If the change which it is alleged is intended in the Irish judiciary is proposed in Parliament, it appears to me to be the duty of the Irish representatives of all political shades to demand, as a condition of any further reduction, that court fees upon litigation shall be abolished in the Superior Courts in Ireland.

If it be objected that Irish suitors should continue to pay as English suitors do, it can be answered that the English public are entitled to have an increase made in the number of their judges, and not to be subjected any longer to the scandalous delay and denial of justice which there prevails owing to the insufficiency of the judicial staff. It can also be replied that two wrongs do not make a right, and that because a mischievous tax continues to be imposed in England it is no reason why it should be continued in Ireland. If it is said that there will be still a judicial staff to keep up in Ireland, and that fees should be paid by suitors to support it, it can be answered that as the amount of the reductions already made, and those proposed to be made is from £35,000 to £40,000 per annum, and the amount of the suitors' fees annually contributed in Ireland amounts to or exceeds those figures, the result of leaving the court fees abolished will be to transfer from the State to that very limited body, the Irish litigants, practically the whole burden of keeping up the Irish Superior Court Judiciary. Thus, the general body of taxpayers will be relieved, while those who, according to Bentham and Mill, are least able to bear the burden must still submit to it, and the Crown and Criminal business of the country will be conducted by a staff of judges paid for by civil litigants. It is certainly a strange thing, or rather an unjust thing, that all the advantage that has hitherto been reaped from past reductions has gone to the Consolidated Fund and not one farthing to Irish suitors. This ought not to be allowed to continue. Let there be for the future no judicial reductions without remission of suitors' fees. If there is to be a cheap administration let there also be a cheap law.

IV.—Foreign Legislation on behalf of Destitute and Neglected Children. By Miss Rosa M. Barrett.

[Read Tuesday, 25th February, 1896.]

In a paper which I had the honour of reading some time ago before this Society, I gave some details as to the laws of various countries (especially America) on behalf of destitute children. I feel that some apology is necessary for again taking up the same subject, but I trust that the urgent need of improved legislation in our own country may be a sufficient excuse. I propose this evening to speak (i.) of recent French legislation, (ii.) of that in force in some of our colonies, (iii.) in some of the American States, as well as to give a
few statistics as to the results already obtained in consequence of these laws.

May I first ask whether we have any right to be satisfied with the results of the enormous expenditure of time, energy, and money in our efforts on behalf of destitute children in this country, and if not, why not? There is no doubt that our charity is profuse, for an immense number are dependent on the voluntary gifts of charity or on the compulsory contributions of the poor-rates. The Industrial Schools of Great Britain contain some 26,000* children, costing over £540,000; (the School Board of London alone has sent some 11,000 children to Industrial Schools); voluntary schools and homes, on a rough estimate, contain something like 200,000 children; while, sad to say, there still remain no less than a quarter of a million pauper children in England and Wales. In addition the Society for the Prevention of Cruelty to Children has dealt during the past year with 20,739 complaints of offences against children, and estimates that they are still unable to deal with some 10,000 cases a year which need investigation, though 209,447 children have received its legal protection since 1884. Over 20,000 children, or about one child in every 206 of the population, is supported by the public in London (see Table on page 43).

Yet these figures by no means include all the neglected children of this country: our gutter population remains; our streets still contain ragged, uncared-for children, and habitual paupers and criminals, like the poor, are ever with us. In spite of incessant philanthropic efforts, we are not overtaking even the increase from year to year of this unkempt, undisciplined swarm, much less reducing its numbers, and this although no work can compare in importance, either for the future welfare of our country or for the good of the individual, with that of the rescue of the young. Shall we rest satisfied with what has been done? Do the results repay us for the enormous expenditure of energy and money? is it merely more money and more energy that is needed? Is it not rather some radical change in our efforts?

Before attempting to solve these doubts, may I venture, I hope without giving offence, to estimate the value of a child—even a destitute child—in terms of pounds, shillings, and pence? In old slave-days a negro infant was sold according to its prospective value at from 50 to 100 dollars. Assuming that a white baby is worth at least as much as a black one, we see that the initial value of an infant—its potential value, so to speak—is from £10 to £20. On an average, each child costs at least £20 a year for its maintenance, clothing, and education during about fourteen years of its existence before it becomes independent. This £20 a year for fourteen years amounts to £280; therefore, including the original £20, we may reckon the pecuniary value of every child as some £300! Are we satisfied with the return that we, as individuals or as a nation, get for this invested capital in the shape of our dependent children? Is not the African king, Khama, nearly right when he says England takes great care of her goods, but throws away her people? I propose to

* The number of inmates and the cost has doubled since 1872.
try and answer these questions by comparing the condition of England with that of other countries, for there are happy lands where no child is to be found in any workhouse or prison, where a child beggar is unknown, for "ample provision has been made for every destitute or neglected child," and where asylums and charitable institutions have been closed for want of inmates. It has been well said that in passing the laws that have borne these good results, the State has "acted not only in the interests of the child who will one day be a citizen, but also in its own interest for self-protection, "desiring by such measures to reduce to a minimum its useless "members, and to increase to a maximum its useful and working "citizens. . . The State should protect the child in the interests "of humanity, and for the protection of the State. Humanity and "political economy are not in opposition—they are identical."

I need not again point out the defects of English legislation in the matter of destitute children—they are patent to all philanthropists. I will merely state that they mainly arise from the fact that England has followed too closely in the lines of Oriental legislation, giving a father absolute control, under all circumstances, over his child. This was, in fact, true in England so late as 1839, and England now remains almost the only country in the civilised world where the child's welfare is not considered to be fully as important as the upholding of parental control, when these two interests clash.*

**FRANCE.†**

It was in the very year—1889—when for the first time it became compulsory for an English father to maintain his child, that France passed a most important and beneficent law on behalf of destitute

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* This habit of thought is only slightly modified even now, and it is but rarely the English Court pronounces a forfeiture of paternal control. It was only the other day (October, 1895) that a London magistrate indignantly repudiated the new law that allows the S.P.C.C. to retain under its custody a child that has been manifestly ill-treated pending the trial of the parent or guardian for causing such child unnecessary suffering or injury. The child in question bore numberless marks on its poor body of ill-treatment, and yet the magistrate said it was cruel and illegal to keep it from its unnatural parent!

An Irish jury, in the terrible Coombe case that was recently brought to light, entirely absolved the parents from all responsibility as regards feeding or clothing of their children, though it was proved that neighbours and policemen had to feed the poor starved creatures, while a boy of 11 was the chief support of the family! The parents, who enjoyed several nights of drunkenness from the money raised for the funeral of their infant—the infant remaining unburied all the time in the room—were acquitted even of the charge of neglect!

† Loi du 24 Juillet, 1889 ; Projet de Loi, 1892 ; Enquête Générale sur les Enfants Assistés, 1890 ; Conseil Supérieur de l'Assistance Publique—many volumes of discussions, reports, &c.; Conseil Municipal (mainly relative to Crèches), 1895 ; Bulletin des Crèches ; l'Application de la loi Roussel—numerous pamphlets by Dr. Blache and others; La Protection de l'Enfance; sundry circulars and reports; Union Française pour le Sauvetage de l'Enfance; Bulletin des lois; French Maternal Schools—reports, &c.; Hygiène et Education; Circulars issued by the Bureau of Education (Washington).
children (July, 1889), a further extension of which is even now under consideration by the Senate, or, rather, it has been passed by the Senate, but not yet by the Chamber of Deputies, but will without doubt shortly also become law, for France is fully alive to the importance of this subject.* Under this new French law, destitute parents may voluntarily give up their children, either temporarily or altogether, either to the care of individuals or to the directors of the Association known as “l’Assistance Publique.” When minors are voluntarily surrendered the Tribunal du Domicile can decide who shall have control over the child—whether l’Assistance Publique, a duly authorised Association, or private people, as may seem best for the child.

Should any minor children be removed without the parents’ consent, either by individuals, by the Administrator of Public Assistance, or by duly authorised benevolent associations, a declaration must be made before the Mayor or Police Commissioners within three days on pain of a fine. Such statement is then forwarded to the parents and to the Prefect, and the former are summoned in self-defence. If the parents are condemned to penal servitude, are guilty of serious crime, are habitual drunkards, notoriously ill-conducted, if they ill-treat their children or are accomplices in ill-treatment, or if in any way, by their conduct or by their neglect, they endanger the health, safety, or morality of their children, if they are convicted of vagabondage, or of exposing, abandoning, or inciting children to evil, or if their children have had to be placed in a house of correction, such parents are deprived of their rights, altogether or in part, whether they like it or not, while the children are removed from them and placed under the protection of the State; tutelage is given to L’Assistance Publique unless a guardian is appointed—this may be done at public cost if the parents are indigent, if not, they may be required to contribute towards the support of their children. In the parents’ interests certain legal formalities have first to be gone through: a trial must be held, full enquiry made, a memorial drawn up representing the facts, and the parents, or some one acting on their behalf, must be summoned in self-defence, judgment must be given in public, and may be executed in spite of appeal or opposition, for a parent’s rights will not be respected if they interfere, in the opinion of the Court, in any way with the good of the child. Children with such parents and no guardians (de droit commun) are abandoned—legal orphans—and the society must take charge of them. Societies, or persons engaged in the work of

* The earliest French laws on this subject appear to have been passed in 1643, a time when that great philanthropist, St. Vincent de Paul, was rousing France to efforts on behalf of her criminals and orphans. These laws were amended in 1790 and 1837. In 1790 La Rochefoucauld drew up his famous report on the extinction of mendicity. He urged the giving of assistance to unmarried mothers (carried out in 1837) and the adoption of foundlings. This was thought Utopian till now, and was only legalised by the law of 1889. There are no less than 125,000 children in France, from one day to 21 years old, of this class of morally abandoned children.
rescuing neglected children, are now under legal protection, and may be appointed legal guardians, subject to supervision, of such children, parents having no further rights. Parents may apply for a restitution of their rights within three months after the child is removed, or they may appeal against the decree within a year; if rejected, it cannot be renewed for three years, the judge then hears the appeal and evidence, and grants guardianship as he thinks best; if rejected, no further appeal can be heard, unless in such cases as might arise if the mother alone made it after dissolving her marriage. If the appeal is agreed to and the child restored to the parents, the Court will fix the amount of the indemnity to be paid to the interim guardians for the maintenance of their children, unless the parents are specially exonerated by the Court from payment on account of poverty, but it is a rule that this restoration will only be granted when the Court considers it will be for the good of the child. The Court arranges such measures, provisionally, as may seem best for the child. If a child is not claimed within three months of being placed in ward, the parties in charge may petition for parental control, in whole or in part, over such child; if only part is given, the rest devolves on L’Assistance Publique.

The guardianship of these dependent or state children may be awarded by the Court to the Assistance Publique (who may delegate this authority), to private individuals, or to duly authorised charitable institutions. Such bodies may have full control or only discretionary power—the amount is decided by decree, or the father alone may be deprived of his rights and the mother be appointed guardian, or a guardian may be appointed by the Court. No child need now be left in want, neglect, or in moral danger, for “Every minor of either sex, materially or morally abandoned or ill-treated, is now under the protection of public authority.” In every case the child’s safety and welfare is protected (see Note A, p. 215).

This law (1889) also protects children under sixteen whom one may call morally abandoned. The parents may not be drunkards nor cruel, yet fail to give necessary care, education and restraint. Parents or guardians may even take an insubordinate or vicious child before a judge, and have him sent to a correctional institution till he is twenty-one; or a magistrate may send a child to a reformatory for from one to six months at the request of the father.

The expense of carrying into effect these laws is to be borne partly by the State, partly by the commune (this is obligatory), and partly by the Departments, each providing one-fifth of the total expenditure; the remainder being obtained from charitable individuals, from fines imposed in the police courts, etc. The cost of inspection is borne by the State, and similar inspection and supervision is to be extended to all charitable institutions, orphanages, etc., etc. These laws apply equally to French colonies. There are two main divisions in this law; unworthy parents are deprived of their rights unless they reform, while minors under sixteen may voluntarily be given by the parents to the care of L’Assistance Publique or to private individuals. The latter may apply to be appointed official guardians, or if the child has been allowed to remain with them
Foreign Legislation, etc. [Part 76,

three years, they may apply to keep it permanently—they then become the guardians as much as if the parents were dead, unless the law states otherwise. Adoption is legalised, and includes children deserted for three or more years.

Of the projected laws (which, however, are considered certain to pass without material alteration), the following are the chief:—Foundlings, abandoned children and poor orphans are placed under "l'Assistance Publique." "Abandoned children" include those found without home or means of living, owing to the parents' incapacity, either physical or mental, also those whose parents have been deprived of parental control by the law of July, 1889. Children are also placed under l'Assistance Publique in order to prevent their being abandoned, also those who are temporarily helped during the illness or imprisonment of the parents; after six months in ward the child is considered as abandoned. Such children as come under the law of July, 1889, are placed in ward either with or without the intervention of their parents. Help may be given to widows or deserted wives, also to destitute mothers, in order to prevent abandonment. They may either keep the child or place it out at nurse: brothers and sisters being kept near one another. Unless necessary for health, a ward is not to be kept in an institution; though a vicious or insubordinate child may be placed in some approved reformatory; those boarded out are usually paid for until they are thirteen years old, then receive an outfit, and are, if possible, set to learn some agricultural work; such may still live with the person who has brought them up. Special rewards are given to those nurses who keep their charges a long time and give satisfaction; while so boarded out no one is allowed to have access to the wards, and information is only given by consent of the Prefect; though news as to the welfare (not the residence) of the child may be given under certain conditions. This work has a civil existence, and may receive gifts and legacies, as may any special children. All charitable institutions are to be inspected, and a report made yearly to the Prefect. The Council has the power to admit children over sixteen, also to give immediate help, when needed, to a mother, who may be allowed to keep her child; it also regulates the control over illegitimate children. Reports as to the work are to be made annually to the Minister of the Interior, and by him forwarded to the "Conseil Superieur." Such are some of the projected laws.

The law already in force allows the Courts to remove children from unworthy parents, giving full security to duly authorised societies whose aim it is to rescue these children—either those ill-treated, in misery or in moral or other danger. Many societies have been formed to take charge of these children, and a large number have already been rescued by them. Local authorities also have charge of many, in most cases aided by the State. But children given either to societies, homes, or individuals under this law are now equally under the protection of the State. Previously there was no legal protection in France, any more than there now is in Ireland, for societies or persons seeking to rescue such
neglected children, the parents could put them in homes while young and claim them as soon as useful. Now they cannot, though they may lose only a part of their rights—or none, unless really necessary for the good of the child. The Department of the Seine passed a similar law in 1881. It has a special organisation for carrying out this work, and the children are placed under the tutelage of the Prefect, who controls the expenditure; in Paris they are under l'Assistance Publique, aided by the Conseil Superieur. If for the good of the child it may be subsequently removed from the care of l'Assistance Publique or of individuals, but only by a decree of the Judge, hence it will not be interfered with unless really necessary, such decree may be appealed against.

Any income belonging to the State wards, except what they may earn, is to be kept until they are eighteen, except, with consent of the Prefect, the guardians need to expend some. If a ward with property dies and heirs are found, they must indemnify the Department for the maintenance of the child, or give compensation; if there are no heirs, the money reverts to the Department, and is to be given as marriage portions! Inspectors are appointed by the Minister of the Interior, they are both male and female; their work is a responsible one, and includes also supervision of the education of these State wards. Establishments for the wards must be approved yearly; the expenses of service (which includes the receiving houses and boarding-out houses) and those of inspection are kept separately. The accounts of the whole work are kept as a special section of the budget of each Department, the funds being annually voted by the General Council.

The "Société Protectrice de l'Enfance" is older than the Law of 1889. It was founded in 1865 to aid poor mothers in their own homes with gifts of food, clothing, cradles, &c, it also gives rewards for keeping a house and children well. It aids annually 4,000 to 5,000 children, and pays some 62,600 visits of inspection. It also assists poor people who adopt orphans, as frequently happens, and founds and assists crèches—these latter also receive State aid. The "Union Francaise Pour le Sauvetage de l'Enfance" is doing a great work. Founded to carry out this law, though very recent, it has already many children under its care, and with its branch societies has rescued over 1,000, these are mostly boarded out. It lately received a very touching gift. The Minister of Public Instruction encouraged the making a special appeal to the happy children of the Elementary Schools for the unhappy ones. As a result, the Society received no less than 60,000 francs in 1891 ( £2,400) given by the school children. The work to be overtaken in rescuing abandoned children is, of course, enormous. In the Department of the Seine alone (nearly three million inhabitants, or 7.75 of the whole of France), no less than forty to fifty thousand children—distribute, abandoned, or orphans—are assisted at an annual cost of seven millions of francs; or, not counting those temporarily assisted, 27,582 children, or 33.18 of the whole number assisted in France, which was some time ago 84,023. In this Department some 400,000 francs a year are given in grants of 25 to 30 francs a month to mothers
to enable them to keep their infants at home. By this means the mortality has been reduced from 50 and 60 per cent. (the general previous mortality of children boarded out) to 19 per cent.; while 38 per cent. was the mortality of those children boarded out (enfants assistés) under most careful supervision: that is, out of 3,000 helped, 600 infants' lives have been saved. 400,000 francs a year was paid for children placed out at nurse before this system was introduced. The change of method has also greatly lessened desertion and admission to the hospices: it is better for both mother and child. In fifty-nine Departments, if the mother cannot herself bring up the child, help is given direct to the nurses; in twenty-one others it may be so given. Nurses receive rewards for care at the end of one, and again after ten years; the payment made to them is fixed every five years. Other Departments have each from 500 to 3,000 of these dependent children. As a rule, they are placed out in families rather than kept in institutions. This arrangement is much insisted on, and is carried out by most of the societies. Rheims has various societies to assist the poor, such as—A Commission for the Protection of Infants; a maternity charity; a society for the protection of children, and another for abandoned children. Since 1869 the Departments, except Paris and Lyons, must undertake this work for children. It was previously a "service hospitalier," but this is not the case elsewhere in France. A special law was passed in 1849 for Paris, and since then the hospitals do the work out of charity; guardianship is in the hands of l'Assistance Publique (the cost is nearly 400,000 francs in Paris), and in Lyons under the Administration Hospitalier with a General Council; in other Departments the inspector may be the guardian. In the Seine Inferieur the total admissions, from 1880 to 1884, were 2,162, and from 1885 to 1889 1,724, not counting orphans; sixty of these were foundlings.

Very stringent laws are in force in the Department of the Seine with regard to baby-farms. No woman may take a nurse child unless known to be sober, healthy, and respectable. She must be willing to have a weekly inspection, have a properly furnished house, cradle, fire-guard, etc., and carry out the rules made for the feeding and care of the children! As a consequence, only 247 children out of 3,996 nurse children died last year! It is proposed to introduce somewhat similar safeguards in England for the benefit of the poor little infants in baby-farms.

It may, however, be stated, and with justice, that the safeguarding of infant life has assumed its present importance in France owing to the diminution of population, the deaths now outnumbering the births. This is true; numerous societies have been formed with the object of trying to save the lives of some of the infants, now dying at the rate of 250,000 a year in France, for probably at least half of these deaths are preventible.

Unhappily, also, crime appears to be on the increase in most Continental countries, owing largely to increased drunkenness and neglect of children; this is not true of Scandinavia nor of England. In France criminals increased from 50,000 to 160,000 in fifty years,
or from 601 in 1831 to 991 per 100,000 in 1881; in Germany from 1,050 to 2,000 per 100,000; in Norway the proportion was only 220 per 100,000 (in 1885).

I have found it difficult to obtain information from Continental countries on the subject of legislation in aid of neglected children, but a few brief facts may be given.

NORWAY.*

An abstract of Norwegian legislation may be of interest, though reforms in these laws are now being urged, specially by Dr. Getz, Chairman of the Penal Law Commission, whose book on this subject a friend has kindly translated for me. One chief point in which reform is urged is the raising of the age (now ten years and upwards) at which children are considered criminals; and also the making of certain laws compulsory where at present they are only permissive. Many of the laws are good, but they are not enforced as they need to be.

The law gives power to remove children from bad parents, but it is very little enforced. If the parents neglect their children or lead bad lives the School Board may require the Poor Law to remove such children, and to place them in an institution where they will be properly trained. The Poor Law Board may decide where to place the child as may be best for it, but the School Board has also discretionary powers in cases where children are neglected, etc., as to the placing of them under proper authority either in institutions or in other families, with the consent of the parents. (From this Dr. Getz thinks the possible evils resulting from the parents’ influence has been overlooked.) If, however, these children are not properly cared, either morally or physically, by those in charge the Poor Law Board may remove them and take charge of them for all or for part of their time. Parents are to be held responsible, not only for the physical, but for the moral training of those too young to protect themselves. Otherwise the Poor Law only applies to those children who are in receipt of Poor Law relief—paupers in fact. If the School Board enforces the law, the Poor Law Board has power to remove the children from those who have neglected them. The law then is fairly good if it were acted on. Juvenile criminals from ten to fifteen years old may be placed in reformatory or industrial schools. In the year 1892, 717 children were removed from their parents: 90 were placed out on the demand of the School Board; the majority of these had living parents, but their circumstances were bad; a few had bad parents; a few were illegitimate; a large number were placed out owing to neglect—mainly physical, but a few for moral corruption, and, in addition, about half as many were removed owing to their parents’ cruelty; the large majority appear to be boys. This much has been accomplished with a permissive law only; it is now desired to make it compulsory.

