forms in Schedule.

116 No summons, notice, or order made for the purpose of carrying into effect the provisions of this Act shall be invalidated for want of form only; and the forms in the Schedule, or prescribed in the Regulations or forms to the like effect, may be used in the cases to which they refer, with such variations as circumstances require, and when used shall be deemed sufficient.

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SCHEDULE.

(1.)

REPEAL.

<i>Year and Number of Act.</i>	<i>Title of Act.</i>	<i>Extent of Repeal.</i>
31 Vict. No. 36.	"The Training Schools Act, 1867."	The whole Act.
31 Vict. No. 37.	"The Industrial Schools Act, 1867."	The whole Act.
37 Vict. No. 15.	"The Public Charities Act, 1873."	Sections 24, 25, 26, 27, 28.
39 Vict. No. 5.	"An Act to amend the Law relating to Destitute Children."	The whole Act.
49 Vict. No. 26.	"The Training Schools Amendment Act, 1885."	The whole Act.
53 Vict. No. 17.	"An Act to further amend the Law relating to Destitute Children."	The whole Act.

(2.)

FORMS.

(1.) ORDER OF COMMITTAL TO AN INDUSTRIAL SCHOOL.

"The Youthful Offenders, Destitute and Neglected Children Act, 1896."

TASMANIA }
(TO WIT.) }

BE it remembered that on the _____ day of _____ of the age of _____ years on the _____ day of _____ in Tasmania, a³ _____ last past, is proved to the satisfaction of us, the undersigned Justices of the Peace for _____ and we adjudge the said _____ to be committed to the Industrial School at _____ in Tasmania, and we further adjudge that⁶ _____, the parent of the said _____, pay the sum of _____ shillings every week for and towards the maintenance of the said _____ the first payment to be made on _____ day next; and such payments are to be made to _____, the Clerk of Petty Sessions at _____, or such other person _____ may for the time being be appointed by the Governor in Council to receive the same.

Given under our hands at _____, in Tasmania,
the _____ day of _____ 18____

¹ Name of child.
² Place where found.
³ Boy or girl.
⁴ Date to be inserted only if the age can be exactly determined.
⁵ Here state charge or offence and particulars thereof.
⁶ Name of parent.

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(2.) ORDER OF COMMITTAL TO THE CARE OF THE DEPARTMENT FOR NEGLECTED CHILDREN.

“The Youthful Offenders, Destitute and Neglected Children Act, 1896.”

TASMANIA }
(TO WIT.) }

BE it remembered that on the _____ day of _____ in Tasmania, a ³ _____ of the age of _____ years on the ⁴ _____ day of _____ last past, is ¹ proved to the satisfaction of us, the undersigned Justices of the Peace for _____, and we adjudge the said _____ to be committed to the care of the Department for Neglected Children; and we further adjudge that ⁶ _____ the parent of the said _____, pay the sum of _____ shillings every week for and towards the maintenance of the said _____, the first payment to be made on _____ day next; and such payments are to be made to _____, the Clerk of Petty Sessions at _____, or such other person as may for the time being be appointed by the Governor in Council to receive the same.

Given under our hands at _____, in Tasmania, the _____ day of _____ 18 _____

¹ Name of child.
² Place where found.
³ Boy or girl.
⁴ Date to be inserted only if the exact age can be determined.
⁵ State the charge or offence and particulars thereof.
⁶ Name of parent.

(3.) ORDER UNDER SECTION NINE.

WE, *G.H.* and *L.M.*, Two of Her Majesty's Justices of the Peace for *Tasmania*, do, under the powers of “The Youthful Offenders, Destitute and Neglected Children Act, 1896,” hereby order that *N.O.*, apparently of the age of _____ years, be kept in the custody of *P.Q.*, at _____ for the period of _____ hours.

Given under our hands at _____ this _____ day of _____ 189 _____.

G.H.
L.M.
Justices of the Peace.

(4.) CONVICTION OF YOUTHFUL OFFENDER.

