



ANNO DECIMO QUINTO

VICTORIÆ REGINÆ.

By His Excellency SIR CHARLES AUGUSTUS FITZ ROY, Knight Companion of the Royal Hanoverian Guelphic Order, Governor-General of all Her Majesty's Australian Possessions, and Captain-General and Governor-in-Chief of the Territory of New South Wales and its Dependencies, and Vice-Admiral of the same, with the advice and consent of the Legislative Council.

No. II.

An Act to make further provision for the apprenticing of the children in the Male and Female Orphan Schools, and other poor children. [Assented to, 1st December, 1851.]

WHEREAS by an Act of the Governor and Legislative Council of New South Wales, passed in the fifth year of the reign of His late Majesty King William the Fourth, intituled, "*An Act for apprenticing the children of the Male and Female Orphan Schools, and other poor children in the Colony of New South Wales,*" provision was made for binding any of the male and female children admitted into the said Orphan Schools, and also such other poor children as should from time to time be sent out from any part of the United Kingdom to this Colony, at public expense, to be apprentices to such masters and mistresses, and such trades as should be approved of by the Governor of the said Colony: And whereas it will be advantageous to extend the provisions of the said Act to other poor children who shall have been maintained in any Institution whatever, supported at the public expense, or at any Institution supported wholly or in part by charitable subscriptions or endowments, and to children who have been convicted of vagrancy, or of any criminal offence: And whereas it frequently happens that idle and dissolute persons after having left their children to be brought up at the public expense, or by charity, until they have approached the age at which it would be for their benefit and advantage that they should be put out as apprentices, have then required their said children to be given up to them, whereby the said children have been exposed to corrupting influences, and have been deprived of the benefit of apprenticeship

Preamble.

5 Gul. IV., No. 3.

Orphans' Apprenticing.—1851.

Children supported
in Orphan Schools,
&c., not to be removed
except with sanction
of the persons having
charge of the schools.

Such children may
be apprenticed with-
out consent of
parents:

but not for a longer
period than seven
years.

Apprentices may
be restored to their
parents or guardians
upon certain condi-
tions.

Limiting the hours
for working.

Proviso.

apprenticeship to masters or mistresses who would probably have trained them to habits of industry and honesty: Be it therefore enacted by His Excellency the Governor of New South Wales, by and with the advice and consent of the Legislative Council thereof, That in all cases in which any child shall for the period of three years have been maintained and educated at one of the said Orphan Schools, or at any other Institution supported at the public expense, or by charitable subscriptions or endowments, the parents or parent of such child shall not be entitled to remove him or her from the said Orphan School, or other Institution, unless with the consent of the person or persons having the management or control thereof; and it shall be lawful for any two or more persons empowered in that behalf by the said Governor, as by the said recited Act is provided, to bind every or any such child, at the proper age for that purpose to be an apprentice, to such master or mistress, and to such trade or occupation as to them shall seem fit, notwithstanding the dissent of the parents or parent of such child; and every such binding shall be effectual to all intents and purposes, and shall operate under and subject to the provisions of the said recited Act: Provided always, that no such apprentice shall be bound for a longer term or period than seven years.

II. And be it enacted, That when any young person shall be placed in any such Orphan School, or other Institution, or shall be bound apprentice as aforesaid, it shall be lawful for the parent or guardian of such young person or apprentice to claim the possession of the said young person or apprentice, and to make application to any two Justices of the Peace for that purpose, and the said Justices shall, if they so think fit, in a summary way, have power to order such young person or apprentice to be restored to his or her parent or guardian on such terms and conditions, and upon payment of such sum of money as the said Justices may deem to be equitable and just; and upon such terms and conditions being complied with, and such payment being made, the said Justices shall have power to cancel the indentures of such apprentice, and to order such young person or apprentice to be restored to his or her parent or guardian.

III. And be it enacted, That no such apprentice, if bound for the purpose of being taught any trade, shall be employed in such description of work as may appertain or belong to such trade, for more than ten hours in any one day, nor for more than sixty hours in any one week: Provided always, that this restriction shall not apply to apprentices bound to farming occupations, or other servants in husbandry, or to domestic service.

*Passed the Legislative Council, this twentieth
day of November, one thousand eight hun-
dred and fifty-one.*

CHARLES NICHOLSON.
SPEAKER.

WM. MACPHERSON,
CLERK OF THE COUNCIL.

In the name and on the behalf of Her Majesty, I assent to this Act.

CH^s. A. FITZ ROY,
GOVERNOR-GENERAL.

Govt. House, Sydney, 1st December, 1851.