* Udkast til Lov, Dr. Getz; Consular Reports. I may add that infantile mortality is remarkably low in Norway.
Children who have not completed their sixteenth year may be placed in an educational establishment or children's home established by the King, or in suitable private families, in the following cases:

1. When they have committed punishable acts showing moral depravity or corruption, and such removal becomes necessary for their reformation, and to prevent the repetition of such acts.

2. When, from the bad conduct of the parents or their gross neglect, either moral or physical (or when such is feared), the children's welfare is endangered.

3. When the children themselves are of such bad behaviour, or doubtful conduct, that it cannot be corrected by the ordinary discipline of school or home, to save them from moral danger, they may be removed.

4. When the authorities find it necessary to condemn either one or both of the parents for the above offences, the child is to be placed under guardianship.

GERMANY.

Germany is in some ways in advance of England with regard to its legislation for destitute and neglected children. Its laws are more systematic and precise, and the responsibility of a parent for a child's delinquencies (where traceable to their neglect) is recognised as in America. The Imperial Penal Law of 1871 gave directions for the establishment of educational and reformatory establishments for persons over twelve years of age, if not fully matured. By a further decree of 1876 it was declared that when still younger children are guilty of any punishable act, each individual State may take such steps as are in accordance with its laws for the reformation of such juvenile criminals, or for their guardianship. If the committal of the act has been brought before the proper authorities, and the child's removal declared necessary, the necessary steps may be taken as to the child's guardianship.

Since that time (1876) the various States have passed a series of laws to regulate the placing of children in institutions or private families—Bremen, in 1877; Prussia, 1878; Mecklenburg-Schwerin, 1882. These laws, however, all refer to juvenile criminals, not to neglected children or to those in bad surroundings. Some of the later German laws do, however, embrace this class, such as that passed in Brunswick in 1870; Anhalt, 1873 (which only deals with removing children from seven to twelve years of age to educational establishments); Oldenburg, 1880; Saxe-Weimar-Eisenach, 1881; Lubeck, 1884; Baden, 1886. This latter law deals only with moral corruption, not with other kinds of abuse.

In Germany, these laws on behalf of neglected, not criminal,
children are mainly to the effect that when parents, or those with parental authority, abuse the right of caring for the child, either physically, or still more when they neglect their education, or when, from neglect, they expose their children's mental or bodily welfare to danger, or when such danger is to be feared in the future as the result of evil or immoral conduct, the guardians have the right of taking means to avoid such danger by removing a child and placing it for its education in a suitable family, or in an educational or reformatory institution. The law may also partially or entirely, if necessary for the child's welfare, abrogate the parental authority, with the exception of the forbidden usufruct. Great care must, of course, be taken, when children are removed from their parents, to see that no injustice is done, and that they are put into suitable institutions, etc.

In Germany, as in England, the largest number of institutions are private, some are communal, and but few State. The public ones, either State or communal, often pay for those children who are placed in private institutions, so the expense really falls on the former. There has been no great need for public institutions, hence they have not been founded in greater numbers. Since 1878, boarding out in families rather than institutions has been made compulsory.

By a law passed in Hesse-Darmstadt in 1887, the Board of Guardians decide the case, but certain persons must first be heard, as in Prussia, and in addition the child itself if possible. A medical certificate must be produced if there is bodily injury. In Hamburg, since 1887 the whole question of compulsory training and education rests with a committee, consisting of the two members of the Senate, one of the Finance Department, one of the Upper School Council, one of the Poor Law Board, and four citizens chosen for six years. The authorities—Poor Law Board, School Board, Police and Prisons Board—must communicate to this committee the reasons making the compulsory education of the child desirable. The committee then decide if these reasons are conformable to the law, and take steps for carrying it into effect. If the parents consent, it can be immediately carried out; if not, the committee can appeal to the guardians to decide the matter.

Recently it has been enacted, as recommended by the Labour Conference at Berlin, that work in mines and night work may not be done by children under fourteen. Nor may they work in factories till after school days are over; nor may children under fourteen work more than six hours a day, nor in any unhealthy or dangerous occupation.

PRUSSIA

By the law of 1878 the method of dealing with criminal children in Prussia is as follows:—When a child between six and twelve years of age is guilty of crime, the guardians are informed, and if the accusation is proved, they decide whether a compulsory education is required. Before the decision is made the parent or other guardian must be heard in self-defence in court, or the foster or
god-parent; and, wherever possible, the spokesman of the commune. In every case some official must represent the Government, and have a voice. The School Board must also be informed of the case. Any one of these may appeal against the decision within a week, or, if they have had no opportunity of being heard at the trial, they can demand that the case be re-opened. The penal authorities may deal in the usual way with criminals over twelve years of age, and decide on their future training when such are deficient in sense, and therefore not to be held responsible for the crime.

**DENMARK.**

Children may be placed in institutions, without a special warrant, at their parents' request, or with their consent. In this case the fathers must pay all or part of the cost. It is generally acknowledged that, though some of the laws already mentioned are in operation in Denmark, a more systematic arrangement is needed, no longer leaving to private initiative what should rest on public decision, surrounded by guarantees. Special laws are, therefore, now demanded.

**SWITZERLAND.**

It is worthy of note that in a comparatively poor country—Switzerland—far more is done by the Government for children than in our own. Thus, there were no less than 31,379 children under sixteen assisted by the Government, in the year 1870. Berne furnished the largest number, the canton of Valais the fewest.* Of these, 19,775, or 63 per cent., were legitimate, and 11,604, or 37 per cent., illegitimate. Of the whole number assisted by the Government, children formed 25.2 per cent., adults 74.8 per cent. As showing the wise system adopted, I may mention that, of the children assisted, 23,269, or 74.2 per cent., were placed out in families (in some centres as many as 88.1 per cent.; in Berne they are largely placed in farms); 6,162, or only 19.6 per cent., in schools or institutions; while 1,948, or 6.2 per cent., were apprenticed, at an average cost of 95.27 francs per head; those in families cost on an average 76.58 francs per head, and those in institutions 189.57 francs. The average cost of the relief given was 85.00 francs per head, including adults and children; the total cost was 12,214,956 francs. 11.2 per cent. were administration expenses, etc. 53 in every 10,000 francs are contributed by the parents, or 1 per cent. The number helped is one in 20.2 of the peasants. These contribute 407 francs a-head. The cost, if equally contributed, would be 53.16 francs per head. All the above figures refer to the regular State, not voluntary, aid. The average percentage of deaths from 1865 to 1883 was 18.3 per cent. of those under one, and 24.9 per cent. of those under five. Of

* Le Pauperisme en Suisse, par M. Niederer; Legislation de Secours Publics et Statistique de l'Assistance Officielle et Libre, published at the request of the Swiss Statistical Society. My figures are only for the year 1870 unfortunately: the volumes containing more recent facts are being now published.
illegitimate children, the highest in proportion are born in Geneva, the fewest in Glaris and Tessin. Of illegitimate children assisted, Lucerne has the largest proportion, Neuchatel the smallest. A very large proportion of the illegitimate children out of all such that are born are found amongst assisted children. Deaths among illegitimate children under one year of age are 27.4; legitimate, 17.4 per cent. The population varies very slightly. In 1850 it was 2,321,170; in 1860, 2,395,533; in 1870, 2,518,240; later, 2,654,484. The laws differ somewhat in the various cantons. In many begging is not allowed, nor giving to beggars; parents are punished for allowing their children to beg. Assistance is also variously administered; in some by a special administrator, in others by the Municipal Council, the "Conseil de Bourgeoise," the Prefect, etc. In Berne it is by the Committee of the Hospice General. There are also, in most of the cantons, numerous voluntary or private organisations, such as orphanages, asylums, etc., for assisting the destitute or sick; many of these receive grants from the State. In only one of these private agencies do I find children are admitted under six years old; that is in the Lowenberg, in the Grisons, where infants are admitted from one year old and upwards. Altogether 1,254 children are in écoles infantines, while 7,200 children and 84,378 adults are assisted by "l'assistance libre"—that is, private organisations. Four charities were founded before 1700, but most between 1850 and 1870. Many of the laws were changed in 1878; these revised laws and statistics, later than those I have given, are now being edited for publication. In both Switzerland and Germany, since the eighteenth century, dependent children have been placed in families, instead of in institutions; this is found the best method. There are creches at Basle and elsewhere, but they are not greatly used. An inquiry into the condition of the working class was held in 1889.

In most of the cantons the Napoleonic Code is in force, that husband and wife, by their marriage, take upon themselves the obligation to feed, take care of, and bring up their children. This applies equally to step-parents, and is reciprocal. The authorities conclude their statements by saying that future legislation must be in the direction of greater help to children. The best way to overcome pauperism is to look well after the rising generation. This will not be accomplished if only orphans or those with incapable parents are cared for; whether by private or official agencies, those children must be removed whose parents are unfit to bring them up, from negligence, immorality, etc. (Thus most countries are coming to the same conclusions.) "Family ties are sacred, but when children are being ruined by their surroundings, the solidarity of the family "must give way to the solidarity of the community." More inspection is, however, required, and greater supervision of those who are just starting in life for themselves, ignorant and helpless.

Such are the Continental countries which have more or less complete legislation on behalf of the care by the State of destitute, or neglected, as distinguished from criminal children. Belgium will probably soon be added to these, as it is proposed to pass a law
similar to the French law of 1889. At present the matter appears to be regulated there by local laws, so that it is impossible to tabulate them, but there are "Colonies Agricoles," where neglected or abandoned children and young people are sent.

The penal laws of most countries contain provisions by which either the judges or the authorities, in conjunction with the guardians, can determine that children who have committed criminal acts, but who from their juvenile age cannot be punished as criminals, shall be sent to educational or reformatory institutions. This is the case with Denmark, Holland, Belgium, Sweden, Finland, Italy, most of the Swiss cantons, and also in Austria, Spain, Russia, and Croatia. In these latter, however, especially Russia, the laws exist on paper only, and no provision is made for carrying them out. In many of the countries—even in Finland—the provisions are really effective, although there are not a sufficient number of either public or private institutions. The usual practice is that where children are too young to understand crime, they may be placed in institutions, as in Denmark, where these arrangements are more or less well carried out. In most of the Swiss cantons, and in Italy, the State may decide what is to become of juvenile criminals; in other cantons, in Sweden and Finland, the age of criminals has been raised from fourteen to sixteen, and consequently there is little or no provision necessary for juvenile criminals—that is, under that age they are not regarded as criminals, over that age they are, and are treated as such. In other countries, where the criminal age is but ten, twelve, or even nine, such provisions are much needed (with the exception of Denmark).

The penal law often decides, when fixing the punishment for bad treatment or neglect of children, that the guilty parent or guardian loses all right over his child, making it a public charge. Such is the case in the Swiss cantons of Lucerne, Obwalden, and St. Gall; also in Italy. It is, in fact, becoming more generally recognised that the State must interfere so as to prevent children from falling into crime, and so becoming a burden to the community. New laws must not only be better than the old ones, but must be as good as possible. Opportunity must be given to know the child, so as to decide on the best way of bringing it up; so some preparatory institutional life is necessary, subsequently placing the children (if not thoroughly bad and corrupt) in families. The Congress* held at Antwerp in 1890 and also that at St. Petersburg, passed the following resolution:—"Orphans, deserted or neglected children, are best placed in families, if possible in the country."

Australia†

There is no country where more support is given by Parliament to the work of reclaiming children than here.

* International Congress for the study of questions relative to criminals, and for the protection of children morally abandoned.
† Reports of the State Children's Council; Ditto, with Regulations and Laws; Proceedings of the Australasian Conference on Charity, 1886; Destitute Person's Act, 1881, and as amended, 1886.—Statistical Sketch of S. Australia.
In Australia each colony is, to a large extent, autonomous, and passes its own laws, which are binding only within their boundaries. It is necessary, therefore, to give a brief outline of the laws of each colony separately. The most enlightened appear to be those of

**South Australia.**

South Australia is the only Australian colony where the right of the destitute to claim food and shelter from public funds still holds good. In the other colonies the Governments largely aid charitable institutions, even those organised and managed by voluntary effort, but in South Australia, and in South Australia alone, it is responsible for the administration of charity. Relief is mainly afforded through the Government Destitute Board (established in 1867), Government hospitals and Government lunatic asylums. Beside these there are small voluntary associations, whose income is generally supplemented by Government help.

About the year 1850, the Government of South Australia recognised the necessity for creating a special department to look after the destitute: this is called the Destitute Poor Department, and since 1867 has been controlled by a Board consisting of five honorary members and a paid chairman. The Board has the care and administration of all funds voted for the relief of the poor, the control of asylums for their reception or relief, the charge of all illegitimate children born in any of its establishments [the granting of licenses to persons, without which they cannot act as foster mothers—thus placing great safeguards on baby-farming]. The Board, in fact, acts as a sort of "clearing-house" for charities, and a house of reference and enquiry. It has much responsibility and large powers, and is universally looked up to as the poor man's friend and universal provider; hence the following conversation:—A woman who had been in want and trouble while in Victoria, on returning to South Australia, was overheard saying—"The worst of it was there was no Destitute there; no, there was no Destitute, and there is no Destitute, and I did not know where to turn to!" An ignorant stranger might imagine there were no poor people in that happy land, instead of no Destitute Board—which in urgent cases relieves first and enquires afterwards.

A State Children's Council was appointed in 1886, with complete control over all State children, of whom there are now about 1,000. South Australia and New South Wales both have a State Children's Department, a better name than its equivalent, the Neglected Children's Department of Victoria.

All destitute, neglected, and criminal children under eighteen years of age, and reformatory and industrial schools come under the charge of this Council. A "destitute" child is one not properly supported, and a "neglected" child, one that is found begging, wandering, homeless, uncontrollable, living in a brothel, keeping

* Such licenses can now only be granted by the State Children's Council. Parts within [ ] are now altered by the new law. See p. 161.
bad company, or illegitimate, if the mother is indigent. (See also on page 162). The children of drunkards may lawfully be removed, but this is not greatly enforced.

The parents of children under the care of the Council are liable to a compulsory payment of from 2s. to 10s. per week, and neglect to support or provide properly for wife or child or desertion of wife or child under fourteen, is a misdemeanour, and may be punished by imprisonment with hard labour for one year, even if the child be illegitimate. This applies to mothers also,* and if able, they are bound to contribute from 2s. to 10s. a week. Payments from fathers for illegitimate children are now made and paid over to the Council.

Similarly the Destitute Board may sue for the repayment of money spent in relief if it is found that relations can subsequently afford it. It may also require the mother of an illegitimate child, if born in a hospital, to give her services there for a time, and may retain the care and custody of the child unless proper provision is otherwise made for it. The mother on leaving may be ordered to pay 2s. 6d. a week for such child. Unless she or her friends can maintain it, it is treated as a neglected child. When a destitute mother with an infant comes before the Council for help, the father is, if possible, found and made to contribute.

Industrial and reformatory schools for destitute and neglected children are under much the same laws as ours; but girls are kept till they are eighteen years old. [Children may also be surrendered voluntarily by their parents; they may not then claim them except by consent of the Board, and must sign this form:—“I, . . . being destitute, do voluntarily surrender my child to the care and custody of the Destitute Board;” or if the parents are unfit to retain their child it may be removed without their consent.]

The Board, or rather the Council, may place out industrial or reformatory school children in suitable families, paying for them until they are thirteen years old up to 7s. 6d. a week; after that age the child must receive wages if apprenticed. The boarding-out system has saved the colony some £36,000. The Council has the power of establishing one or more cottage homes if needed. It also has a reward fund for truthful, obedient children, etc. State children travel to and from school free. Relatives may not have access to State children, except by permission of the Council. State children since 1892 may be boarded out and paid for, adopted, or apprenticed. Adoption is legalised, in a modified form.

None may act as wet-nurse or foster-mother without a licence (granted by this Board in the interests of children who cannot be brought up at home) or a certificate from a medical man, under pain of a penalty of £20. This penalty may be enforced on the foster-mother, and also on the parent who knowingly leaves a child with an unlicensed person. [In order to obtain information half this penalty is paid to the informer.] Those who desire to be thus

* Formerly such deserters escaped to another colony. Now the Fugitive Offenders' Act applies to all colonies, so misdemeanants, deserters, etc., can be brought back under a warrant.
licensed must produce a certificate of good character, the homes are
visited and reported on by a special lady inspector, the number of
children the licensee can take specified, after which the children are
visited fortnightly; any neglect is notified, and, unless remedied,
the license is revoked. A register is kept at the office of such
licensees, and is referred to by persons wishing to place out their
children. This plan of licensing foster-mothers, with a view to pro-
tecting infant life, originated in South Australia, and, as a con-
sequence, there have been no bad cases of baby-farming there in
recent years. (Unhappily infant mortality is still very high in
South Australia, especially in Adelaide; this is attributed mainly to
the great heat.)

In connection with the destitute asylum there is a lying-in hospital
for women in poor circumstances. Of those admitted the majority
are unmarried, and it used to be the custom that when they left
hospital their children were boarded out. This led to baby-farming,
a high infant mortality, and to the evil of lessening a mother’s
responsibility. To remedy these evils a place is now provided
where mother and child can be kept together for six or twelve
months. On admission the mother signs an agreement to remain
six months; during that time she is taught house work, so is fitted
for an honest life subsequently; she tends her own child, so that
natural affection has time to develop; she also receives a good outfit
on leaving. If relatives or a good mistress is found before the time
has expired the girl may leave earlier. The women are carefully
divided into three classes—fallen, unfallen, and prostitutes. The
expenditure was only £525 in a year, the number admitted was
twenty-seven; the average number of inmates is about eighteen, each
costing 11s. 3d. a week.

The practice of making parents contribute to the maintenance of
their children often causes a renewal of affection. In many cases
also, rather than give the State an opportunity of interfering,
they themselves will give the children proper care. In South
Australia, in the year ending July, 1895, 202 children were
committed; the maintenance fees recovered were no less than
£1,100—though less than the previous years, owing to the great
poverty and scarcity of work. Of course, to collect so much in
involved much trouble, but the principle was well worth this. De-
faulting parents who abscond can be arrested. There were 1,124
children under the control of the State during the year ending
July, 1895. Of these, 996 were boarded or licensed out, or adopted;
the ages ranged from three days to sixteen years, even in the In-
dustrial Schools. I notice that in one year there were no less than
26 children under one year, 64 under six, and 74 under seven years
of age committed, the majority on account of having no homes or
insufficient means of subsistence. Two infants were under a week
old, even! The total expenditure for the year was £14,276. State
control in this colony ceases at the age of 16 [now 18] for boys, and
eighteen for girls. At that age children are often induced to return
to their parents—an objectionable practice, as a return to old en-
vironments and friends means too often a relapse into old offences.
hence efforts are being made to raise the age up to which State control shall be exercised to 21 years [see p 163]. The Report for 1894 of the State Children's Council points out the marked diminution in juvenile crime, and also in the number of children committed as "uncontrollable."*

As is now pretty well known, South Australia has taken the lead in one most important matter in the interests of child morality. Children are never now taken to a police court. There is not, as has been erroneously stated, a special court for the trial of juvenile offenders, but the hearing of the case may be in certain "places," and the State Children's Council have obtained leave from the Government for their office to be that special "place," and also power to investigate matters concerning these cases. This practically amounts to the same thing. Previous to trial the children [boys under sixteen, girls under eighteen] are kept, under proper control, at a depot or office, not in jail nor at the police station; and are tried quite separately from the police court, by a special magistrate, so that it is really a separate court. This applies also to neglected children, pending their award, though these need not now be brought before a Court at all. The Court meets any day when there are cases. A visitor reports that the only persons present during the trial were the magistrate, his clerk, the children, their parents, and an officer from the Children's Department. An inspector from this department conducts the cases, another acting as clerk, one of the offices, as already stated, serving as court room. Thus all danger of contamination is minimised, and no slur is cast on the child. In the same way, if an application is made to have a child committed to a reform or industrial school, it is referred to the State Children's Department, who obtain all information. Up to [sixteen] eighteen a child, therefore, never comes into contact with a police station. All alike—magistrates, police officers, the Minister of Education, and others, speak in great praise of this system, and would not tolerate, under any circumstances, a return to the old state of things. [The Government also entrusts the care of refractory girls and first-sentence prisoners to responsible persons, instead of sending them to Reformatories or to prison; they remain under control until they are twenty or twenty-one, so have a better chance of reforming.] South Australia has no special Act for the prevention of cruelty to children, such an offence would come under an assault. It is said by those who ought to know that nearly all children there have sufficient food and clothing. "I never saw a child begging here," one active worker wrote to me. A State Children's Bill is now under consideration for the amendment and completion of these laws.†

I should like to add one or two other facts as regards this colony, though they do not bear exactly upon children. The total expendi-

*The criminal records of S. A. are very good. Serious crime appears almost unknown. There is no "criminal class," and hardly any juvenile offenders. —See Statistical Sketch of S. Australia.
†This Bill has now passed, and is summarised on pages 161-166.
ture upon destitution is steadily decreasing. Three years ago 9,000 people were relieved at a cost of £24,000; now the numbers are 4,979, and the cost £18,000. The poor relief per head of the population only costs 1s. 2d., and the ratio of persons relieved was 29½ per 1,000 in 1886, and is now 15½, while the population has increased 11,000.* Under the old systems of poor laws, etc., even this colony could point to four and perhaps more generations supported by public relief, but they learnt in time to alter a system that proved a failure. The following table of comparative cost of relief in various countries may be of interest, though I am sorry not to give it for a later year than 1883:—The cost per head in South Australia was then 1s. 9½d. (now it is 1s. 2d.); in Victoria, 2s. 8½d.; in Tasmania, 3s. 11d.; in Massachusetts, 3s. 4d.; and in England, 6s. 4d.!