TASMANIA }
(TO WIT.) } BE it remembered that on the _____ day of _____ at _____ in *Tasmania*, *A.B.*, under the age of Sixteen years, to wit, of the age of [*Thirteen*] years, is convicted before us Two of Her Majesty's Justices of the Peace, for that [*§c. state offence in usual manner*]; and we adjudge the said *A.B.* for his said offence to be imprisoned in the Gaol at _____ [*and there to be kept to hard labour*] for the space of _____

And that, in pursuance of “The Youthful Offenders, Destitute and Neglected Children Act, 1896,” we also sentence the said *A.B.* to be sent, at the expiration of the term of imprisonment aforesaid, to _____ Training School, at _____, in *Tasmania* aforesaid, (the Managers whereof are willing to receive him) [*or to some Training School to be hereafter, and before the expiration of the term of imprisonment aforesaid, named in this behalf*] and there to be detained for the period of _____ commencing from and after the _____ day of _____ [*the date of the expiration of the sentence.*]

Given under our hands, the day and year first above mentioned, at _____, in *Tasmania* aforesaid.

J.S.
L.M.

(5.) ORDER OF DETENTION AND COMMITTAL TO A TRAINING SCHOOL.

TASMANIA }
(TO WIT.) } To all Constables, and to the Keeper of the Gaol at _____, in *Tasmania*.

WHEREAS *A.B.* late of _____ [*Labourer*] under the age of Sixteen years, to wit, of the age of [*Thirteen*] years, was this day duly convicted before the undersigned, Two of Her Majesty's Justices of the Peace, for that [*§c. stating the offence as in the conviction*], and it was thereby adjudged that the said *A.B.* for his said offence should be imprisoned in the Gaol at _____ in *Tasmania* [*and there to be kept to hard labour*] for the space of _____; and in pursuance of “The Youthful Offenders,

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Destitute and Neglected Children Act, 1896," the said *A.B.* was thereby sentenced A.D. 1896.
to be sent at the expiration of the term of imprisonment aforesaid to the
Training School at _____ in *Tasmania* aforesaid, (the Managers whereof are willing to
receive him therein) [or to some Training School, to be before the expiration of the
said term named in that behalf], and to be there detained for the period of _____,
commencing from and after the _____ day of _____ [the date of the
expiration of the sentence.]

These are therefore to command you and each of you to take the said *A.B.* and
him safely to convey to the gaol aforesaid, and there to deliver him to the Keeper
thereof, together with this precept; and we do hereby command you the said Keeper
of the said gaol to receive the said *A.B.* into your custody into the said gaol, there
to imprison him [and keep him to hard labour] for the space of _____: And
we further command you the said Keeper to send the said *A.B.* at the expiration of his
term of imprisonment aforesaid, as and in the manner directed by "The Youthful
Offenders, Destitute and Neglected Children Act, 1896," to the Training School at
_____ aforesaid, [or to the Training School named by an order endorsed hereon
under the hands of us or under the hand of one other of Her Majesty's Justices of
the Peace being a Visiting Justice of the said Gaol,] together with this order. And
for so doing this shall be your sufficient warrant.

Given under our hands this _____ day of _____, 189
at _____, in *Tasmania* aforesaid.

J.S.
L.M.

(6.) NOMINATION OF SCHOOL ENDORSED ON THE ORDER OF DETENTION.

In pursuance of "The Youthful Offenders, Destitute and Neglected Children Act,
1896," I the undersigned, one of Her Majesty's Justices of the Peace, hereby name the
Training School at _____ in *Tasmania*, as the School to which the
within-named *A.B.* is to be sent as within provided [and where required, in lieu of the
School within, or above-named.]

Given under my hand this _____ day of _____, 189 , at _____, in *Tasmania*.

E.F.

(7.) COMPLAINT FOR ENFORCING CONTRIBUTION FROM PARENT &c.

TASMANIA } THE complaint of _____ [as the case may
(TO WIT.) } be] made to us, the undersigned, Two of Her Majesty's Justices of the
Peace, this _____ day of _____, at _____ in *Tasmania*, who says that
one *A.B.* of (*) the age of _____ years, or thereabouts, is now detained in the
School at _____ in *Tasmania* aforesaid, (1.) [or is now a ward of the Department
for Neglected Children as the case may be] under "The Youthful Offenders,
Destitute and Neglected Children Act, 1896," and has been duly ordered (2.) [or
committed to care of the said Department] and directed to be detained therein
until the _____ day of _____. That one *C.D.* dwelling at
in *Tasmania* aforesaid, is the parent [or step-parent, &c.] of the said *A.B.*, and is of
sufficient ability to contribute to the support and maintenance of the said *A.B.* his son
[or as the case may be] (*). The said complainant therefore prays that the said *C.D.*
may be summoned to show cause why an order should not be made on him so to
contribute.

E.F.

Exhibited before us,

J.S.
L.M.