In [South Australia and] New Zealand certain Boards act as collectors of contributions. Institutions state to this Charitable Aid Board what funds they need, and the Board then orders contributions, proportionate to the value of property in different localities, to be paid by them; the Government contributes an equal amount. Thus, every town, according to the value of its property, has to pay so much, each ratepayer, as a kind of tax, having to contribute, whether he likes it or not, the Government giving the same, pound for pound. Out of this all charitable institutions are supported, instead of the whole burden of support falling, as it does here, on a few willing shoulders, while the rest, less charitably disposed, do nothing. The Government in New Zealand also gives 24s. for every £1 collected by private benevolence.

The destitute asylum in South Australia is only for the aged and infirm who cannot support themselves. The average number of inmates in the year is 321, and the average cost per head 5s. 6½d. a week; total, £4,617. Amongst them there is not one able-bodied person. Outdoor relief is also given in rations of bread, meat, groceries, etc., by this department.

**APPENDIX TO SOUTH AUSTRALIA.**

Since this paper was printed and read, I have received a copy of an Act to amend the Law relating to State Children, to be known as the "State Children's Act, 1895" (passed December 20th, 1895).

I must, therefore, append a short resume of this important Bill, as it completes the laws already given, and repeals parts of the Destitute Person's Acts of 1881 and 1886.

By this Bill, the State Children's Council is made a corporate body consisting of from five to twelve persons, appointed by the Governor to carry out this Act, and retiring in rotation; the Council appointed under the previous Act is dissolved. This Council is to have (1) the care, management, and control of all State children, and the supervision of boarded out children; (2) power to license foster mothers for children under

*This paper, I should say, was partly prepared two years ago.*
two; (3) to grant licenses for lying-in homes and to supervise them; (4) power to appoint and control Institutions (and their officials) for the reception of State children; (5) the control and administration of all property belonging to the Council, voted by Parliament or otherwise acquired for the purposes of this Act. The Council must keep accurate records of State children, also of all funds received or disbursed, furnishing a yearly report to the Governor.

Definitions.

The word Council is used as equivalent in this Act to the State Children's Council; a "State child" is a convicted, a destitute, or a neglected child under the authority of this Act; a "child" is a boy or girl under, or apparently under, 18; a "convicted child" is one found guilty of any offence punishable by imprisonment. A "destitute child" is any child apparently without sufficient means of subsistence, whose near relatives are, in the opinion of the Judges, indigent and unable to support the child, or are dead or unknown, or in custody of the law, or any child born in an establishment under the control of the Destitute Board. A "Neglected Child" is defined to be (1) one who habitually begs or receives alms, or frequents public places (that is streets, etc., open to the public), for this purpose, whether under the pretext of selling or no; (2) one wandering, frequenting public places, sleeping in the open air, without settled home or abode; (3) one residing in a brothel, or with a person known to be a prostitute, whether the mother or no; (4) a child under guardianship that is considered unfit by the justices, associating or dwelling with a vagrant, thief, habitual drunkard, or with a person known to the police as of bad repute; (5) a child under 10, who sells matches, papers, or anything else after 8 p.m. or before 5 a.m. in any place not the child's home; (6) one brought before the justices as incorrigible or uncontrollable; in this case the parents give security for the maintenance of the child, if placed in an institution; (7) an illegitimate child, if the mother and putative father are dead or unable to maintain the child, or unknown. Complaints may be made against children under any of these heads. If a child under 13 performs in any circus, acrobatic performance, or exhibition likely to endanger its health, life, or safety, it is deemed "neglected" and treated as such, the employer being liable to a penalty of £20, and imprisonment for six months.

A "Foster mother" is a female, not a near relative, having the care of a child under two apart from its parents; a foster parent, any person with whom a State child is placed under this Act.

"Institution" includes all Industrial, Reformatory and Probationary schools and Receiving depots, established or proclaimed under this Act, or any school or place under the control or supervision of the Council. A "private institution" is any institution or establishment for neglected or destitute
children, established and maintained by private persons—a private reformatory is one for convicted children established by private lessons. "Maintenance" includes clothing, boarding, support, training, and education.

The Destitute Board no longer has any control or supervision of any State child, nor of any institution under the control of the Council, nor power to license foster mothers, etc.

The hearing of all complaints against children is to be in some place or room approved for that purpose by the Chief Secretary—in Adelaide this may not be any police or court house—outside Adelaide it may be, but then the trial must not be held at an hour when ordinary trials are taken. At any trial concerning children, the Judge or Justices may order all persons not concerned in the case to leave. The Secretary or other officer of the Council is to be present and may examine the child and take part in its trial. If the trial is the result of a complaint made by the Council—some person authorised by the Council may conduct it. Pending trial, the child may be taken to an institution or other place, not a prison, for not more than 21 days. If any order has been made on a child under this Act without due notice being given to the parents or guardians, they may appeal to have it set aside within three months.

A constable may apprehend a child suspected of being destitute or neglected without a warrant, and bring it before the justices: if they are satisfied it is either destitute or neglected they may order it to be sent to an Institution.

Juvenile criminals and these only, unless some special circumstance makes the Judge consider it necessary to send a neglected child there—may be sent to a reformatory, to be kept or otherwise dealt with till it is eighteen—or the parent may be required to give satisfactory security for the child's good behaviour till it is eighteen, or such age as the Judge fixes, or the case may be dismissed if a near relative undertakes to give such reasonable punishment as the Judge may approve. If a convicted child is over 16 when committed, an order may be given to detain it two years—that is till past 18—otherwise no State child remains under the Council beyond that age, unless the Governor, on the recommendation of the Council, orders a female State child to be detained or to remain under supervision till she is 21 or any less age.

Destitute and neglected children, and these only, are to be sent to other institutions—though such may be transferred to a reformatory for misconduct if the Governor approves, while a reformatory child may similarly be transferred to another institution for good conduct. (Such power of transference is much to be desired in our reformatories and industrial schools.) The Judge's order is sufficient warrant for the detention of children in institutions—such mandates to contain,
Foreign Legislation, etc. [Part 76, as far as they can be ascertained, particulars as to child's age, religion, cause of detention, institution to which sent, etc., all such statements to be taken as true, unless proof to the contrary is shown within six months.

If a parent charges his child with being uncontrolable or incorrigible, the Justices, if satisfied, may send the child to an institution—or for a male under 14, they may order a whipping of not more than twelve strokes, to be given with a birch rod, or they may release the child on probation, in which case he remains under the supervision of the Council until 18, and if his conduct is unsatisfactory, he may be arrested and sent to an institution, or they may send the child to a Probationary school for three months or less.

Absconding State children may be arrested without a warrant and punished by a month's extra detention. The Governor (that is, of the province) may order the release of a State child at any time. The Council or authorities of an institution may apprentice a child to learn some useful trade or calling, but not for more than five years—nor beyond the age of 21—nor under 13, unless it has passed the compulsory standard of education, and the Council must be satisfied that the child will receive proper food, clothing, education, etc. The wages of an apprenticed child may be paid to the Council and placed in a savings bank till such child is 21, or they may be expended by the Council for the benefit of the child.

The Council or institution may place out any State child with a relative or other suitable person for such period as seems fit, or they may let a child go to some suitable person for adoption or service—for a time not to extend beyond the stated time of detention. Agreements with regard to boarded out, apprenticed, and adopted State children, or those in service, apply to both sides—on the one hand the Council gives authority to the person to keep the child, if on the other side they keep their agreement to board, clothe, and educate the child to the satisfaction of the Council. If not, and under other specified circumstances, agreements and licenses between foster parents, apprentices, etc., may be cancelled. A State child over seven, if placed out must attend school till 13, or till the compulsory standard required by the Education Act has been passed, or the foster parent is liable to a fine of £10. Foster parents must give notice of any change of address on pain of £10 fine—also if a State child dies, gets ill, absconds, etc. Foster parents may transfer indentures, etc., if the Council agree; if the foster parent neglects or ill-treats a State child or anyone injures it, a fine of £20 is the penalty, with or without 6 months imprisonment and the loss of the child. Justices may deal in a summary way with a State child guilty of a misdemeanour, or wrong doing, by punishing the child, cancelling the agreement, or sending it to an institution (giving the
Council notice), or if on enquiry it appears desirable, they may
direct a complaint to be laid against the foster parent.

The Council may at any time order the return of a placed
out or apprenticed child to an institution—all such children are
to be visited at least once in 4 months, to see if the agreements
are kept, and the conditions satisfactory: such visitors are to
see each child, its bed, clothing, food, etc. except in cases
specially exempted from such visits—a return of these, with
the reasons for exemption, to be made to the Chief Secretary.
The Council have a general supervision over all State children,
either those in institutions or placed out—such to be visited as
the Council appoints. The Council may pay to foster parents
or to the authorities of private institutions, for such children
till the age of 13 is reached—the maximum payment is 10s. a
week.

The near relatives of any child—State or otherwise—are
liable for its support—wholly or in part—according to their
ability. Such near relatives are defined to be parents, whether
the child is legitimate or not, grandparents, step-parents, etc.
Such may be summoned for failure in this duty, and the justices
may order such payments as they think right, both for present
and past maintenance, either in instalments or otherwise, the
limits being from 2s. to 10s. per week, per child. Such orders
may be varied by the judge if other relatives are found, or
several relatives may be ordered each to pay a portion. The
police have authority to collect this money under maintenance
orders; failure to comply with these maintenance orders,
or evading them by going outside the province to live,
is a misdemeanour punishable by twelve months imprisonment.
Various provisions are made to prevent the desertion of
children by those relatives liable to support them—they may be
committed to jail for 6 months, unless they can find adequate
surety that they will comply with the maintenance orders. State
children travel free on Government railways, to and from foster
parents, and to and from school.

Anyone removing a State child from an institution or from
foster parents before its period of detention has expired, is
liable to a penalty of £10, or imprisonment for 3 months, also
for inciting or abetting such child to abscond: a fine of £5 may
be imposed for holding communication with a State child, when
this has been forbidden.

All persons taking in children under two for pay must be
licensed annually, such license cost 1s. and fixes the number the
foster mother may take. If an unlicensed person (neither a
near relative, nor belonging to an Asylum under the Destitute
Board) receives for pay any child under two to adopt or rear
away from its parents, he or she is liable to a fine of £20. as
well as the parents, for each offence—there is a similar penalty
for taking more children than the license warrants. Foster
mothers must keep a register with the names of the children,
particulars of any illness, etc., forwarding a copy every six months to the Council. Their homes, as also lying-in homes are to be open to inspection by the Council at any time, on pain of £20 fine. Lying-in homes must also be annually licensed (such license costs 5s.), on pain of £100 fine for a first offence, and 2 years imprisonment for a second. Such homes must keep a register with the names and addresses of all women confined there, also particulars as to the disposal of all children born there, with names of doctor, nurse, etc.

The Governor has power to establish and place under the Council, or to abolish, homes, schools, and institutions, for State children. Private schools or institutions may be proclaimed by the Governor as reformatories or institutions for State children, and placed under the Council—or if dissatisfied, he may abolish such as private institutions within the meaning of this Act—after giving 2 months' notice. The superintendent and matron of such proclaimed private institutions are to be approved by the Council and the Institutions must be open to visits of the Council and Legislature, J.P.'s, etc.

All institutions must furnish to the Council particulars as to any convictions or punishment of their inmates; a yearly report to be made to the Chief Secretary.

The Governor has also power to repeal or alter these regulations so as more effectively to carry out the intention of this Act, in matters not fully provided for; such alterations to be laid before Parliament for 30 days, and then, if not disapproved, published in the Government Gazette, after which they have the force of law.

Appeals may be made from any convictions under this Act to the Local Court of Adelaide of Full Jurisdiction, and the Local Court may state a case for the Supreme Court, but no action can be taken against the Council, institutions, or any person for anything done under this Act, except within six months, notice to be given to the defendant at least one month previously.

The passing of this Act makes the laws of South Australia with regard to neglected children, very complete and worthy of imitation.

VICTORIA.*

Reformatory and Preventive System.

The first legislation in this colony on this subject was passed in 1864, under the title, "Neglected and Criminal Children's Act." It was to enable Industrial Schools, both private and Government,
to be established; some were opened in 1865 with a capitation grant of 5s. Neglected children, eligible for these schools, were defined to be:—Children found begging, destitute, those in bad company or houses, vagrants, children under sixteen found in brothels or with thieves, drunkards, etc., also juvenile offenders too young or not fit for reformatories. In 1890 the term "neglected" was widened to include any of these classes under seventeen years of age—or those homeless, sleeping out of doors, frequenting public-houses, etc., etc. Uncontrollable children under fifteen might be dealt with in the same way, if their parents maintained them; but since 1887 it has been felt to be unfair to deal with this class in the same way as with children who are merely neglected. In those days, though not now, the only way to a reformatory was through the prison; this is still too much the case in England. In 1874 an Act was passed authorising the boarding-out of dependent children. In anticipation of this 607 children had been already boarded out during 1873; the age was also raised. In 1878 an amendment was passed authorising the transfer of inmates from industrial schools to reformatories, and vice versa, while the term of control was extended to the age of eighteen. An important Act was passed in 1887; by it subsidies to existing reformatory and industrial schools were continued, but the opening of fresh ones is not authorised, with the exception, if needed, of a reformatory training-shiop: foster-homes being by this time considered the right place for non-offending wards. The same Act established Probationary Schools for troublesome cases and for temporary cases of reformatory juveniles before transference to homes, but the detention was not to exceed six months, by which time the child's ultimate destination was to be decided; and the age of committal to both reformatory and industrial schools was extended to seventeen years. All neglected and reformatory children were made wards of the State, subject to control until the age of eighteen, and, in special cases, till twenty; the guardianship both of person and estate being vested in the secretary, though in certain cases it was given to private persons or institutions, parents were also allowed voluntarily to surrender their children to the guardianship of private persons or institutions. The Act further imposes penalties for the casual employment, as in streets, of children under school age unless they are properly registered and have passed certain school standards. It abolished imprisonment (no longer even legal) previous to committal to a reformatory, and raised the lowest age on committal to twelve years, those under that age to be committed to the care of the Department. Magistrates were empowered to commit juvenile offenders even when over twelve, if it appears they are not really vicious, to the neglected children's department instead of to a reformatory; and any offenders under eighteen could be transferred from gaol to a reformatory; all criminals under seventeen to be sent to a reformatory, not to gaol; the superintendent or matron of a reformatory becoming the guardian of all inmates till the age of eighteen or twenty; if over fourteen the child must first agree to this transfer, if under fourteen, the parents. It empowered the suspension of
orders committing children to a reformatory, giving them release on bail to private guardians; it also empowered the Court on occasion to suspend sentences on first offenders under twenty-one; the governor has also power to extend mercy to juvenile first offenders under twenty-five, placing them instead on probation for a given time. In 1890 no less than 78 per cent. of the girls sentenced to imprisonment were licensed out, and were found to be doing well. The proportion is steadily rising every year. This discharge on probation has worked so successfully in Massachusetts, in Queensland, and in New Zealand that it will probably be extended to older offenders. The magistrate may, however, award twenty-one days' solitary confinement to prisoners over sixteen, at the discretion of the Court, or corporal punishment to those under sixteen, to be given in presence of the police and parent. The withdrawal of children from brothels was made mandatory instead of permissive, and authorised private persons could receive powers for this purpose. The maximum charge to parents whose children are in charge of the Department was raised to 12s. a week, it is, of course, a variable quantity according to circumstances—the judge fixes it and may alter it. The collection of fees was also made more simple and more easily recoverable; failure to pay being punishable by imprisonment. Summary powers were given, and maintenance orders made retrospective, a percentage being allowed to collectors, or to authorised persons assisting in the recovery of such moneys. A later Act (1891) allows the Government to pay 5s. a week to private industrial schools even when (as was originally determined) voluntary contributions did not reach an equal amount. Till 1873 there was a Government Institution at Melbourne for infants; it was closed in that year and all the inmates boarded out.

The Act of 1874, empowering the boarding-out of industrial school children, was at first applied only to orphans and deserted children, but it was soon seen that this was unfair, and it was extended to all those under State control; so that by 1880 all Government Industrial Schools and Training Ships were closed and the inmates placed out, two small receiving depots being opened instead, whence the children are boarded-out after one to three weeks' detention. All children under thirteen are now boarded-out, and paid for at the rate of 12s. for those under a year old, and 5s. a week for those over up to twelve years of age, and 3s. up to fourteen, when payment ceases, except in a few special cases. The boarding-out system is found to reduce the number of dependent children, because parents do not like not to know where their children are; it is also more healthy. The decrease is also partly due to the increase of private effort. In spite of an increasing population (759,000 to 1,137,000) the reduction in State wards from 1872 to 1891 is 23 per cent. (2,384 in 1873 and 1,866 in 1890), and of offending children 32 per cent. (127 in 1890 in place of 184 in 1872.) The cost was reduced from £46,669 to £37,278, or from nearly £18 a head to £14. In the same period in Great Britain, though the population increased in the Colony twice as fast, the reformatory and industrial school children increased more than one-fourth, and
the cost in the same proportion, while in industrial schools the number was doubled. The death rate for eight years has averaged only 1.25 per cent.; while in the preceding eight years (before boarding-out) it was 3.16 per cent., though in the boarding-out period there were 14.69 per cent. infants under one year old, as against 3.56 per cent. (11 per cent. more) in the other.* Moreover, in 1889, 93 per cent. of the conduct returns were satisfactory. Again in 1871 the average cost of maintenance per annum for each child in the Industrial Schools (numbering 2,527) was £18 18. gd., in 1881 (when there were 408) it was £14 3s. 2d.; in 1891 the cost per head of those boarded-out is given as £15 10s.; whereas the cost in Reformatory Schools varies from £20 to £52. The total expenditure was £40,936. The number committed in 1891 was 390, of these 177 were under six years old. The number under supervision at the beginning of the year 1891 was 4,545, 1,665 of these were boarded out, while some 624 were out on probation, mainly with relatives, and no longer cost anything except for supervision, while 953 were licensed out. Compare this with the cost of prisoners, which in 1890 was £38 3s. 9d. per head in Victoria, and an outlay that will turn friendless children into useful colonists instead of letting them drift into the criminal class is seen to be a remunerative investment.

It is, of course, desirable that vicious parents should be compelled to pay for the maintenance of their children, even when they are removed from their care. The maximum rate chargeable in this colony is 12s. a week, but this is rarely, if ever, enforced; it ranges from 1s. to 8s., the average being 4s. 10d. The principle aimed at is—to require one penny in the is. of the parents' earnings; not more than four weeks' arrears are allowed. As the colonies work together increasingly, deserted wives are sent on to their husbands—the cost of transfer to other colonies being mainly paid by the husbands. Here is another fact to the credit of Victoria; the rate per head collected from relatives on account of industrial and reformatory school inmates is as follows:—England, £1 3s. 1d.; Scotland, 5s. 11d.; South Australia, 17s. 9d., and Victoria, £3 8s. 5d. (these figures are for 1885), and show an increase from 1s. in 1864, 5s. 9d. in 1880, 11s. 3d. in 1883. The United Kingdom would be 12s. 6d. a head, or including workhouse children, 2s. 9½d. (thus:—England and Wales, 4s. 1d.; Scotland, 1s. 2d.; Ireland, 1s.—average, 2s. 9½d.). It sounds strange to our ears to hear of 36 children under twelve years of age being in reformatory schools, and one under eight;

* To be more precise, during the period of institution life, from 1865 to 1872, the total number of children helped was 15,499; 194 of these were children under one year old, or a proportion of 3.56 per cent., and the average mortality for the period was 3.16 per cent. In the boarding-out period, from 1883 to 1890, the total number received was 23,012; 431 being under one year of age (the proportion of infants under one year old was 14.69 per cent.), and the average mortality for the period was 1.25 per cent.; the mortality was less than half, though there were twice the number of young infants. The lowest on record is 1/1 per cent. A large proportion of this mortality is amongst the infants, in fact, three-fifths of the whole were under one year old.
and 30 children under two years in industrial schools! Infants are received, if necessary, at a day old!

To return, however, to legislation. A Neglected Children's Act was passed in 1890, and also an Act for the protection of infant life. Under the former a "child" is defined to be any one under the age of twenty-one. Receiving depots and probationary schools are to be established or abolished by the Governor of the Council; males and females to be separately housed, except in the case of boys under six. As already stated, the term "neglected child" was widened by this Act to include all neglected children under seventeen or those under ten found engaged in hawking or other casual employment in the streets after seven in winter and nine in summer. Any constable, officer of the Department, or duly authorised person may apprehend such children (any respectable person may be empowered) and bring it before the Court without a warrant. On being charged before a judge, it may be committed to the Department for Neglected Children, when the Secretary, as already stated, becomes the guardian, and has sole right to its custody till eighteen or twenty, unless otherwise specified. No warrant is necessary for the detention of a ward of the Department, but should the right of custody be questioned the order committing the ward to the Department is sufficient evidence, unless discharged by the Governor in Council. This applies to reformatories also. In cases where the protection of the Courts is sought, they would never recognise the claims of a worthless or dissolute parent to resume control against the child's will or good, except, of course, the parent reforms.

Wards may be dealt with in these different ways:—1. Placed in receiving depots for one to three weeks. 2. Boarded out. 3. Placed at service. 4. Apprenticed to a trade. 5. Placed in custody of someone willing to take charge. 6. Placed in industrial or, for very troublesome cases, a probationary school. No ward may be detained longer than six months in a probationary school without the minister's written authority. 7. Transferred to a reformatory school. 8. Discharged provisionally under supervision, that is to say that if it does not appear likely to injure a child, it may be returned to the parents provisionally and subject to recall, or it may be given to other relatives, grandparents, &c., these are often found willing and able to take children when assured that they may retain undisturbed possession till the child is sixteen or eighteen; it is not paid for in these cases, so there is a saving to the State, and it has become usual to hunt up relatives and invite them to take over children. Departmental control extends to the age of eighteen or twenty, hence this prevents the interference of parents until the children are sensible enough to know for themselves what is good. Places where children are boarded out must be open to visits and inspected from time to time; local committees are formed for this purpose subject to the approval of the minister, consisting where possible, of both sexes, and of at least three ladies; and of different religions. The homes must be seen once every quarter, and the child at least once in six weeks by a member of the committee, and quarterly by the doctor, who is paid a fixed sum by the Department.
The Committee may advise concerning the treatment of the wards, and if necessary have power to remove them at once, reporting subsequently. Parents may not interfere with the rights of the foster-parents.

Children who are apprenticed must also be visited once a quarter, and those in service (on license) occasionally.

The relatives of boarded-out children may not have access to them without special permission (for where they are fairly good, the children, even if wards, are left with them subject to supervision); but except in the case of vicious or immoral parents, they may correspond. If even this is refused the Secretary may give information. There are very stringent rules as to the foster homes, and they are most carefully chosen; but the demand for children, both for adoption and for boarding out is far greater than the supply.

(5.) Children, as was stated above, may be handed to approved persons or Institutions willing to take them gratuitously; the names of such persons or of the manager being announced in the Government Gazette; this gazetting constitutes the appointment. If the judge approves and commits a child to such persons or institutions instead of to the Department they become the legal guardians. The children may not be brought up in a different religion from that approved by their parent. This rule also applies to those apprenticed, boarded out, &c. If the person or institution wish to be relieved for any sufficient reason from such child, it may be transferred to the Department, but wards may not be removed from Victoria without the consent of the Minister. The father, mother or guardian of a child may transfer their guardianship by a writing signed before a J.P. to an approved person or institution willing to accept this charge, this order being a sufficient authority for the detention of the child. Children who have been two years in any incorporated institution without objection on the part of the guardian or parent, may not then be removed without the consent of the Governor in Council, unless it is shown that the parent or guardian was ignorant of the child's being so maintained and that he has not been guilty of any negligence. No ward (and this term includes all children under the department, whether paid for or not by the State) may remain in a private institution longer than a year without special leave; it should be placed out—children with private guardians or in institutions must be visited and regularly inspected, at least once a year. When visits from and correspondence with friends and relatives is allowed, letters must pass through the office of the Department. Girls are to be trained in domestic duties, and strict rules are given as to religious instruction &c.

When a ward goes to service, £2 is allowed to the foster parent to provide a proper outfit. On changing their situations, wards of the department are to be received back temporarily into the schools or depots (this privilege is denied to English reformatory and industrial schools).* Reformatory children may be (1) kept, (2) trans-

* In our schools very few children are placed out on license, even of those who are eligible (that is, after half the term of committal has expired),
ferred, (3) transferred to the department, (4) placed at service, (5) apprenticed, (6) or given to an authorised person. A private person willing to undertake the care of a child committed to a reformatory may do so on his own recognizances, binding him to produce the child when required; the child may then be committed to his bail without going to a reformatory at all; the person giving bail is the guardian; when any such child has estates the guardian must regularly forward accounts to the Attorney-General. This encouragement of private effort in rescue and reformatory work is, with reason, considered to mark a great step in advance. Several private persons have now obtained authority to apprehend neglected children and those in bad company, and to be invested (gratuitously) with the guardianship of such children. These persons may apprehend children in brothels, &c., without a warrant, and may accept their guardianship for themselves, or as representing institutions; and in the first year, 67 such children were handed over to these workers. Penalties are enforced for inducing any ward of the department to abscond, also for ill-treatment, seduction, &c. Children when apprehended are placed in a receiving depot, or with private persons, or with the constable, if married, or, if absolutely necessary, in a reformatory, pending the hearing of the case, to be detained as long as necessary. In no case are they, pending the trial or when on remand, to be sent to prison. Thus none are sent to prison.

The Governor in Council has large powers; he regulates the inspection, management, education, boarding-out, apprenticing of State wards, &c.; any changes must, however, be laid before both Houses of Parliament. There are various minor provisions into which it is unnecessary now to enter in detail, for there is still one more Act—that for the Protection of Infant Life—to deal with. This Act came into force on January 1st, 1891, and is to the effect that no one, unless registered, may receive children under two years of age for the purpose of maintaining and rearing them, or even for adoption, the penalty being imprisonment for six months or a fine of £25. The registration must be renewed annually, and both houses and infants open to inspection. If necessary, an infant may be removed immediately, but 10 days' notice will be given before the person is struck off the register for neglect or for not giving proper food or attention or if the house is unfit. The person to be struck off the register may appeal against the decision, and the Chief Secretary makes the final decision after trial. A list of children under two must be kept. Every registered person must give notice within twenty-four hours, on pain of six months imprisonment or £25 fine, and loss of licence, of the death of any infant other than her own under three years old: an inquest is held, and the treatment and condition of the child previous to death inquired partly because of the cost of outfit, towards which no Government allowance is made, but chiefly because, should the children fail and be sent back, no renewal of grant for that child is given by the Treasury. Of course, there is also a natural reluctance to part, before it is necessary, with the elder and more useful children, but it is a mistake not to give greater encouragement to the licensing-out system.
into, the coroner must report the cause of death to the Chief Secretary, and the child may not be buried without a certificate from the coroner authorising it. Public institutions for the care of infants, near relatives, or those cases where the Chief Secretary is satisfied that these provisions are unnecessary, may be exempt by a written order to that effect from the Chief Secretary. Notice of the birth of any illegitimate child must be given by the occupier of the house, and of its death if under five, within a specified time on pain of fine or imprisonment. When it is suspected that the Act is being infringed a warrant may be issued to search the premises. Children under three when adopted or taken charge of must be registered, and notice also given within two weeks to the Chief Commissioner of Police. Thus the scandals that ordinarily attach to the word "baby-farm" are removed. Anyone neglecting, ill-treating, failing to provide adequate food, clothing, &c., or causing moral or physical injury to a boy under twelve or a girl under fourteen, is liable to twelve months imprisonment and £50 fine. The other chief clause in this Act is to the effect that both parent and employer, employing any child under fourteen in dangerous performances or public exhibitions, are liable to a fine of £50 or twelve months imprisonment; and in cases of accident must pay £100 compensation on behalf of the child. Private houses and hospitals for the medical treatment of women and girls must be registered under the Health Act; registration is refused unless the place is satisfactory.

As showing the need of guardianship, I may mention the fact that of 453 children committed in one year, the parents of no less than 412 were either dead or unknown. Out of 244 children the fathers in 104 cases had deserted them, and in 45 were unknown; while of 148 children the mothers of 23 only had deserted them, and in 21 were unknown. A large number of the children coming under the charge of the Department have been street hawkers.

One might take as the leading principle of all this work:—short detention but extended control. State children may be licensed out at fifteen years of age, or even at thirteen with half-time school attendance. This latter plan has been found to answer well, as young children are more amenable to discipline, and more easily housed than bigger boys, and farmers can afford their smaller wages better, consequently the demand exceeds the supply of these younger boys. Money earned by wards may be withheld by the minister until such ward gives proof of good conduct. Most of the boys are trained to farm work, as the chief demand is for farm lads. The Try Excelsior Society has established a farm for street boys, with excellent results. £120,000 is spent yearly in Victoria on charity. It is acknowledged that much of this fails to effect its object, partly owing to the fact that the Government has no voice in the management of institutions. There is a large orphan asylum in Melbourne for destitute children either without any parents, or with only one, if that one is a widow, or incapable through disease or insanity. It has some 440 orphans; many are boarded out. If a widow is considered fit she may be allowed to keep her children, help being
Foreign Legislation, etc.

given to her. Each child costs about 6s. 6d. a week or £17 a year, under either plan. This is also the cost of a child either boarded out or in an institution as arrived at by other Melbourne authorities. The Government grants some £3,328 towards this Asylum, it also receives municipal and other aid.

A very good and successful plan is followed at the Ballarat Reformatory School:—The period of detention depends entirely on the boy's own conduct, he may be licensed out, and so gain his liberty and begin to earn wages after nine months, if his conduct is good, instead of being detained two to five years; but of course he is subject to supervision. The average time of detention before these boys are placed out is eleven months, and the average time of their first situation seventeen months—70 per cent. are placed out, while in Great Britain of boys only 15 per cent., and of girls 9 per cent. are in service or licensed out, as against 54 per cent. girls in Victoria.

The percentage of successes is 85 per cent., and this system of short detention and early licensing to service is increasingly used. During three years it was found that the proportion of successes amongst those discharged was as follows:—there were 84 good and 2 bad amongst those who had left the Government schools, 129 good and 3 bad amongst those leaving the assisted schools; and 363 good and 3 bad in those from foster homes. These figures are given for Victoria in 1890:—105 children were in the Industrial schools, while 2,958 were boarded or licensed out; 127 were in the Reformatory schools and 211 licensed out; of 653 sent out in the previous four years, 603 were known to be doing well, and of 155 sent out from Reformatory schools, 93 were known to be good. In earlier years all neglected children were in Industrial schools, for there were no others. In ten years only 12 girls were still detained after the expiry of the age of control. Of 723 children discharged from foster homes in the years 1887 to 1891, 678 were known to be doing well, and only 16 had a bad report; in the same period 230 were discharged from Reformatory schools, 119 were reported as good, and 14 fair, and 30 as bad. 130 from Government schools, 112 good, and 12 bad, and 49 from assisted schools had a good report and only 2 bad. Of all the children placed out 72 per cent were known to be doing well. Many of course were not known about. The boys under supervision (1,749) outnumber the girls (1,314). So also in England 18,000 boys and not 9,000 girls in the Industrial schools; while in Ireland, the girls outnumber the boys.

Boarding out is seen to reduce the number of children charge able to the State, reduce the cost per head, reduce the cost of working the department and also of buildings, repairs, &c., and it is also more subversive of the pauper spirit than is possible in an institution. From 2 to 3,000 waifs are boarded out from Melbourne in carefully chosen foster houses, their past is forgotten, and they become merged into the general community. The Children's Aid Society have rescued over 600 children during the last 8 years in Melbourne, all these are doing well, except a few who were over 14 at the time of rescue.

It has been found that small private reformatory schools,
especially with girls, are far more successful than large Government ones. With girls, the limit of number should be 12—other things being equal, this small number distinctly increases the chance of success. Country life and influences are also asserted to be best; of course the younger the age at which they are committed the more hope is there of success as we all know. In the small reformatory for 20 girls at Brookside, the cost of each girl is now 10s. 4d. a week (the Government contributes 5s. of this) this cost being one-third less than in Government reformatories. Of the 93 girls who have passed through Brookside reformatory not one is now leading a bad or immoral life.

It may be of interest to state that in Victoria, with a population of 1,157,804, the number of prisoners in 1891 was 1,792, or 1.55 per 1,000; males 2.40 and females 0.60. The total cost was £67,618, or £35 17s. per head, but the earnings reduced the net cost to £31 16s. What an increase on the cost of prevention—on the cost of boarding out and training a neglected child; for there is no doubt but that by proper care for children crime is checked at its source, and so the supply of criminals is cut off. The training of these neglected children should be recognised as a sacred and pressing duty of the State. Every child should have a chance—a fair start, and not be allowed to grow up under circumstances that render moral contamination inevitable.

NEW SOUTH WALES.*

Unhappily, it is said that in this parent colony—perhaps it is the result of our past felony laws—crime is on the increase, rather than decrease; that parents are not improving, that the streets are deplorable, and that the "larrikin" element, corresponding to our "corner-boys," is fast becoming a dangerous element. The laws are less merciful than those of Victoria or South Australia, though they have recently been much changed for the better, but there are too many systems, resulting in a loss of public interest and charity.

In New South Wales an Act for the Relief of Destitute Children (or Industrial Schools' Act) was passed in 1866, and a State Children's Relief Act in 1881; a further Act for the Protection of Children was passed in March, 1892. According to these laws children under, or apparently under, 16, without visible means of support, sleeping in the open air, in the company of thieves, prostitutes, persons (whether their parents or not) without visible means of support, or who have no fixed abode, or children who are found begging, wandering, or loitering, or without occupation, may be arrested and taken before a magistrate, who decides on their desti-

* Copy of Public Instruction Act, 1880; State Children's Relief Act, 1881; Ditto, with Regulations; Reports of numerous Charitable Asylums and Societies, Infants' Homes, &c., &c.; Reports of the Department of Charitable Institutions; Children's Protection Act, 1892; Reports of State Children's Relief Department; Sandry Acts relating to Industrial and Reformatory Schools, 1886; Public Schools Act, &c., &c.; Reports of the Society for Providing Homes for Neglected Children; N. S. Wales S.P.C.C.
Children must be taken from dissolute persons, whether they are parents or guardians or no. The Institutions for State children are controlled by three different officials, the heads of three departments—the Industrial Schools by the Minister of Public Instruction, the Girls' Reformatory by the Minister of Justice, and the others by the State Children's Relief Board. Of course, a single organization would be better. All, however, are under the Government Department of Charitable Institutions.

If a child under 14 commits a crime, the magistrate is empowered to hand the child to a reformatory or an industrial institution, or to any home for destitute children, and the managers of such places may permit its adoption or apprenticeship, the parents having no right to interfere or to remove the child, except by the express permission of the Minister.

If, from information given on oath, a magistrate has reason to suspect that any child under 14 (or 16, if a girl) is being, or has been, neglected or ill-treated in a way likely to cause suffering, he may issue a warrant to search for it; and if the accusation is true, and it be necessary, the child may be at once removed to a place of safety, pending the petty sessions' enquiry. The child's evidence may be taken, even if too young to understand the nature of an oath, if fairly intelligent and understanding truthfulness. The person convicted of neglect, bodily injury, or ill-treatment may be punished, and the child so treated may be removed and entrusted to the care of some person or relation approved by the court, until it is 14 (or 16, if a girl); and while the order of the court is in force that person alone is responsible for the child, and acts as its parent, and has complete control, even if the child be claimed by the parent. The court may order the parent to contribute to the maintenance of the child, and may enforce the order, such payments to be given to the person in charge of the child. The order may be revoked by the court, if deemed prudent.

No child under 14 may be employed in any dangerous performance or exhibition; both guardian and employer in such cases are liable to a fine of £50, or imprisonment for one year. The child so employed may be arrested by a constable, and removed to a place of safety until the case can be dealt with.

All these State children may be dealt with in three ways—sent to public or to private institutions or boarded out. Public Industrial Schools are maintained by such funds as Parliament may appropriate for the purpose, and superintendents of these schools have complete control over the children until they are 18. This prolonged guardianship is found specially beneficial for protection from bad relatives, and also for the control of restless and unsteady children. Schools in which industrial training is provided, and children maintained, may, if examined and approved by the authorities (the Colonial Secretary), become certified Private Industrial Schools, and come within the Act. Such schools must be open to inspection, and may then be supported in the same way as the Public Industrial Schools, on a vote of Parliament. State children may also be placed in public or private Cottage Homes, if open to
stated official inspection. The official known as the "mother" becomes the licensed guardian.

State children in asylums, reformatory schools, &c., may now be removed by special officers, and boarded out in houses licensed for this purpose; the expenses of boarding-out to be defrayed by Parliamentary money grants. In fact, all the orphans have been removed from State subsidized orphanages and boarded out. Contrary to expectation, this boarding-out has not increased the number of children under State protection, in proportion to the increase of population. Up to April, 1891, ten years after the system was adopted, 3,910 children had been removed from public institutions and boarded out, and 1,541 had been discharged, leaving 2,369 still under the care of the Board, 1,373 of these being paid for by the State. The Treasury contributed £27,135 to this department during the year; the average number of children under control was 1,424, and the average cost per head, £14 6s. 10d.; or, deducting the payments made by parents (£720), the cost to the Government per head was £13 16s. 8d.—the lowest on record. This system of boarding-out in place of asylums, is effecting a saving of £15,000 a year to the State in the difference of cost, or, at least £7 per head. The President of the State Children's Relief Board says "that Parliament has made a wise provision in the present method of dealing with State children, and its development ought to solve a long-felt difficulty; it is now generally admitted that the advantages of family life for destitute children far outweigh that of institution training. As has been shown in Victoria and South Australia, the boarding-out system has been followed with the same good results; it has been partially adopted in Queensland and New Zealand, while Western Australia will probably soon follow suit." In fact, it is asserted that there is no instance of the boarding-out system having failed. It removes the disadvantages of massing together children, and gives them instead the advantages of family life. It was begun in this colony in 1879, and subsidized by the Government, and by 1881 the system was placed under official control, and the State Children's Relief Board appointed. Boarding-out is now extended to all children under State control under 11, with control till 18, and there are now no destitute children supported by the State in New South Wales except those boarded out or in reformatory or industrial schools (see note B, p. 215).

Cottage homes have been established for specially delicate or afflicted children; the cost here is £22 per head. To avoid danger of adoption being used merely as a means of obtaining a servant free, it is only allowed in the case of children under 7 years of age. The payment for boarded-out children ceases when they are 12 years of age, and the children may then be apprenticed or licensed out to service for a term of years; they must first reach a certain standard of education.

The Central Home at Paddington dealt with 775 children in one year; but as they were only accommodated until suitable homes were found, the average daily number of inmates was only 7. A large number have been adopted without payment—139 in 1890,
Foreign Legislation, etc. [Part 76, 178

140 in 1891—thus, of course, reducing the number dependent on the Government. In a few cases children over the legal age have voluntarily surrendered to the State Children's Relief Board, in order that they might be provided with suitable homes, and have their interests in service or elsewhere protected. By this means they were removed from degrading influences.

An Act for the Protection of Children was passed in March, 1892, with a view to prevent one form of baby-farming, making it unlawful under pain of a fine of £100, or a year's imprisonment, to receive a premium for adopting a child under three years old, unless a Justice of the Peace gives a written permit. If this is done, payments may be made by instalments at intervals, and must not be excessive. This and the following rule do not apply to guardians nor to public or private institutions that are open to State inspection; also a sum down may be paid to the chief officer, from which he can pay the nurse or foster-mother by instalments. Children thus cared for must be registered, visited by an inspector, and, if neglected or ill-treated, the caretaker is liable to a fine or imprisonment. In case of death, medical certificates must be given that it was not consequent on neglect or ill-treatment. Persons who receive children under three years old for payment must also be registered within four weeks, or, if they receive two or more children, must be registered first, such registration to be renewed yearly, and their homes open to inspection; and the registration may at any time be cancelled if there is any neglect, if the house is unfit, or proper food and attention have not been provided, or, if deemed necessary by the chief officer. Ten days' notice will be given, but, if advisable, the children may be removed instantly. It is hoped that these stringent provisions will prevent baby-farming, and tend to the preservation of infant life. It is felt that, however difficult it may be to pass legislation which interferes with the liberty of the subject, it is the duty of the State to interfere when the subjects of legislation are too weak or too unprotected to look after their own interests.

This extension of the Board's operations to foundlings and infant children will somewhat increase the death-rate and the average cost, the infants being paid for at the rate of 10s. a week; under three, at 8s., and others, 5s.; but, doubtless, it will in time tend to preserve life. There is a female refuge, where mothers are taken with their infants for one year; they thus learn to be fond of them, and instead of subsequently deserting them, maintain them. The refuge is supported by Government subsidies and private aid.