(8.) SUMMONS TO PARENT, &c.

This will be in Form (A) in Schedule to *The Magistrates Summary Procedure Act.*

(9.) ORDER ON PARENT, &c. TO CONTINUE A WEEKLY SUM.

TASMANIA } BE it remembered, that on this _____ day of _____ at
(TO WIT.) } in *Tasmania*, a certain complaint of _____ [as the case may be]
for that one *A.B.*, of &c., [stating the cause of complaint as in the form (7) between
the asterisks (*) (*)] was duly heard by and before us, the undersigned, Two of Her
Majesty's Justices of the Peace, [in the presence and hearing of the said *C.D.*, if so,

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or the said *C.D.*, not appearing to the summons duly issued and served in this behalf], and we having duly examined into the ability of the said *C.D.*, and on consideration of all the circumstances of the case, do order the said *C.D.* to pay to the said [or to such other person as may for the time being be appointed by the Governor in Council to receive the same] the sum of _____ Shillings per week from the date of this order, until the _____ day of _____, the same to be paid at the expiration of each Seven days [or as the case may be.]

Given under our hands, the day and year first above mentioned, in *Tasmania* aforesaid.

J.S.
L.M.

(10.) DISTRESS WARRANT FOR AMOUNT IN ARREAR.

TASMANIA }
(TO WIT.) } To all Constables and to all other Peace Officers in *Tasmania*.
WHEREAS on the hearing of a complaint made by _____ [as the case may be] that *A.B.* of &c. [stating the cause of complaint as in the Form (7) between the asterisks (*) (*)] an Order was made on the _____ day of _____ by us the undersigned [or by *L.M.* and *J.S.*], Two of Her Majesty's Justices of the Peace, against the said *C.D.*, to pay to the said _____ [or to such other person as the Governor in Council appointed to receive the same], the sum of _____ per week from the date of the said Order until the _____ day of _____, the same to be paid at the expiration of each _____ days [as the case may be]. And whereas there is due upon the said Order the sum of _____ being for [Three] periods of [Fourteen] days each, and default has been made therein for the space of Fourteen days :

These are therefore to command you in Her Majesty's name forthwith to make Distress of the goods and chattels of the said *C.D.*, and if within the space of [Five] days next after the making of such Distress the said last-mentioned sum, together with the reasonable charges of taking and keeping the said Distress is not paid, that then you do sell the said goods and chattels so by you distrained, and do pay the money arising from such sale to the Clerk of Petty Sessions at _____ that he may pay and apply the same as by law directed, and may render the overplus (if any) on demand to the said *C.D.*; and if no such Distress can be found, then that you certify the same to us to the end that such proceedings may be had therein as the law requires.

Given under our hands this _____ day of _____ at _____ in *Tasmania* aforesaid.

J.S.
L.M.

(11.) COMMITMENT IN DEFAULT OF DISTRESS.

TASMANIA }
(TO WIT.) } To all Constables and to the Keeper of the Gaol at _____ in *Tasmania*.
WHEREAS [&c., as in Form (9) to the single asterisk (*), and then thus:] And whereas afterwards on the _____ day of _____ last, I the undersigned, together with *L.M.*, Esquire, [or *J.S.* and *L.M.*, Esquires,] two of Her Majesty's Justices of the Peace, issued a Warrant to the Constable of _____ aforesaid, commanding him to levy the sum of _____ due upon the said recited Order, being for [Three] periods of [Fourteen] days by Distress and sale of the goods and chattels of the said *C.D.*: And whereas a return has this day been made to me the said Justice [or the undersigned, one of Her Majesty's Justices of the Peace] that no sufficient goods of the said *C.D.* can be found :

These are therefore to command you to take the said *C.D.*, and him safely to convey to the Gaol at _____ aforesaid, and there deliver him to the keeper thereof, together with this precept. And I do hereby command you the said Keeper of the said Gaol to receive the said *C.D.* into your custody in the said Gaol, there to imprison him for the term of _____ unless the said sum and all costs and charges of the said Distress, and of the commitment and conveying of the said *C.D.* to the said Gaol, amounting to the further sum of _____ shall be sooner paid unto you the said Keeper; and for your so doing this shall be your sufficient warrant.

Given under my hand this _____ day of _____ 189 , at _____ in *Tasmania* aforesaid.

J.S.

WILLIAM GRAHAME, JUN.,
GOVERNMENT PRINTER, TASMANIA.

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