In comparison with other countries, certain facts are very much to the advantage of New South Wales. In January, 1890, the number of

Indoor paupers (adults and children) were

<table>
<thead>
<tr>
<th>Indoor paupers (adults and children) were</th>
<th>1 in 273 in N. S. Wales</th>
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<tr>
<td>In and outdoor do.</td>
<td>1 in 163 in Eng. &amp; Wales</td>
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<td></td>
<td>1 in 199 in N. S. Wales</td>
</tr>
<tr>
<td></td>
<td>1 in 41 in England</td>
</tr>
<tr>
<td></td>
<td>1 in 379 in N. S. Wales</td>
</tr>
<tr>
<td></td>
<td>1 in 61 in England</td>
</tr>
</tbody>
</table>

And this, although the New South Wales returns include industrial
school children and over 1,200 boarded-out children, that is, all those paid for. The comparative annual cost per head is equally to the advantage of New South Wales:—it was £15 10s. 6d. then; in Victoria, £16 7s. 9d.; in Queensland, £16 17s. 5d.; and in England, £19 10s. The cost per head of paupers in London was £25 8s. in 1895!

The public estimates in New South Wales are charged for lunacy, charity and correction £396,477; the voluntary subscriptions only amount to £24,558; this is equal to an enforced payment of 11s. 10d. per head, and a voluntary contribution of 5d. per head—the population is over a million.

One main drawback to the methods adopted in New South Wales, is that the various charitable institutions are under different Government departments; also the young and old of the pauper and criminal classes are not enough separated.

The institutions of New South Wales form three classes:—

1. Those supported from the Consolidated Revenue. These include Government Asylums for the Infirm and Destitute, the State Children’s Relief Department, controlling the boarded-out children, and Reformatory and Industrial Schools; all managed by Government, with a conspicuous absence of any voluntary element. There are 100 girls in the Industrial Schools and 250 boys in the Industrial Ship; 40 girls, all convicted of crime, in a reformatory, but no boys.

2. Institutions maintained jointly by the Government and by voluntary aid, but managed by voluntary Boards. These include hospitals and various asylums and infants’ homes, in the management of which the State has very little voice.

3. Those altogether dependent on private charity, such as certain children’s asylums, women’s refuges, the Randwich Asylum, Prisoners’ Aid Societies, and some Roman Catholic agencies—these are entirely under voluntary control and support.

In place of sending them to prison or to reformatories, the care of refractory girls and first-sentence prisoners is now entrusted by the Government to responsible persons, under whose influence they remain until they are 20 or 21, so that they have a better chance of reform. So with boys; when possible, a first crime is not punished by imprisonment, for the fact of having once been in gaol largely diminishes the hope of a boy’s reformation.

The report of a Nautical School Ship states that of the 442 boys who have left it for apprenticeship, &c., 92 per cent. were favourably reported of—80 per cent. is considered a high proportion in England. The boys do not remain long in the ship, but are apprenticed out (subject to control till they are 18); if necessary they can be brought back for further discipline; 705 are thus placed out; the apprenticeship lasts on an average four years, and the wages for that period are some £30. As the board, &c., supplied by the employer is equal to £20 a year, the boy earns about £110 during his service, so reducing the cost per head to the State to about 6d. a day! Amongst other results are the following:—The percentage of offen-
ders amongst ex-inmates of the ship was 1.3, or, taking the whole male population over 15, 1.8 for the year 1889. Before the establishment of this ship, the proportion of convictions was 19.9 per 10,000 of the population, there has been a steady decrease of this number, and it is now about half that percentage.

Amongst other institutions New South Wales has a “society for providing homes for neglected children.” Aged pauper husbands and wives are now united in cottage homes free from restrictions; inspectors are appointed and all hospitals, schools, &c., receiving Government grants must be open to inspection.

Though scarcely germain to my subject, I cannot refrain from quoting a fragment of a Workhouse Act passed in 1866 to the effect that any person having no lawful or insufficient means of support or “not likely to seek for any,” or an habitual drunkard, if thrice convicted in the year, may be committed by a Justice of the Peace to a (special?) workhouse there to remain until discharged!

How much this has been enforced I cannot say.

The deaths of young children from atrophy and debility are twice as high in Australia as in New Zealand; the proportion of deaths per 1,000 births is higher in Melbourne and Sydney than in London. The Government statistician says the “high death-rate among children in Sydney forms a pathetic commentary on the civilisation of the colony.” Victoria shows a steady diminution in the proportion of children born to a marriage; the same tendency is seen in all the colonies except South Australia. One-third of the whole Australian population is in four towns; Melbourne has 42 per cent. of the whole population of Victoria.

QUEENSLAND.

I have no information about Queensland, beyond the fact that it has the highest infantile mortality in Australia, Brisbane being the worst town, largely owing to the heat; also desertions by the fathers are said to be on the increase. Since 1886 magistrates can set first offenders at liberty on their own recognizances.

Every school has 20 acres of ground attached to it, and the children are given roots and seeds every year, each having gardens. I believe it is in Brisbane, Queensland, that “Arbour Day” is kept with great rejoicing, when trees are planted with great festivities in all school gardens.

NEW ZEALAND.

Charitable institutions are supported partly from the Consolidated Revenue and partly from the rates, so that there cannot be any difficulty in the maintenance of hospitals, &c. (see page 161).

Industrial and reformatory schools and several orphanages are subsidized by the Government; the former were originally established by Provincial Governments, and taken over by the Colonial Governments on the abolition of the provinces in 1876, and are now under the care of the Education Department. Until 1886 all these institutions were supported from the Consolidated Revenue; then the whole charitable aid system was revised, and part of the burden
of indigent (not criminal) children was thrown on to the district rates. Since then fewer indigent children have been thrown on the rates, as magistrates are more chary of committing them, and there has been some friction as regards expenditure and management.

There is no barrack system in New Zealand. Children under 10 are all boarded out; as soon as they have been washed, received an outfit (not a uniform), they are transferred from the schools to foster homes. These boarded-out children are under the charge of a paid lady superintendent in each district; she finds homes, visits and reports monthly, with the help of voluntary workers under her. The visitors are welcome, as they make the payments, which vary, according to age, from 10s. per week, for infants, to 8s.; then 6s.; all pay ceasing when the child is 12 years old. The mortality especially amongst infants, has greatly decreased since this plan was adopted.

Criminals under 16 are sent to industrial schools; hence, these schools are not good places for merely poor children. They are sent there, however, unless they have passed the fourth standard by a certain age, and before going to service. This is a flaw in an otherwise good system.

The State assumes the absolute guardianship of all deserted or criminal children during minority; it may be delegated to the managers of schools, or the legal guardianship (till the age of 21) may be transferred by the Governor to private persons. In any case, the control is taken from the parents unless specially given by the Governor. Such children may be licensed out after the age of 12, if they have passed the fourth standard.

Magistrates, since 1886, can set first offenders at liberty on their own recognizances, a monetary liability being imposed.

As in South Australia, it is a misdemeanour for any person charged under the Act with the maintenance of a relative to leave the colony, and is punishable by one year's imprisonment.

The experience of all the colonies goes to prove that a combination of the boarding-out system with cottage homes is the best system attainable for destitute children on every ground—physically, as regards health; economically, as regards present cost and future helpfulness of child; and morally, as shown by the low percentage of failures.

Africa.

I can give no details with regard to our colonies in Africa, but I received a very sad account of the state of affairs in Cape Colony.

My correspondent says: "The prisons here are terrible, no classification, and children of ten and eleven are sent to herd with the most abandoned: need I say what the inevitable consequences are?" There are a few orphanages and one Reformatory, all capable of much improvement apparently, and the "only provision the Cape law makes for destitute children is to apprentice them—often very carelessly—for I know four apprenticed children who have been sent to prison, in each case for attempting to murder a cruel mistress" (see Note C, p. 215.)
I have already given some particulars as to recent American legislation for the benefit of children in the paper read before this Society—I was not then able to give the results obtained by means of these laws—but those I have since been able to ascertain fully bear out their wisdom.

In my former paper I dealt rather fully with the laws of Michigan—a State which has had the honour of leading the way with regard to enlightened dealing with youthful delinquents and neglected children. I propose now briefly to give a few further details with regard to that State, more especially as regards the effects of the laws I then described.

**MICHIGAN.**

The laws now in force were completed in 1889—before that, in 1884, the Manager of the Michigan Reformatory School was lamenting the want of homes for his boys (a state of affairs now unknown), he had at that time 440 boys, some having been inmates, as they are in our Reformatories, many years. This School was opened in 1874, and had provided for some 3,000 children up to June 1890. In 1884 the State Public School was opened to receive all children entitled by law to its benefits, as well as any ill-treated children—ill-treatment in Michigan bears a wider meaning than with us, as my former paper showed—with the result that no child need now be left in any moral or physical danger, since all neglected and ill-treated children are under the protection of the State, which undertakes to remove them into good homes and proper care. I need only add to what I then said, the following facts:—

The State Board of Corrections and Charities supervises and reports on all charitable and penal institutions, and is consulted as to the grants made by the State.

Each county has a Board of County Superintendents of the Poor, whose duty it is to send, through the Probate Court, all dependent and neglected children, and those in poor houses to the State School, if between the ages of one and twelve (until 1893 the age limit was two years); if under one or over 12, if insane or physically unfit for the school, a guardian is found for it under the supervision of these Superintendents. There is also in each county a County Agent to defend juvenile criminals, to advise the Courts as to the disposal of the children, to assist in finding good homes and to watch over them when placed out, and generally to act as their protectors (this agent deals, therefore with delinquent as well as with dependent children); but the Board of Control is henceforth the legal guardian till the age of eighteen, or even twenty-one in special cases. The

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* Biennial Reports of the Board of Control; International Prison Congress; Copy of Acts relative to Children; American Law Extracts.
State Public School is only a temporary home—the average length of a child's stay in it is twelve months—the inmates are placed out as soon as good homes are found in approved families (84 per cent. in the country)—not, be it noted, as servants or for pay, but as members of that family, and they are treated as children of the family in every respect. These homes are selected with the greatest care, a signed agreement is always entered into, and the agent still protects and visits the children thus placed out. Thus in 1890, 933 children were placed out in families, of whom only 54 per cent were reported as not doing well, while of the 2,203 placed out up to that date, about 13 per cent. were unsatisfactory.* In the last Report (1894) 89 per cent. of the total are known to be doing well. The School holds 270 children. 3,580 have now been placed out; the average age at which they are received is seven—though 56 were under six last year. The total cost per head, that is, the whole cost of providing a home for life for each child and of procuring it every chance of becoming a good citizen is barely 30 dollars—say £6—this includes the cost of the School, of the State and County agencies, &c. I need not repeat that only when absolutely necessary for the child's sake are these badly treated or depraved children removed from their parents.

Before these laws were passed in Michigan and the State School opened, the population was a little over a million—there were then 600 children in the county houses (corresponding to our poorhouses), each costing some 100 dollars annually—the population is now over two millions, while the dependent children have decreased 65 per cent. (to 200), in other words, where there was formerly one dependent child to every 2,223 inhabitants, the proportion now is only one to every 10,488 inhabitants; the population has increased 70 per cent., while dependent children have decreased 65 per cent. The former total cost of children in poor houses was 50,000 dollars, it is now, for all dependent children, but 35,000 dollars (this sum is voted by the Legislature), while there are only 85 children left in any poorhouse—these are mostly diseased or idiotic. The number of criminals also shows a striking decrease. Thus, instead of improved laws costing more to carry out, they are actually a saving, both to ratepayers and to the charitable. Here are the relative proportions for different States, mostly for the year 1895, as given in the American Journal of Sociology May, 1896:

<table>
<thead>
<tr>
<th>State</th>
<th>Population</th>
<th>Dependent Children</th>
<th>Cost in Dollars</th>
</tr>
</thead>
<tbody>
<tr>
<td>New York State (1893)</td>
<td>5,997,853</td>
<td>29,909 or 1 in 200</td>
<td>2,439,216</td>
</tr>
<tr>
<td>New York City (1894)</td>
<td>1,801,789</td>
<td>15,331 or 1 in 117</td>
<td>1,653,847</td>
</tr>
<tr>
<td>California</td>
<td>1,208,130</td>
<td>5,409 or 1 in 223</td>
<td>312,217</td>
</tr>
<tr>
<td>Pennsylvania (1892)</td>
<td>6,258,014</td>
<td>8,584 or 1 in 747</td>
<td>1,505,107</td>
</tr>
<tr>
<td>Ohio</td>
<td>3,672,316</td>
<td>3,600 or 1 in 1,000</td>
<td>242,554</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>2,239,943</td>
<td>1,311 or 1 in 1,707</td>
<td>130,000</td>
</tr>
<tr>
<td>Minnesota</td>
<td>1,300,000</td>
<td>125 or 1 in 10,458</td>
<td>21,900</td>
</tr>
<tr>
<td>Michigan</td>
<td>2,093,889</td>
<td>200 or 1 in 10,458</td>
<td>35,000</td>
</tr>
</tbody>
</table>

* Only 2 in 332 according to the latest accounts.
In Boston and Philadelphia the proportions are relatively 1 in 856, and 1 in 1,979. In London (England) it was 1 in 206 in 1894; the number of dependent children being 20,426.

Through this rescue work being carried out indefatigably Michigan has thus barely 200 dependent children; all others are placed out, without cost to the State, in families. No wonder that the International Exhibitions held in Paris, Philadelphia, New Orleans, and Melbourne all gave gold medals and diplomas, or the first award of merit, to the work of the State Public School and to the Michigan system.

Another point worth remembering is that it has been found in experience that children placed out in families are capable of self support fully two years sooner than those brought up in institutions. These dependent children may also be adopted formally, when, of course, they cease to be wards of the State; adoption has been legal since 1861, the law was somewhat altered in 1887. It is worth noting that the Courts always interpret the laws in favour of the child where there is any doubt or technical difficulty, and have invariably sustained them if called in question; nor has the legislature ever refused any grant of money that has been required or recommended by the Board of Control of the State Public School.

Children not belonging to Michigan, but brought into that State, are treated in the same way—though the Board may, of course, restore children to the parents where this seems desirable. The aim of the State is to provide for all dependent children—giving them homes, educating them, and fitting them to become good citizens.

If these dependent children require medical aid, after being placed out in families, they may be sent to hospital to be treated there at the expense of the State. The abandonment of a child under the age of six years is punishable by imprisonment for ten years and a fine of 1,000 dollars is imposed for decoying away children.

It seems strange, but as a matter of fact, far more applications are received for the children requiring homes, although, as already stated, no pay is attached, than there are children to place out. Of course this is partly because there are fewer poor and a greater proportion of fairly well-to-do farmers, etc., in most of the States than in England, but I am persuaded that many here would be willing to give a home to poor children, were they safe-guarded from the interference of bad relatives by legal protection.

Michigan has already remedied the one defect that was noticeable in her laws for the benefit of neglected children—parents can no longer, without penalty, allow their children to become chargeable to the State, by reason of their neglect, for in 1893 an amendment was passed to the effect that parents and guardians who neglect, ill-treat, abandon, deprive of food, clothing, or shelter, or in any way habitually injure or en-
danger the life, health, or morals of a child, or permit a child to beg, keep bad company, etc., shall be punished by a fine of five to fifty dollars and imprisonment of ten to ninety days. Search warrants may be obtained by duly authorised agents when they have reason to think that the laws for the protection of children are being violated.

Many of the minor laws are curiously paternal in character. For example, no student or minor is allowed to play games of chance in places where liquor is sold, nor may such buy liquor except as medicine—even smoking is forbidden to children under sixteen years of age in nearly every American State, while in Michigan the insurance of children under three years of age is entirely prohibited.

Fines in cases brought forward by the Society for the Prevention of Cruelty to Children, accrue to that Society, which has agents in many towns, and altogether has investigated some 6,000 cases, relieving permanently over 3,000.

The laws with regard to dependent children that are in force in Michigan have been adopted, with slight modifications, in the States of Wisconsin, Minnesota, and Rhode Island, and now in Colorado and New Hampshire. Other States have adopted parts of the laws, but these are the only ones that have enforced that most important feature—the State Public School for the reception of dependent children only, as distinguished from delinquents—this was the great point insisted on by the Hon. Mr. Randall (who drafted the present law in 1871); since that time Michigan has regarded the protection of these children as a right and a duty of the State. It is this separation of guilty from innocent among children that is a radical necessity (see Note D, p. 215).

**MINNESOTA.**

Minnesota is a small State, with not quite a million and a half of population; but it has had the foresight to adopt, with some slight changes, the laws with regard to neglected children that have been found so successful in Michigan. The principles enforced are the following:—

1. All children in physical or moral danger or in want are entitled to the care of the State—they are not to blame for their condition.
2. This is a duty enforced as much for the sake of the State as for the children.
3. A radical separation must be made between merely friendless or dependent children and juvenile delinquents.
4. The ultimate aim is to procure such children good homes in families.
5. This is best done through a temporary receiving home, where some short preparatory training can be given.

* Reports of the Board of Control; Ditto, S.P.C.C.; Manual of Laws.
Such a place does not brand a child as a poorhouse would, while it gives an opportunity for finding what kind of home the child is best adapted for, hence suitable ones can be looked for.

6. There is subsequent supervision.

7. Parents should be compelled, if possible, to do their duty; if not, and the child's future is imperilled, the State must.

8. To accomplish this, a parent's rights must be set aside, when they are very degraded—this acts as a preventative on many parents, who do not mind neglecting their duty, but do mind losing control over their children.

9. The educational system must be still further extended against ignorance.

In accordance with these principles, the State Public School was opened in 1886, in the form, as in Michigan, of cottages, holding from 25 to 30 children, with common day schools, etc. These form temporary homes for any child two to fourteen years old dependent on the public, or whose life, health or morality are endangered—a branch of preventive, not reformatory work. The State protects itself in protecting and safeguarding these future citizens, who, if neglected, would grow in vice faster than in years, and by removing children from injurious surroundings, an increase of the criminal class is prevented. In the four years ending December, 1890, 408 children had been received (the annual rate is now some 150), and placed out in families, at a total cost of 92 dollars per child, including maintenance, education, expenses of the agent, supervision, etc. In workhouses each child costs 153 dollars each year, so at once there is a saving of nearly 50 per cent, while the child grows up without any taint of pauperism. No child need now be without a home, but none are allowed to be sent to or to remain in workhouses, and there is not one healthy and sane child there now. If such children were supported by taxation, it would only cost each person 1½ cents, while a workhouse life would involve a cost of 25½ cents. In contrast to this system compared the figures already given for California (pages 43 and 71)—with about the same population as Minnesota, 1¼ million, but the same laws as New York, it has over five thousand dependent children, costing over 300,000 dollars: to help support these children the State made a grant of 250,000 dollars, or ten times as much as Minnesota required (see also New York, pages 43 and 63). Minnesota has one dependent child to every 10,400 persons, the legislature grants about 22,000 dollars a year, besides in one year 28,000 for buildings in aid of this work—the fixed annual grant is now 15,000 dollars, with extra as may be needed.

I need scarcely repeat that any child from two to fourteen years old, if sane and healthy, dependent, abandoned, neglected, idle, a vagrant, a beggar, in want or suffering, or in any physical,
mental or moral danger, ill-treated, or having drunken or vicious parents, is considered eligible for admission to the School, and it is the duty of the County Commissioners to file a petition and bring the case before the Judge of Probate, if he approves the child is made a ward of the State, sent to the Public School, and comes under the legal control of the Board of Control, who manage this school; parental control ceases, they have no longer any right to the custody of the child or to the child's earnings, and if the parents refuse to give it up, it may be forcibly removed—though any child may be subsequently restored to the parents if the Board approve. The average length of stay in the State School is ten months—bad children necessarily remain longer than better ones; they are of all nationalities, even English, French, Scandinavians, etc. After a period of probation and training, homes are carefully selected, and the child is placed out at first on trial from two to four months, if unsuitable it may be returned—if not it may be adopted, with full legal control, with the consent of the Board. An agent paid by the State finds suitable homes, and afterwards visits and inspects them. If old enough the child may be indentured (if it becomes self-supporting, it may cease to be a ward and become independent sooner), in this case, if kept till the age of 18, a sum of money, previously agreed on, is paid to the school for the benefit of the child.

There are sundry other laws for the protection of children—the health of minors and apprentices is not to be endangered, under penalty of a fine of 10 to 100 dollars or five years imprisonment—fines in cases conducted or discovered by the S.P.C.C., accrue to that Society. No liquor license is granted to any house within 400 feet of a school or 200 feet of a park, nor next to or within a theatre, and any license may be revoked for a first offence, and must be for a second.* The printing selling, or giving of books which tend to corrupt youth is punished by a fine of 200 dollars or imprisonment. No child may be exhibited or employed as an acrobat, or in any way likely to endanger life or limb, or for immoral purposes, or the employer may be imprisoned and the child sent to the Public School—nor are beggars and peddlers under fourteen allowed. Parents and guardians or employers convicted of offences against this law, may be both fined and imprisoned—in one case imprisonment for two years and a fine of 250 dollars was awarded. Further, so that no conceivable hole may be found in this very comprehensive law, it is enacted that "whoever shall injure any child wilfully or give it unjustifiable mental or physical suffering or pain, or endanger health or life, or put it in a position likely to endanger it, shall be fined 10 to 100 dollars or be sent

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* In Minnesota there is 1 liquor seller to 675 inhabitants; in New York 1 to 177; Ireland has 1 to 80 in some towns.
to jail.” To kidnap a child or keep it against its will, to steal its clothes or to hide it from its parents is punished by 10 years’ imprisonment.

A Humane Society was organised in Minneapolis in 1891; in its first year of work 590 complaints were investigated.

The late Dr. Wines, once President of the National Prison Congress, says that the Minnesota system of dealing with children and vicious parents seems to come nearest to an ideal system. He quotes as a contrast the case of three children who, previous to the passing of these laws, had been supported by the State for 23 years, yet who grew up with blunted natures and with the life-long stigma of pauperism, as contrasted with the present system of eight or ten months in the school—the only period of State support—with subsequent adoption and natural home life.

COLORADO has also now passed laws similar in character to those of Michigan, but only since 1891, and they are “not yet stringent enough.” Here, too, fines for offences proved by the Humane Societies accrue to that Society, which has taken children from the lowest and most vicious haunts, and has placed them in safe and happy families. It has also done useful work in seeing that wives and children get better care and proper food from their husbands and fathers.

RHODE ISLAND.

The tiny State of Rhode Island has also taken the laws of Michigan as the basis of theirs in dealing with neglected children—the greater part of this legislation was passed between 1882 and 1885.

Children from three to seventeen (originally the limit was fourteen) years of age (or under three if necessary) if in want or suffering, abandoned, neglected, destitute, vagrant, cruelly treated, without proper guardianship, dependent, or in workhouses (but not vicious) must be brought by the superintendents or guardians of the poor before the Court of Probate, and may be sent (unless unsound in mind or body) to the State School and Home (which is established, controlled and supported by the Board of Education) till they are 16, or they may be boarded out, or placed in specified children’s homes, as may be considered most likely to make the child an honest, self-supporting man or woman, the Board becoming the legal guardians of all such children. Under certain circumstances—if a child under 17 is in want of food or clothing through the parent’s neglect, or if made by them to steal or beg, or if ill* or cruelly treated, or used for any cruel or improper purpose, the child is taken from its guardians and handed over to the care of the S.P.C.C. for such

* Rhode Island Public Laws, 1882 to 1885; Ditto, Reports S.P.C.C.; Amended Manual of Laws concerning Children; Charitable Institutions—Reports, &c.
time as the Court shall decree, the Society being thenceforth solely entitled to the custody of such children. The same law with the exception of the begging clause, but with the addition of "if the child has been deprived of liberty" applies to New Hampshire, though the age limit there is still fourteen—the neglectful parent or guardian may be imprisoned three years and fined 500 dollars. The man who abandons wife or child, or neglects either from drunkenness or other cause, to provide or to aid in providing for them, is liable to imprisonment for six months to three years, and if by reason of his neglect, the child has to be placed in an institution, the defaulting parent must contribute a proportion of his or her earnings towards the child's support. This law was passed in 1885, the following year it was enacted that when an agent of the S.P.C.C. has to take a neglected child into custody, the person whom he believes guilty of neglect shall be arrested, and if he refuse or fail to pay such portions of his earnings as the Court may direct towards his child's support he is liable to imprisonment. In these cases the prosecuting agent is not required to give surety for costs.

No children over three years of age are to remain in workhouses or almshouses—such must be sent, with full particulars as to name, age, parentage, etc., to the State Home and School. Adoption is legalised, but, if alive, the parents' consent must be obtained, unless they are insane, imprisoned for three or more years, or have deserted or neglected the child for one year preceding adoption (neglect being failure to provide proper care and maintenance). In these cases the Court proceeds as though the parent were dead—appointing some person to act on behalf of the child. The child, if over fourteen, must consent to such adoption. An adopted child has the same position legally as a natural child (though the Court has power to reverse the decree), the real parent entirely forfeiting all rights and control.

The Town Councils are bound to make all such needful provision for truant, vagrant and idle children, and for those in danger of growing up idle and ignorant, as may conduce to their welfare and to the good order of the town—they must also provide suitable places for the correction and instruction of such children. Minors over eight may be voluntarily given over to the Board of State Charities and Corrections and admitted to the State Reform School (which is under their charge) if good reason be shown; parents and guardians making a surrender in writing of the custody of such child to the Board, which then assumes entire control. All children between seven and fifteen years of age must attend school for at least twelve weeks in the year—or be otherwise educated, unless physically or mentally incapacitated. There are special free day schools for deaf children, maintained by the State Board of Education at a cost

* With a similar wide meaning given to this word as in Michigan.

PART LXXVI.
of some 3,000 dollars a year—if necessary the travelling expenses of such children, if indigent, to and from this school will be paid to the extent of 500 dollars a year. Truant, ignorant, wandering children, and those who neglect school, and are without occupation, may be sent to suitable schools or places of discipline for two years; all fines under these School Acts accrue to the public schools, except in cases prosecuted by the S.P.C.C., when they accrue to that society.

Children under fourteen may only be employed in factories during school vacations, and not then unless they have attended school for at least twelve weeks during the year (six consecutively—this rule also applies to Connecticut and N. Hampshire). To ensure due regard to this law, certificates of birth and school attendance must be required by the employer and truant officer; a fine of 20 dollars is imposed for employing children under fifteen who cannot write legibly. Ten hours a day is the maximum limit of work for women and minors under sixteen. Special truant officers are appointed to enforce these education Acts.

Large sums of money are expended by this small State on various educational objects in the shape of institutes, day and evening schools, etc.; for example, 44,000 dollars are annually voted for its public schools; 10,500 for the State Normal School, 140,000 for the State Board of Charities and Corrections, 800 dollars a year for the S.P.C.C.; 15,000 dollars was granted in 1885 for the purchase of a site for the State Home and School, besides liberal annual support; the State Reform School, with its two departments, one for boys and one for girls, also receives liberal support. Besides grants, when needed, for the purchase of tools and machinery, useful for the instruction of the inmates (1,500 dollars one year). Besides these agencies there are teachers' institutes, a school of design, grants in aid of lectures and addresses, purchase of school apparatus, free libraries, travelling expenses of pupils, the school for the deaf—all supported by the State, besides 12,000 dollars a year voted for the support of the insane poor, for the education and support of imbeciles, blind, etc.—all this in a State of only 345,506 people. No wonder my courteous Rhode Island correspondent enthusiastically writes: "Our laws are quite perfect, though they need amending"! At all events, owing to these laws and to the generous provisions made for schools and education, there has already been a marked improvement and great diminution of juvenile crime; while the neglect of children is largely prevented as the result of these laws and of the work of the S.P.C.C.—the treatment of children in the slums is better and parents begin to realise and recognise more their children's rights.

I must not omit to mention that here as in many States, minors may not convey nor buy drink, under pain to the seller of a fine of 100 dollars and loss of license for two years; nor may any license for drink be granted within 400 feet of a public school. On Sundays the windows of licensed houses
must be so arranged that all passers by can see clearly into the interior. (What would become of the bona-fide traveller's clause if such a bye-law could be passed here!)

SUMMARY OF LAWS GENERAL TO THE NEW ENGLAND STATES:—

Maine, New Hampshire, Vermont, Rhode Island, Massachusetts, and Connecticut.

These six States have a united population of 4,692,904 (1891), or one-thirteenth of the whole population of the United States, though their area is only one-fiftieth. All these States have—

1. A neglect law, giving the proper authorities the right to rescue children under fourteen years old (in Rhode Island the age is now seventeen, as already shown), removing them from their parents when necessary.
2. Non-support law, or punishment of parents for the non-support of children.
3. Guardianship law, authorising transfer of children to proper guardians; children over fourteen may nominate their own guardians.
4. Adoption law; this authorises adoption with consent of parents, or without consent if they have failed to support their children for two years, or are drunkards or wanton.
5. Imprisonment for infant abandonment, and also for neglect.
6. The sale of liquor, tobacco, bad literature, etc., to children is forbidden.
7. The exhibition of deformed children is forbidden.
8. The public performance of music, dancing, etc., by children under fifteen (fourteen in New Hampshire), except by permission, is forbidden, or their public exhibition as acrobats, etc., under penalty of 100 dollars.
9. The employment of children in dangerous occupations is forbidden, or in anything injurious to health or morals.
10. Severe punishment is inflicted for abducting girls.
11. Regulations are made for the employment of children in factories, none under twelve are to be employed (thirteen in Connecticut, ten in New Hampshire and Rhode Island), hours limited while they are minors, a fine being imposed on any manufacturer for every week he has employed such child. The parent is also fined; part of the fine goes to the complainant and part to the county. Fines are also imposed on parents and guardians who make false statements as to a child's age.
12. Children under twelve (sixteen in Connecticut) are not allowed to be imprisoned; older children, if criminal, are to be kept separate from adults, nor may children be sent to workhouses—they must be sent to temporary homes, or to industrial or reformatory schools.
13. Messenger boys may not be sent to bad houses.
14. Destitute children over eight, are to be boarded out in families, not kept in asylums.
15. Sanitary regulations and fire escapes compulsory in factories where children are employed. Cleanliness of schools and school children is strictly enforced.

16. Baby farms require a license.

17. Juvenile offenders and neglected children, when brought into court, must be tried apart from adult cases, and in a separate court.

18. Minors are forbidden to be at bars, theatres, or public billiard rooms or gaming saloons, without their parent’s consent.

19. Children are not allowed to beg, nor to sell in the streets unless licensed, and parents are punished if they permit it.

These neglected children may be given into the charge of the S.P.C.C., who have thenceforth full control.

This is a general outline of the statutes in force in all these States—with some minor differences.

**CONNECTICUT AND NEW HAMPSHIRE.**

Baby farms must be licensed and open to inspection by authorised visitors at all hours, the inmates registered—names, parentage, etc., given—the inspectors may direct and enforce such measures for the good of the children, as regards the premises, care of the children, etc., as they deem proper: in Connecticut this applies to persons taking in children up to the age of ten, and refusal to allow inspection or violation of the rules is punished by fine and imprisonment.

Every county must have one or more temporary homes or places of refuge for children between the ages of two and sixteen—if neglected, begging, waifs or strays, deserted or ill-treated; also for the children of drunkards, paupers, criminals, prisoners, or hospital patients; these are temporary homes only, previous to the children being boarded out in suitable families. The Homes are to be near prisons and workhouses, but no pauper or convict labour is allowed in them. The State does not aid children under two, and diseased and imbecile children are not to be thus provided for. Anyone removing a child from a temporary or private home provided by the Board, when committed thereto, shall be fined 10 to 30 dollars and imprisoned: but the Board has power to withdraw the children. Children under sixteen may not be sent to Industrial or Reformatory Schools, unless they have committed a crime or led a vagrant or vicious life, or restraint is necessary for some special reason. For neglecting or refusing to support a wife or child without good reason, imprisonment with hard labour may be given, or a bond for the support of wife and family for six months entered into—this is the same in Massachusetts, where any fine imposed on the father may be paid to the family.

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Imprisonment of two to five years is given for abandoning a child under six. Fines in cases brought by the S.P.C.C. or collected by them or by Humane Societies, accrue to those societies, whose officers have a certain power both to prosecute and to control the commitment of children—the fines in 1890 amounted to 380 dollars—the State granted 2,000 dollars for the work and 1,075 persons were relieved; in 1891, not quite so many—the majority are children. If possible the parents are induced to act rightly, if not, the children are removed from their care, and, if necessary, even from their knowledge. Adoption is legalised, and an adopted child cannot be claimed by the parents.

There is much improvement visible, it is said, among parents—they are more kind and industrious, fearing to lose their children, and they support their wives and children better. The Humane Society also looks after old and feeble minded people, making their families support them properly. The Board of Education in New Hampshire have adopted excellent sanitary regulations, making the cleanliness of pupils compulsory. Children under fourteen may not be admitted to drinking, concert, or dancing saloons, or to places where drink is sold, unless accompanied by their parent or guardian—the proprietor may be fined if he admits them.

Massachusetts.*

I gave several particulars about Massachusetts in my last paper, but I may, perhaps, be allowed to add a few more.

Baby farms or any place where two or more young children are taken in, must be licensed, under penalty of a heavy fine. The fathers of illegitimate children must support them. If even one illegitimate child is taken to board, notice must be given to the State Board on pain of a fine or imprisonment. If parents abandon a child or fail to keep an agreement made for the support of their child, without first notifying to the overseers of the poor their inability to pay, they may be imprisoned for from two to five years. Whoever unreasonably neglects to provide for wife and minor child may be imprisoned or fined—such fine being payable to the person or Society supporting the wife or child. An order may even be made on the employer for him to hand over three-fourths of the man's earnings for the support of his family if he neglects them. The good effect of these laws is not confined to the children:—Parents, fearing the loss of their children under this neglect law, are now induced to abandon their intemperate and idle habits, to seek work, be industrious, provide cleanly homes, and

* Manual of Laws concerning Children; List of Institutions, &c.; S.P.C.C. Reports.
Foreign Legislation, etc.

become respectable members of society, and men who have hitherto neglected to support their families properly, now pay a fixed weekly sum for the support of wife and children. Large numbers are held to their duty through fear of the law. If possible negligent parents are persuaded to do their duty, and are advised and visited to this end by the State agent; compulsion is added, if necessary—this failing, as the child's welfare must be safeguarded in any case, it will then be secured from neglect and vicious training by removal. The overseers of the poor may remove children neglected by their parents—if over four years old they may be put into families or asylums and be supported by the city; they are not to be retained in workhouses unless weak in body or mind, or if under eight and with their mother. Relations are bound to support them if possible. The State Board of Lunacy and Charity makes provision for the care and maintenance of poor and indigent children, from three to sixteen years old, either at the State Primary School, in families, or elsewhere—but inmates of the school are not to be called paupers, and are to be placed out in families after a time. Children over sixteen may be received by a special vote. Infants are received in specified Infant Asylums and are paid for by the Commonwealth—or pauper infants may be otherwise provided for, in families, etc., by the State Board. There are special schools for the feeble-minded, also for the blind and for deaf mutes, where education and board are gratuitously given: unless parents or relatives can help to pay, the pupils come from, or the Commonwealth pays all expenses. State aid is also given to certain hospitals or homes for the destitute, for orphans and sick children. Education is compulsory, and children under thirteen may not be employed in factories, and not at home during school hours, nor under fourteen except with restrictions, nor may any minor be employed who cannot read or write—though if such employment is necessary for the support of a family, the School Commissioners may give a permit. Truants must be taken to school, and truant schools be established—a fine is imposed for tempting a child away from school. Towns of 10,000 or more inhabitants must have evening schools, and if over 50,000 evening high schools. All towns must make provision by truant schools or otherwise for truant, idle and ignorant children. The Court may appoint guardians to children under fourteen when desirable—temporary guardians with full control may also be appointed pending proceedings. Children under ten may not sell papers at stations, nor in railway cars, etc. County agents are appointed specially to look after the interests of children. Liquor may not be sold to minors (the possession of it is evidence of sale, so children are not now sent to fetch it as they formerly did)—nor to drunkards if a petition to that effect be made, nor may anyone under eighteen be employed in the sale of liquor. No liquor license may be granted to a house within 400 feet of
a public school. Children under thirteen may not be admitted to shows, etc., except with adults. Imprisonment for five years or a fine (half going to the complainant) is the penalty for selling or giving impure or corrupting literature or police news to minors or schools. Children may not be used for exhibition purposes, whether for deformities or otherwise, nor are they allowed in gaming saloons; they may not be employed as acrobats, in public exhibitions, etc., under fifteen years old—for concerts a magistrate’s permission may be given. No child under sixteen may buy tobacco, cigars, etc. The keeper of a billiard room or bowling alley admitting a minor without the written consent of his guardian is fined, such fine increasing with each offence. Homeless and idle boys may be taken by the S.P.C.O. and disposed of—in the ten years ending 1890 (it was founded in 1880), this Society helped 20,198 children, placing some 900 a year in homes; during the last five years over 4,000 children a year were aided. A special probation officer is appointed to look after boys released on their own recognizances. The Society makes the proud boast that no appeal has been made during the last ten years against any decision of the Court in cases brought forward by this Society with regard to the protection and guardianship of children.

I should also add that a State agent is appointed to investigate all cases concerning the trials of children under seventeen; he gives evidence in court on their behalf and acts as their counsel. All trials of juvenile criminals are heard apart from others, only a warning and supervision by the State agent is given in first offences, but the magistrate has power to impose a fine on the parents or to remove a child from its home; if the parents appear hopelessly vicious, the Board of Health, Lunacy, and Charity then takes entire charge, usually boarding out the children; but when stricter discipline is seen to be necessary, and then only, they are sent to reformatories; and as a final resort about 9 per cent. are consigned to jail. Thus there are a series of steps:—Warning, probation, boarding out, reformatory, before the prison is reached. As a result, though 75 per cent. of children brought into Court are convicted, only one-fifth of them are sent to institutions, only one-ninth to reformatories; one-third are remanded on probation. Those boarded out are under the supervision of official, but unpaid visitors, who work under the State agent—looking for suitable homes, and then inspecting them regularly. The system prevents crime, and has succeeded in nearly abolishing, not only imprisonment for children, but even reformatories and industrial schools (their inmates have diminished 50 per cent in ten years), the cost is also greatly diminished, while the number of juvenile offenders is steadily decreasing, though the population is increasing.

Very few of those released on probation ever re-appear as criminals. In five years—2,294 out of 2,561 were doing well
after simply being warned; in one year 85 per cent. did well. The method has proved so successful that it has now been extended to adults, and forms a very special and admirable feature in the government of this State. For a first offence a caution or fine with oversight is imposed—really a suspension of sentence, as if necessary the offender would be again brought up—but a sentence is not passed at first, thus a new offender is given a chance to reform and is not degraded. 70 per cent. of the children convicted are thus placed out—and half the inmates of the Prison Reformatory for Women have now been placed out and 118 released on probation—all these are reported as satisfactory.

Boys and girls over fourteen may nominate their own guardians—girls are usually placed under the care of the overseers of the poor. The children of drunken parents, if neglected, may be committed to the Commissioners of Public Institutions or to the State Board; the parents may be sent to inebriate asylums. It is calculated that two-thirds of the cases of neglect, etc., are caused by intemperance.

Many crying evils have been entirely stopped. Peddling and newspaper selling (which hinders school work and therefore is illegal without a license) is now almost stopped; the laws are better known and observed, and cruelty to children has much decreased. One Judge said: “100 years ago parental rights were supreme, now the first consideration is what is best for the child, other considerations are secondary. If it is a good work to remove a child from physical danger, is it not much more so from moral? What better object to work for than the children—our future men and women?” It is also seen to be necessary that children removed from bad homes and placed in institutions, should on their release be transplanted to new surroundings and good influences.

Probably this system has proved so successful on account of its combination of voluntary work and home influence, with legal protection and authority. As far as possible, institutions are a last resort—the child’s own home, if possible, is improved and the child left there—failing that another home is found, with both a gain economically and in results. Pauper children and juvenile offenders cost us from £20 to £40 a year and even at this cost many turn out a failure and a permanent burden on society, whereas the majority of these children, placed under supervision, change for the better, at a very small cost to the taxpayer.

Maryland.*

Maryland is another State which has recently amended its laws (1889), and already reaps the benefit in a marked improvement in its poor children, in their condition of living, in the

* Manual containing Laws for the Protection of Children; Reports of Society for ditto; Reports of Institutions.
By care taken by parents, together with a decrease in cruelty and a great decrease in juvenile crime. Maryland has not yet adopted the family system which has proved so successful in the States already described, but its present laws show a marked advance on previous ones.

Since 1889 boys under fourteen and girls under sixteen years old may not go to dancing or drinking saloons, theatres, etc., except with guardians; they may not engage in public performances, in peddling, begging, or if any minor is so found or if destitute, neglected, wandering, with no parents, or with vicious ones, or parents in prison, such children may be deemed vagrants, brought before the judge, taken from the parents, and committed to some institution, reformatory or otherwise, or so provided for as may seem for the moral and temporal good of the child, and for as long as may seem desirable, while the parents may be fined and punished if the children are found begging, or even accompanying beggars, etc., half the fine to be paid to the informer. "Selling" does not include newspapers. Children between three and sixteen may not be kept in workhouses, nor in almshouses, unless physically or mentally incapacitated. Pauper children and the children of convicts must be placed in respectable families or homes, or apprenticed. Children under sixteen, if convicted of crime, may have the sentence suspended, or be confined in a house of refuge, reformation, or other institution under police regulation till the age of eighteen or twenty-one; or employment away from the place where the child was convicted may even be procured for them, if over 12. Young children under eight may not only not beg themselves, but they may not even accompany persons begging, playing, or selling, so that begging by children, which used to be very common, has now entirely ceased.

In Baltimore, the capital, there are numerous Incorporated Institutions, both for white and for coloured children (separately), to receive such as are committed by the judges for neglect, destitution, want of proper training, or as likely to become vicious or injurious to society, regard being had to the morals and to the future welfare alike of the child and of society. It has two specially for children under four years of age, foundlings, orphans, or destitute; such may be adopted, or when older, placed in other homes or apprenticed. It has also a special asylum for the feeble-minded—such must be taken free, if destitute. Children may be received in the House of Reformation if vagrant, incorrigible, if the parents are vicious, or do not control them, and also on payment by friends, as well as when committed. The managers may apprentice the inmates, and must enable them to learn such employments as may be to their advantage, and tend to their reformation. It is a temporary home from which children may be passed on. No cigars nor tobacco may be sold or given to minors under fifteen, nor liquor to minors under twenty-one, nor may liquor be
obtained for them; if it is sold or given by a licensee to minors, or to drunkards, or to known intemperate persons, and a statement to that effect has been made by the parent or guardian, wife or child, or if minors are allowed on licensed premises, a fine of one to 500 dollars may be imposed on the offending publican—imprisonment may also be awarded. For a second offence the fine is doubled and the license is revoked for at least two years; and also if minors or disorderly persons are found loitering about such premises, unless with their parents. In some of the counties minors may not frequent billiard or other saloons unless accompanied by their parents, nor may pawnbrokers deal with them. Licenses are issued on condition that liquor is not sold on Sundays, election days, nor to minors.

It is a crime for a parent, guardian, or master to neglect, or to abandon a child, or to fail to give it needful food or clothing, or to injure its health—nor may parents or guardians inflict unreasonable punishment, nor obstruct officials belonging to societies for the protection of children, under pain of fine and imprisonment. A person who abducts a girl under eighteen is liable to imprisonment for eight years, or for twenty years for kidnapping a child under sixteen. Death or imprisonment for life or for twenty-one years is the punishment for a criminal assault on a girl under fourteen.

Adoption has been legal since 1892. The Court of Chancery may approve of adoption if it is shown to be for the best interests and welfare of the child—an adopted child becomes full heir, and the real parents lose all control.

A revised *habeas corpus* act was passed in 1889, for the custody of children. All such cases are now to be decided solely on their merits, without regard to the technicalities of the law, as may be for the best interests of the child. Hence children are removed from improper custodians, and relatives are now largely deterred from trying to regain possession of children, unless it is clear this would be for the benefit of the children.

A rather singular action was lately taken; the daughter of a bad father was awarded to the custody of her father by a magistrate; a writ of *habeas corpus* was brought, and this decision was reversed by the judge. To prevent the recurrence of such a thing, the Society for the Protection of Children instituted a suit against the first magistrate, with the result that the Chief Judge imposed a fine and costs on him!

The free Kindergartens established have proved a great boon. Laws regulating child labour have recently been passed also.

Those who have had practical experience of the laws seem very satisfied with them, and consider that Maryland has made the greatest advance in child-saving legislation of any country. "The laws are the most humane, liberal and efficient that can be found anywhere." I ought to add that while these laws apply
to the whole State, local laws on the same subject may also be
passed by the various counties. In Baltimore the Society for
the Protection of Children was organised in 1879, to protect
them from cruelty and immorality; by 1891, 300 cases were
investigated, involving 592 children, of whom 252 were re-
moved from their unfit guardians and placed in suitable homes.

**NEW YORK.**

All preventive work is done under great difficulties in New
York, owing to the constant immigration from all parts of
the world. The statistics I have examined differ singularly, in
figures and in the conclusions to be drawn from them. Some
aver that taking the whole of the United States there is no in-
crease in crime, but only in the severity of the laws; others
state that not only is crime on the increase, but that the crimes
are worse. In 1890 the proportion of criminals in the United
States was 722 per million of the population, while in Canada
it was only one in 4,247—roughly one-third lower.

Mr. Lodge, in an article based on Dr. Wines' statistics drawn
from the Census of 1890, states that while 38 per cent. (slightly
over one-third) of the population in America are of foreign birth
and parentage, no less than 52 per cent. of the total number of
criminals are foreigners, or over half per cent. instead of one-
third; of juvenile delinquents, the proportion is still higher, or
61 per cent., that is nearly two-thirds. Again, 59 per cent. of
paupers are of foreign parentage, and of these 51 per cent. are
foreign born, though these latter are only 17 per cent., or
one-sixth of the total population, yet they yield half of all the
paupers. The following table was given in the *Century* for
September, 1893:—

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<tr>
<td><strong>Total population</strong></td>
<td>—</td>
<td>62.5</td>
<td>20.9</td>
<td>16.6</td>
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<tr>
<td><strong>Convicts</strong></td>
<td>—</td>
<td>48.2</td>
<td>26.2</td>
<td>25.6</td>
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<tr>
<td><strong>Juvenile delinquents</strong></td>
<td>—</td>
<td>38.9</td>
<td>46.4</td>
<td>14.7</td>
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<tr>
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<td>—</td>
<td>40.9</td>
<td>7.6</td>
<td>51.5</td>
</tr>
<tr>
<td><strong>Prisoners</strong></td>
<td>—</td>
<td>45.0</td>
<td>24.6</td>
<td>30.4</td>
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While the population has increased 170 per cent. since 1850,
the criminals have increased four-fold, or 445 per cent.
from being one in 3,500 in 1850, to one in 786.5 in 1890
according to this writer—an even higher proportion of criminals
than the figures quoted previously.

On the other hand it is claimed that, though the population
of this State (New York) has enormously increased, there has
been a diminution of juvenile crime of fully 50 per cent. since

* Annual Reports of Children's Aid Society; Ditto, S.P.C.C.; Manual,
  with Statutes relative to Children; Circulars and Reports issued by the
  Bureau of Education; Children's Home Finder.
1875, when the S.P.C.C. was founded. Many wrongs to children have entirely ceased, others are much lessened, and the legislative power of the Society has much increased. Good work has undoubtedly been done—mainly by voluntary agencies and funds; indeed, the magnitude of the work is perfectly astonishing—the results I will give a little later (page 203). Some of the laws on behalf of neglected children I gave in my previous paper; to those I may add the following—

Children under sixteen (the greater part of this law is as old as 1844) begging, exposed, selling in the streets, neglected, in want, suffering, without proper home or guardianship, without parents, or with parents in prison, those found with criminals, in bad houses, opium dens, or in any place injurious to health or morals, in liquor saloons or places where liquor is either sold or given away, or playing games of chance in such places (unless accompanied by their parents)—must be arrested, the case tried, and the Court may then commit them to some charitable or reformatory institution, or otherwise dispose of them, as the law directs under the Vagrants' Act. The custody of such children is transferred to the Court or institution—due legal notice being first given to the parents, who may be fined for permitting such offences. The commitment authorises such institutions to receive and retain such children, if the parents are thoroughly bad they are not allowed to know where their children are, nor to visit them. The law, of course, is intended to protect and to provide for the children, not to punish them.

Again, children under sixteen may not be used nor trained as acrobats, beggars, nor in any mendicant occupation (begging includes appealing to public charity by sad looks and appearance, even if no words are used), nor used for public playing or singing, for immoral purposes, nor be exhibited for deformity; nor may they be employed, exhibited, or be in any place of entertainment, saloon, etc., that might in any way be injurious to life, limb, health, or morals. Parents or guardians allowing this or even neglecting to restrain a child from being so trained, employed or exhibited, are guilty of a misdemeanour. No weapons or firearms may be sold to children under 18, except by a special magistrate's order; pawnbrokers may not deal with those under sixteen directly or indirectly, under penalty of a heavy fine and imprisonment for one year. Inn-keepers have had their license revoked and their saloons closed for admitting girls under sixteen, and also for selling, giving, or supplying liquor to minors under sixteen; nor may those under fourteen even fetch liquor. Minors may not remain in or near places, nor play games in or near places where liquor is sold or given away; nor may they be in immoral houses; it is also a misdemeanour to sell tobacco to children under sixteen. It is the duty of a parent or anyone voluntarily taking a child to support it till it is twenty-one, and not make the child a bread-winner—to refuse or neglect to provide, or to pay others to provide food, clothing, shelter, medical
care, etc., without good reason, or to abandon or expose it is a
misdemeanour punishable by a fine or imprisonment—the fine
may be paid to the S.P.C.C. and spent by them for the good of
the child—the Court fixing the amount. If a child dies in con-
sequence of such neglect, it is felonious homicide or manslaughter
—to withhold food intentionally so as to cause death, is mur-
der. Fathers have been imprisoned for drinking and so spend-
ing money which should have gone towards the support of their
children. If the parents cannot afford to provide necessaries,
they should give the children to those who will, or surrender
them to public authority. A child whose guardian neglects or
exposes him is held to be without proper guardianship; any
child from five to fourteen years old, wandering, truant, or
without lawful occupation, is a "vagrant," and may be disposed
of by a magistrate as such, and placed under proper guaran-
dship, unless the guardian enters into an agreement that such
child shall be restrained from wandering and shall attend school
for at least four months in the year; security may be required
for the performance of this engagement. To give, sell or lend
bad literature or criminal reports to minors may be punished by
a fine of 1,000 dollars or a year's imprisonment. There are
various other minor laws, but they may be fairly summed up by
stating that if a child is neglected, not brought up to an honest
life, allowed to fall into petty crime or to associate with the
vicious, the law may interfere, removing such child from the
custody of its parent or guardian, and placing it where it is likely
to be well trained and educated. Girls are not allowed to sell
papers in the streets at night—this law is strictly enforced, so
that the custom, once common, has almost ceased, and
parents have learned that unless they keep their little girls
at home at night, asylums will be found for them. The police
must inform the S.P.C.C. when children under sixteen are
arrested; it is also the duty of the S.P.C.C. to bring all viola-
tions of the above laws before the Court, to demand punishment,
to advise and to assist in the disposal of the neglected child.
Thus, in the 17 years since the Society was organised in New
York, it looked after 185,247 children, saved 32,633; rescuing
in 1891, 3,683 children from bad surroundings, towards whose
support in institutions the parents contributed 8,655 dollars, for
the court may direct a neglectful parent to pay a portion of his
earnings for this purpose, and wherever possible the Society en-
forces such contribution. Well-to-do parents may be heavily
fined if they allow their children to be supported by public
charity, or parents may be compelled to remove children from
institutions, should they subsequently become able to support
them. There are 34 institutions in New York authorised to
receive committed children.

Girls over twelve, in bad company, intemperate, in danger of
becoming depraved, found in bad houses, prostitutes, etc., may,
if they desire to reform, be sent to a reformatory (if they have
not previously been in a penitentiary), but since the Act of September, 1892, no children under sixteen, even if criminals, may be sent to any prison, court room, or vehicle, etc., with adult criminals, unless in the presence of some official; they must be separately dealt with, tried, and if convicted of a misdemeanor must, if of crime, may be sent to a reformatory, house of refuge, or to such special person or duly authorised charitable institution as may be directed, but not to a jail. Such children are then under the complete control of that person. The law assumes that children under fourteen cannot commit crime. A neglected child may be sent by a magistrate to an incorporated institution, temporarily, or even while waiting for trial as a criminal, or about to be called as a witness. Reports of all such institutions and of their inmates must be made monthly to the Board of Health, which can impose conditions as to dormitories, etc. Commitment to those institutions holds good even if a technical flaw is afterwards found. There is a special reformatory (Elmira) for first male offenders from 16 to 30 years of age, often culpable mainly from ignorance and want of early moral and physical training. The work has long passed from the experimental to the successful stage. An illustration of the great importance of early training and development, is seen in the fact that in a recent examination, it was found that no less than 66 per cent of the prisoners in this Elmira Reformatory, were physically degenerate, 75 per cent were grossly ignorant, while 95 per cent came from bad associations.* The Burnham Industrial Farm School is specially to provide for and train deserted, vagrant, corrupted and vicious boys, from seven to sixteen years old, also those found wandering or in bad company, if committed by a magistrate's order; it may also take complete custody of children sent, with a written agreement, voluntarily by their parents or guardians. The boys may be kept till they are 21, or they may be sent to suitable homes, or adopted, apprenticed, sent to other authorised institutions if the judge approves, or taken on trial into families—the responsibility remains, however, with the Industrial School.

The punishment of children must be reasonable and must not disfigure or cause permanent injury. Corporal punishment in public schools is forbidden. Sentences of 16, and even 18 years, have been inflicted on parents and step-parents for cruelty and 20 years for ruining a little girl. Imprisonment for seven years may be given for the desertion of a child; 15 years for kidnapping or enticing away a child under sixteen; for abduction, imprisonment for five years and a fine of 1,000 dollars. A child employed in a way injurious to health or morals may not be detained, even by its own consent. Children under thirteen may not be employed in factories; a list must be kept

* A further example is found in the fact that of those admitted to Reformatory Schools in Ireland in 1891 no girls and only 7 per cent of the boys could read and write.
of any so employed under sixteen; the limit of work for boys under eighteen, and girls under twenty-one, is 60 hours per week. Employers, etc., failing to use a child kindly may be fined 1,000 dollars, such fine to be used for the good of the child.

It will be noticed that though the laws for the different States are much alike as regards the definition and rescue of neglected children, the methods for providing afterwards for such children differ considerably, as do the results. There is no doubt that the work in New York has an excellent effect, but on the other hand the cost is great, for the children are largely kept in institutions, thus, in New York State, there are some 30,000 dependent children costing annually $2\frac{1}{2}$ million dollars, while the number and expense has doubled during the past ten years, and is constantly increasing; whereas in the States of Michigan and Minnesota, these figures are steadily decreasing (see pages 43 and 46).

I learn from a Charities Conference recently held in Denver, Colorado, that while there are altogether some 25,000,000 children under 16 in the United States, there are about 100,000 dependent children, costing a total of some $13\frac{1}{2}$ million dollars.

Here are some of the results obtained in New York:—

The population of New York city is now close on 2,000,000—forty years ago (1855), it was just over 600,000; yet the commitments of juveniles and females have been rapidly decreasing, in spite of the growth of population, and also in spite of the fact that police statistics now include not only criminals, as was formerly the case, but all those committed to charitable institutions, either by the magistrates or voluntarily by the parents. Thus:—

In 1859, 944 females and 2,626 males, were committed for petty larceny.

In 1893, 229 females and 1,987 males were committed for petty larceny.

In 1859, 5,778 females, and in 1893 only 1,802 were committed for vagrancy. In 1876, 2,076 boys under fourteen were committed; in 1893, 2,079.

To put it differently, while in one year (1860), one in every 138 females was committed for vagrancy, in 1893 the proportion was only one in 1,050; while the commitments of girl thieves fell still lower—from one in 743 (in 1865), to one in 8,259 in 1893; among boys there was also a reduction, though not so great.

Again, in 1875 there were altogether 1,139 juvenile delinquents; in 1893, but 274! though the population had vastly increased: in 1877 there were 2,657 females under twenty committed: in 1893, 2,033—the latter including those sent to institutions. Waifs and strays seem also to be decreasing—for in the ten years from 1881 to 1891, the number of these who slept in lodging houses fell from 14,452 to 11,770 (of these only 335 were girls)—though the population had increased by 300,000.
We may then hope and believe that the prodigious efforts made are diminishing crime and vagrancy at their fountain head. No doubt the Children's Aid Society, possibly the greatest voluntary agency in the world, is largely to be credited with the good results just given. I am much indebted to its reports for many valuable statistics. This Society was founded in 1852—it has started 21 industrial schools, which have trained 275,000 children—in this and other ways it has cared for nearly half-a-million of children, besides finding employment and homes for 87,845 more. It has 21 day and 12 night schools, with (in 1895) 13,724 scholars, not only taught, but also partly fed and clothed—costing some 21 dollars a head; six lodging houses, accommodating nearly 600 a night; here as a rule the lodgers pay six cents for a bed and six cents for a meal; two summer homes for mothers and young children, taking in 12,000 inmates; besides a Farm School—here 200 boys were trained and subsequently placed in homes. It places from 2,000 to 3,000 children in homes yearly—at the low cost of 10 to 12 dollars per child—in place of the 140 dollars each child costs per year in a home or poor house, while prisoners cost over 100 dollars each! A good many boys are sent to families in the Western States at a cost of 20 dollars each. Some 800,000 meals are provided annually, and over 4,000 were aided by the sick children's mission in 1895; employment is found for many girls and industrial instruction given; boys are started in business—altogether in this one year (1895) nearly 38,000 were under the charge of the Society. The funds for this vast work are mainly derived from donations and legacies; grants are also made by the city and county, by the Board of Education, etc., the State also aided in building some of the houses required. The total receipts and expenditure of the Society since it was first started amount to just eight million dollars.

Adoption is legalised—the foster parents being exactly the same in the eye of the law, except in inheritance, as the natural parents—child takes their surname, etc. A child may also be adopted with the consent of an institution, they and the foster parents signing an agreement, the child also, if over twelve. The real parents have no further duties, responsibility nor control, nor have they any subsequent right over the custody, services, or earnings of such child. The agreement may be cancelled by the court, if for the good of the child, or if the child behaves badly the court may dispose of it as a vagrant, or may remove it if it seems desirable. Guardianship may also be given to an orphan asylum or any incorporated institution, either by the court or by an agreement signed by the parents, or by the mother only if the child is illegitimate, or by one parent if the other is dead, or has deserted the child or neglected it for the past six months, or by the guardians: or failing both parents and guardians, or if deserted for six months, by the mayor of the city or judge of the county where the institution is—such agree-
ment may give the absolute control of the child to the institution. The child, however, is only to be supported by the public, if it has no relations or guardians, or if they are quite indigent. The father of a neglected child may be arrested and compelled to pay or to work for his child, or his property may be seized if his child has become chargeable to the public—such property to be paid to the institution for the benefit of the child.

Baby farms must be licensed, and all who take children under twelve in to board, except incorporated institutions, relatives, or schools, and the like. They must always be open to inspection at reasonable hours by the S.P.C.C. Such licenses are revocable and must specify the numbers taken. No child from two to sixteen years old may be sent to or kept in a poor-house or almshouse, but must be boarded out in a family or institution, it may not then be claimed by the parents except by order of the court, but may be visited by them—it may be apprenticed or adopted. If necessary the Superintendent or overseer of the poor may remove the child and place it elsewhere.

Institutions for the care of children can only be incorporated by consent of the State Board of Education, which can impose rules. In the dormitories, 600 cubic feet of air must be allowed for each occupant. Every institution for destitute and vagrant children and for juvenile delinquents, must have attached to a regular physician, who must examine all children committed to such institutions, and once a month must thoroughly examine and inspect the entire institution and children, and report thereon to the managers and to the Board of Health, attention to be given to the food, cleanliness, condition of children, if enough attendants, etc.

It is worth noting that in all the normal schools of New York, and in all but six of the 50 States, every child and every teacher must be instructed in the principles of temperance—especially with regard to the physiological effects of stimulants, as well as other aspects. In many of the States, very useful work is done by committees of ladies, working in connection with various saving societies. These ladies visit every week from house to house, collecting small sums of money—thus, in one year $600 dollars was collected in small sums in Omaha, and in seven years over $10,000 dollars was thus saved—largely, too, by people who were often previously beggars. I fear, however, that in the matter of infantile insurance, America is not much better than we are. It has been calculated that one million policies have been effected by three companies in New York alone—the premiums range from 5 to 20 cents, and the payments on death from 17 dollars upwards. As the well-known Dr. McCook says, there are at least enormous possibilities of crime being committed for the sake of this insurance money.

Most of the American States (certainly 40) have humane Societies, which combine work for the prevention of cruelty to
animals, with that for enforcing legislative protection for children.

In Rochester (N.Y.) the Humane Society was founded in 1873, in 1891 there were 348 investigations concerning the welfare of 635 children.

In Washington the Humane Society was organised in 1870, two agents are employed who travel about warning and punishing cases of cruelty to the helpless, whether children or animals.

Pennsylvania* (whose laws on behalf of children I gave in my last paper) reports that during 15 years, 11,558 complaints were investigated, involving the welfare of 26,686 children; there were 3,131 convictions, and 8,241 children were removed from bad surroundings; 4,061 were clothed, fed and sheltered, and 37,984 meals provided. In fact the yearly cases are about 1,000—involving the well being of about twice as many children.

Adoption is legal, with the parent’s consent, or without, if the child has been abandoned. All persons taking in children under two, for pay, must be licensed—license to be revoked, if necessary. Philadelphia, in this State, has no less than 38 free kindergartens—an untold power for good.

In Western Pennsylvania the work is on a smaller scale, naturally, though it is claimed that few cases of cruelty or neglect escape detection; 284 cases of cruelty to children were investigated in 1890.

Kentucky.†—Children under sixteen found begging, homeless, abandoned or neglected, in want or suffering, destitute, orphaned or with idle, vicious, or dissolve parents, are to be brought before the court as vagrant or destitute. Such children may be committed to any authorised Institution, even without the parent’s knowledge, and even if some technical legal flaw is found, the commitment still holds good. No child under sixteen may be exhibited, made to beg, peddle, take part in anything injurious to health, life or morals—for such an offence a person may be sent to the workhouse for 90 days. Adoption, with full parental control, is legalised, if the real parents consent, though it is not thought that any court would restore a child to a bad parent, if with those caring properly for it. This applies also to Tennessee. Kentucky has no non-support law.

Tennessee.‡—Adoption is legalised if the parents consent or if the child is under the jurisdiction of the court. The managers of orphanages, etc., may require parents to surrender their rights and may get children adopted. Since 1891 homeless, abandoned, begging or wandering children, those without proper guardianship as regards their physical, moral and mental welfare, may be sent to Industrial Homes; the younger ones may be sent to charitable asylums, as may orphans, those desti-

* Reports and Manual S.P.C.C.; see also Table on page 43.
† Humane Society. Laws concerning Neglected Children.
‡ Statutes relative to Neglected Children, 1891.
tute or with criminal or insane parents, with drunkards, or bad associates—"so as to save the child from pauperism, lowness, and crime." Parents may not remove a child even from voluntary homes without an order of the court, and then only by giving good reason. The courts consider the best interests of the child, as well as the parent's wishes.

INDIANA.*—As already mentioned in my previous paper, Indiana appointed a Board of Children's Guardians in 1890, to take charge of neglected and dependent children under 15 years old. By the following year the Board had already dealt with and taken charge of 147 such children (many neglected through drink), while the number of those the Board has since taken charge of, all now placed in good homes, is 2,000, wholly or partly dependent—100 of these were taken from bad houses. Further, this rescue work is no longer voluntary, but compulsory, for it has now been decided that all townships within this State, having 75,000 or more inhabitants, not only may, but must have similar Boards, to be appointed for three years by the Circuit Court. The county raises half the income of the Board, the C.O.S. a quarter or more. Should a warning to those parents who neglect their children not be sufficient to induce reform, the children will, if necessary, be removed and placed in Homes or families. The parents may be made to contribute, but they cannot remove the children without an order from the Court, for the officers of such homes acquire full control and parental rights. The Court or the Board may appoint either a home or a person as guardian, or the Board may retain the guardianship should the parents' neglect be proved. Children under 15 may not beg, perform in the streets, be employed as acrobats, remain in drinking or concert saloons, nor in any dangerous or injurious occupation (bodily or moral), nor may they be kept in houses of ill-fame, on pain of fine or imprisonment, both for parents and employers, and also for the proprietors of houses where such has been allowed. Children under 12 may not work in mines.

In 1889 an Act was passed enforcing the punishment by fine or imprisonment of parents for neglecting, ill treating, abandoning, over-working, or over-punishing their children. In the same year both the Board of State Charities and that of Children's Guardians were created. This Board of Children's Guardians may investigate and prosecute in all cases affecting children, and the County Court may empower the Board to remove from their parents and take charge of children under 15, such as those already described—neglected, vicious, those in vicious surroundings, delinquents, truants, etc. The Board has power to investigate such cases, to provide temporary homes, and then to commit the children to reformatories, specified schools, asylums, or otherwise dispose of them without the consent of the parents—the cost being paid by a special township tax. When a child under 15 is believed to be neglected in any of the ways already described, or if destitute or under no control, or

* Reports Indiana Humane Society; Indianapolis Year Book of Charities Report Board of Children's Guardians, and Statutes.
in such company and associations as tend to corrupt and contami
nate it, the Board may petition the Court and obtain custody
of the child, removing it to a temporary home, pending the decision
of the Court. Parents may appear in self-defence to refute such
charges, but, if proved, the Board has entire future control of the
child. The cost of witnesses, etc., are paid by the county. Parents,
however, may be made to contribute towards their children's sup-
port in institutions. The Court may revoke the order depriving a
parent of his rights, and restore the child to its parent if he reforms,
but the judge's decision has hitherto been upheld. No petition was
successful in the last year of which I have a record. If no person
is legally responsible for the care of a child whose parents have
offended against these Acts, such child may be committed to the
Guardians of the poor of its county by the court or judge—but
the parents are still responsible for the maintenance of the
child. If any person be convicted of assault on a minor under his
guardianship such minor may be committed to a humane society,
which then becomes the legal guardian of the child. An instance
is given showing the need of these acts for the protection of
children, where a tramp with a child 5 years old was arrested—in
all that child's life, it had never slept in a room, much less in a bed.
Deserted children, if without guardians, may be adopted legally,
as if the parents were dead. In this State, as in others, dependent
children may be placed out in families, even without a previous in-
stitutional training.

The Humane Society, founded in 1863, may demand the ap-
pointment of a Humane Inspector—the petition must be granted
and the Inspector appointed within thirty days—to carry out these
laws on behalf of children; also to detect and to arrest off-
fenders against these acts. Indeed, all cities of 29,000 or more
inhabitants must, since 1889, have such Inspectors, to be paid by
the Police Board. The agents of the incorporated Humane Societies
may also be commissioned to act as police officers (unpaid by the
city), protecting children from cruelty, obtaining search-warrants
for suspected offences against children, if oath has been made that
the Act is being violated, etc. The Children's Aid Society was
founded in 1880. The Indiana C.O.S. works mainly through the
"Circles of Charities," of which there are 36. Indiana has also free
kindergartens.

County Commissioners are empowered and required by law to
erect Children's Homes, if needed, the cost to be met by a special
township tax, but this State has not yet altogether done away with
the custody of children in poorhouses. All large cities have a large
pauper and criminal element, to reduce this as much as possible is
at least attempted by the main city of Indiana—Indianapolis.

Indiana has about the same population as Michigan, but is
richer.

The State of Nebraska has distinguished itself by having
passed no laws, I am informed, for the protection of children and
prevention of cruelty, though it has a Humane Society.
ILLINOIS.*—I regret to add to what I previously stated about this State that legislation has so far been found ineffective to check juvenile crime—this has not diminished, and many children are still in the poorhouses, probably for want of efficient coercive education. On the other hand, the School of Agriculture for boys, started in 1887, is a success, the future career of the boys leaving has been watched, and most do well. Many counties use this school as a refuge for destitute boys, for whom they make monthly payments, the boys are mostly sent to farmer's homes and the average outlay per head is only 60 dollars. It is on the whole true of Illinois that ill treated children may be arrested and provided for as seems best for the child. The health of children and apprentices may not be endangered on pain of a fine of 500 dollars or 5 years' imprisonment, such fines accrue to the S.P.C.C. in cases conducted by that Society. 2,872 cases were investigated in one year, and 1,015 children rescued, the following year there were 3,141 complaints and 1,302 children rescued, bringing up the total for 11 years—1881 to 1892—to 25,374 complaints, and 11,424 children rescued by the S.P.C.C.

Adoption is legalized: the parents consent is not necessary under certain circumstances:—if the child has been supported by a charitable institution for a year or more, the consent of the trustees alone is necessary.

It is unlawful to permit children under 14 to beg, sell, wander, perform in public places, to be exhibited, or employed in a business likely to endanger life or limb, or for immoral purposes: in performances, exception is made to such children as are singers in church, school, or academy, etc. If any person be convicted of having transgressed this law, or of any criminal assault on a child in his custody, the child shall be removed from such custody (if desirable for its good) and disposed of according to the provisions of the by-laws dealing with vagrant and destitute children. Persons convicted of such transgression, whether employer, parent or guardian, are punished by fines of from 100 to 500 dollars and imprisonment, the severity of the punishment increasing with the number of convictions, the fines accruing to the Humane Society. Children under 16 may not frequent drinking, dancing, or concert saloons, nor other places where drink is sold, unless accompanied by their parents. As elsewhere, dependent children may be placed out in families by Childrens' Aid or kindred societies.

KANSAS.†—Since 1889 it has been a misdemeanour in Kansas to illtreat a child under 18, to abandon, or allow a child under 14 to be exhibited, or employed as an acrobat, to beg, sing, etc., under penalty of a fine of 250 dollars; imprisonment of 1 or 2 years is given for receiving a girl under 18 in a disorderly house. The S.P.C.C. or similar society may have a special police officer appointed on behalf of children, and children under 16, when neglected, illtreated, or found in bad houses may be committed to

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* Reports Humane Society.
asylums or other institutions. Any Corporation establishing children's homes for destitute and friendless children may receive power to retain such children till they are of age or to procure suitable homes for them. Indigent parents may voluntarily give up their children to such corporations—which thereby acquire sole control and legal custody, and can make such provision as they find best for each child, or such children may be adopted without the parents' or guardians' consent under certain circumstances. Any city or county of more than 30,000 inhabitants is empowered to make such appropriation for homes for neglected children as is necessary.

California passed laws on behalf of vagrant, pauper, and destitute children in 1878. Any child under 16 found begging, selling in the streets, wandering, without settled home, proper guardianship or means of subsistence, destitute, orphaned, or with parents in prison or vicious, or if found in bad houses, drinking or dancing saloons, or the companion of thieves, or frequenting low and vicious company shall be arrested. If expedient for the welfare of the child, the court shall commit it to an orphanage, to the S.P.C.C., or to such other charitable institution as may seem best for the child—parent or guardian losing all control. No child under 16 may be placed in a prison, court room, vehicle, or other place with adult criminals unless an official is present. Children under 16 may not beg, peddle, dance, perform as acrobats, or for exhibition, or in public places, or be in any business injurious to health, or be used for objectionable or immoral purposes, any parent or guardian allowing this may be fined from 50 to 250 dollars, or imprisoned for six months or both; nor may a young child even perform at concerts without the consent of the mayor, except in the case of churches and schools, etc. Any person who has the custody of a child under 16 and allows it to be so used, or to be ill-treated, or one convicted of criminal assault, may be deprived of the child's custody, if considered for the welfare of the child, and it may be sent to an orphanage, the S.P.C.C., or to such institution as is by law provided for truant, disorderly, or destitute children. It is a misdemeanor to inflict or to permit the infliction of unjustifiable mental or physical suffering or to permit life or health to be injured, or to place a child where either is endangered. Fines inflicted under this act, in cases prosecuted by the S.P.C.C. accrue to that society if incorporated. The S.P.C.C. has agents in many towns and has investigated over 6,000 cases, relieving permanently 3,300 children. No minor under 16 may be admitted to or allowed in drinking or dancing saloons, or other places where drink is sold, except with a parent or guardian. A proprietor allowing this is guilty of a misdemeanor. Smoking is forbidden to children under 16, nor may they be in smoking saloons. This law is strictly enforced, the very tobacco dealers in San Francisco pledging themselves to obey it.

The laws in New York and California are somewhat similar, and

* Reports and Manual S.P.C.C.
are far from being perfect, for they allow dependent children to be brought up in asylums at the public expense, though they may be placed out in families, and pauperism is not diminished. (See also pages 183 and 186). The population of California is a million and a quarter, and it has over 5,000 dependent children, costing more than a quarter of a million dollars. The State grants 100 dollars a year for each orphan, and 75 for half orphans or abandoned children. These are placed mainly in private sectarian institutions, which keep the children till they are self supporting. The institutions moreover, though largely supported by the State, are not under State control.

Ohio has district and county homes, and county infirmaries. Two or three counties may combine to erect these temporary children's homes, into which children are drafted and then placed out in families. Some 45 such homes have now (1895) been opened, containing 3,600 children (see Table on page 183); these, however, are not enough for the whole State, so that many children are still in poorhouses—the cost is also heavy. It is estimated that the workhouse children cost 100 dollars each a year. Many children are kept in the reformatories 10 years or until their majority. Of 204 boys who left in one year, no less than 170 were returned to their relatives. In Cleveland, the Humane Society was founded in 1873. 1,312 cases were investigated in the year (1891-2), mainly of children neglected by the father (875), with an almost similar number of drunken fathers (816), while 271 were abandoned by the father, and 247 ill-treated. Similar charges against the mothers were much fewer, only 18 had abandoned their children, and 81 were intemperate.

In Iowa and Missouri, in addition to the States already named, dependent children may be placed out in families by children's aid or similar societies, either with or without previous institutional training, these States and New Jersey have also county agents to look after the interests of children.

Canada.*

In Ontario, a Bill was passed in 1888 for the protection and reformation of children. If neglect is proved such are to be sent to industrial schools or homes at the discretion of the judge. Newsboys, bootblacks, etc., must be licensed, wear a badge, and attend school; young news girls are now prohibited. Homes are established in all large towns under certain regulations, and farmers who take children must guarantee proper care and education. Children under 14, if orphans, begging, destitute, neglected, wandering, homeless, exposed to moral or physical evil by the crime, neglect, drunkenness, or imprisonment of parent or any other cause, or if in circumstances likely to lead them into an evil life, or growing up in ignorance or vice, may be sent by a judge to an industrial or other

* Reports, Toronto Humane Society; Aims and Objects, ditto; Toronto Ind. School Ass.; Manual, with Laws for Prevention of Cruelty.
institution (such as are open to inspection), or to any suitable charitable society, and they may be kept in such homes till they are 18. The Children's Aid Society provides temporary shelters for neglected or abandoned children till homes are found. It also aims at securing education for every child, and employs two truant officers, acting at Court as the children's friend. Any child under 16 living in bad houses, frequenting the company of thieves or prostitutes, may be committed to an institution unless good cause to the contrary can be shown. Each child must be committed to an institution of its own religion, and the Municipality in which the child lives is responsible for its maintenance up to two dollars a week. The Government of Ontario and the city of Toronto gives grants to the Industrial School Association at about the rate of 60 cents per boy per week. Boys in the reformatory cost the Government about 3.50 dollars each per week. A Commissioner may be appointed with the full power of a magistrate at the request of Council to determine complaints against juveniles. During four years the Humane Society in Toronto dealt with 3,400 complaints, some of neglected children, some incorrigible, others on behalf of deserted wives and children, besides sending 250 to homes. All the large towns have Homes, but homeless children are usually adopted by farmers as members of the family, under supervision. A special magistrate, in a special, separate court, not a police magistrate, is appointed to deal with children and offenders under 21. They are tried, and, if necessary, imprisoned, apart from other offenders.

There are one or two ancient towns in England and Scotland where the curfew bell is still, and has been from time immemorial, rung, but in this part of Canada an attempt is actually being made to revive this almost forgotten custom. An Act was lately passed in Toronto, enacting that at 9 p.m. a bell should be rung in every place in this province of Ontario, and all persons under 17 found in the streets after that hour—without their parents' permission—are liable to punishment by fine or imprisonment. This curfew bye-law is very popular, and has been enforced in about 40 Municipalities. Young children may be placed in public institutions if found out at night in some places! and boys, if about the streets after nine. The sale or giving of tobacco to minors under 18 is forbidden under penalty of a fine or imprisonment. To maim or disfigure a person (as is sometimes done to children for the purpose of begging) is a felony, and punishable with imprisonment for life.

A special Inspector is appointed to supervise the work of the Humane Department, to enforce the laws relating to public-houses, immoral houses, gambling-places and baby-farms; also to see that the laws relative to cruelty to children, women, or animals, those dealing with newsboys, Sunday observance, etc., are kept. He investigates and records such cases, etc. Juvenile crime has greatly diminished, and the truant law has had a great deterrent effect as regards neglect of children.

One fact is too satisfactory to be omitted. The warden of the Central Prison in Toronto, Mr. Massie, reported lately to the
Government that of the 25,000 children sent to Canada by such agencies as Dr. Barnardo, Miss Macpherson, Miss Rye, etc., etc., only 3 per cent. have lapsed into crime. This is a wonderful achievement, when we remember that the bulk of the children thus sent out are just those that, left at home uncared-for, would have gone to swell the ranks of pauperism and crime.

In Ottawa, the Humane Society, though formed in 1882, has only lately taken up the work for the protection of neglected or ill-used children.

Such is an epitome of some of the laws as regards the care of neglected children. It is clear from this résumé that, while England perhaps leads the way so far as voluntary work can go, Australia, New Zealand, and most of the States of America place round this rescue work far more legal safeguards, and give it more State support than is the case here. In many instances—those where the work has proved most successful—it is even made compulsory to provide good homes and training for such children as are in a condition of moral or physical neglect at the cost, if necessary for the good of the child, of the loss of parental control, though the neglecting parent may be fined or imprisoned for such neglect, the fines being used for the child’s support. In all these countries, too, adoption is legalised, and is binding, while in many there is a special court and magistrate appointed to deal with juveniles, whether criminals or merely destitute, nor are such allowed to be in contact with adult criminals; in most cases they may not even be sent to prison at all. This provision seems in every case to have worked with excellent effect, and is well worthy of adoption here. Another great safeguard for children is found in the almost universal law in America forbidding the presence in drinking or gambling saloons of minors under 16—punishment falling alike on parent and saloon proprietor who permits the presence of children in such places. Liquor sellers dare not supply children, and, to a large extent, the formation of early drinking habits is thus prevented. I am told that it is an almost unknown thing to see a drunken woman or child in most of the States—here who has not been appalled by such facts as that of children under 10 years of age being taken to hospital suffering from delirium tremens! In many cases that have come under my own knowledge quite young children appear to have been fed, or rather starved, on alcohol. In shame and dismay one can but ask what can be hoped for the future of a country whose children are with impunity literally thrown away? If “all the vagabondage of the world begins in neglected childhood,” or if, as one able investigator states, “almost all juvenile offenders are found to be without homes or healthful home influences, rarely does one come from a good family,” it is surely worth while to try and secure good homes and training for all the children of our country. The history of one pauper family was investigated in New York (and the fact could be paralleled here)—it was found that it had cost the State some 100,000 dollars in 75 years! there this would no longer be possible, for the children would not be allowed to grow up paupers. It has
further been estimated that every pauper is a direct loss to the country of £1,600, besides being usually a centre of moral contagion. England has already taken some steps to prove that parents can no longer utilize their children or treat them in any way they like—we need, however, far more stringent laws, as well as a change in public opinion, so as to enforce on parents the fact that it is their duty to support their children, and to see that they are educated and fitted for an honest future, and that punishment will follow a neglect of this plain duty. Let us talk less about parental rights, and more about parental duty.

On reviewing the facts gathered in this paper, more especially those given with regard to the States of Michigan, Minnesota, Rhode Island, and also S. Australia, one is able to see in what direction legislation—as regards neglected children—is the most fruitful, what methods produce the best results. It is well known that many of our children are practically doomed from their very birth to lead lives of vice and misery; many to whom the name of God is known only as a "swear word." It is plain that voluntary efforts alone can never overtake the vast work needed before we can feel satisfied that every child born in this Christian country has at least had a chance of becoming an honest, industrious, God-fearing man or woman. Not merely pity, but justice to the neglected child, must be our motto. To this end:

i. Increased public interest in this subject—as important for the future welfare of the State as for the children themselves—needs to be aroused, then improved legislation must follow, for, as has been shown, English legislation lags far behind that of most other countries. ii. The State needs peremptorily to enforce on worthless parents the performance of their duties to their children (a task now almost wholly left to the voluntary efforts of the S.P.C.C.); if they persist in negligence punishment should follow, and the child be made a ward of the State. If it be said that to make such duties compulsory would be too great an interference with the liberty of the subject, I would ask whether a child is not as much a subject of the State as an adult? Ought not those too weak and helpless to protect themselves to be the primary objects of care? iii. Parents who have neglected, and allowed others to support their children for years while young, should no longer be free to claim them as soon as they become a useful age, without regard to the future welfare of the child. They should, moreover, be compelled to contribute to their support.

Mr. Samuel Smith, M.P., said, after a study of Continental education:—"Since I left home, I have not seen a single ragged or begging child. No country has suffered more from the abuse of individual liberty than England."

A report published in "Present-day Papers" says:—

"Childhood should be a period of innocent play and of growing bodily, mental and moral power. A normal childhood is a source of strength to one's entire life. The mind reverts to it and is refreshed. But in our great cities the children of the working poor are growing up without childhood. They leave infancy only to be-
come old men and women. They are wronged because not protected at a period when self-protection is an absolute impossibility. This is a matter of national importance... for the source of permanent prosperity must be sought in the vigor of mind and body of the great masses.”

We can never hope effectively to grapple with poverty, pauperism, and crime but by the rescue of children. May we not apply to this work the noble words of the poet Lowell:—

“New occasions teach new duties; time makes ancient good uncouth;
They must upward still and onward, who would keep abreast of truth.”

In conclusion, I should like to take this opportunity of heartily thanking the heads of the various Government offices in the Australian colonies who have been most kind in supplying me with copies of the laws in force there, as well as with statistics of the work done and other documents of value. From many of the States of America I also received full copies of all laws affecting children together with reports of various societies engaged in carrying out these laws, while the late M. Jules Simon, M. Gayte, together with M. Marjolin, M. Blache, and others, most courteously supplied me with numerous volumes, reports, statistics and information relating to legislation and work in France. From some countries, unfortunately, I could obtain no information whatever.

Note A. (See p. 147.)

Experience of the working of this law both in France and other countries shows that when children are removed from vicious parents it encourages neither pauperism nor vice, as some have supposed it might, but acts as a deterrent to both.

Note B. (See p. 177.)
The Boarding-Out System has proved as satisfactory in Scotland as in New South Wales, in the former some 84 per cent. of the pauper children are boarded out. In connection with this subject our country owes a debt of gratitude to Miss Florence Davenport-Hill, not only for her pioneer efforts, but also for her standard work, Children of the State, a second and enlarged edition of which, edited by Miss Fowke, has been published by Macmillan.

Note C. (See p. 181.)
A much needed act on behalf of neglected children in Cape Colony was passed in August, 1895, though it is not yet sufficiently known nor acted upon.

Note D. (See p. 185.)
Education is now compulsory in Michigan. Healthy children are not allowed to remain in the “county houses,” corresponding to our workhouses. Children under 14 may not work in factories, and those under 16 only with their parents' consent, nor may they be employed as acrobats.

The State Agents are appointed by the Governor; their cost is not heavy as the remuneration is small. The State Public School consists of a series of cottages with one central school.