

(No. 118.)



1870.

T A S M A N I A.

QUEEN'S ASYLUM.

CORRESPONDENCE RESPECTING REMOVAL OF CHILDREN.

Laid upon the Table by the Colonial Treasurer, October 4, 1870, and ordered by
the House to be printed.



Hobart Town, 18th May, 1870.

SIR,

THE woman named in the margin came with her husband, Joseph Barnes, from Bothwell for the purpose of taking her two children out of the Queen's Asylum. Barnes is able and willing to keep them. See memo. attached; also a certificate from Mr. Sherwin, of Bothwell, in whose employ Barnes is.

Alice Newling.
Alice Newling,
Eliza Newling.
Admitted into
Asylum, 30th
July, 1867.

I have, &c.,

(Signed) ALFRED JONES.

TRANSMITTED for the decision of the Guardians.

(Signed) W. TARLETON.
20th May, 1870.

THE Guardians would be glad to be informed whether the mother of these children could not now be compelled, under the 18th Sect. 25 Vict. No. 5, to contribute to the support of them in the Asylum, as they, the Guardians, are opposed to the two girls being placed under the charge of the parents.

(Signed) J. COVERDALE, *Principal*.
2. 6. 70.

W. TARLETON, *Esq.*

I HAVE consulted the Attorney-General on this matter; and he is of opinion that, although in strict law the mother might be liable to contribute to the support of her children in the Asylum, no Justices could be found to make an Order against her when it was shown that there was a comfortable home ready to receive them, as would appear to be the case in this instance. He advises their discharge to their parents.

(Signed) W. TARLETON.
20. 6. 70.

Eliza was discharged on the 30th June, 1870. See Monthly Return.

THIS is to certify that I believe Joseph Barnes quite capable of maintaining the children of his wife, now in the Orphan School Asylum. He is an industrious and good workman, and in the receipt of good wages.

(Signed) J. PHILIP SHERWIN.

Sherwood, Bothwell, May 9th, 1870.

Hobart Town, 18th May, 1870.

I, Joseph Barnes, of Bothwell, am willing and able to support my two step children, Eliza and Alice Newling, now in the Queen's Asylum. I was married to Alice Newling, at Bothwell, in January, 1870.

(Signed) his
JOSEPH × BARNES.
mark
Witness—ALFRED JONES.

Hobart Town, Chief District Constable's Office, 20th Dec., 1869.

Elizabeth Barber, *alias* King. Child, Elizabeth Barber, born 1. 4. 65. Admitted, 8 Nov. 1869.

THE woman named in the margin prays the Government will be pleased to allow her to take her child herein named out of the Queen's Asylum. She has a friend who is willing to adopt the child. I have seen the persons, and they inform me the same. Applicant is living with them, and was when the child was admitted into the Asylum. They have no children, and are fit persons to take charge of her. I believe the mother intends to keep the child, and not her friends.

(Signed) GEO. W. EDWARDS.

Mr. A. JONES, C.D.C.

TRANSMITTED to the Guardians.

(Signed) W. TARLETON.
21. 12. 69.

THE Guardians do not consider this a case calling for their approval for the discharge of this child from the Asylum.

W. TARLETON, *Esq.*

(Signed) J. COVERDALE, *Principal*.
21. 1. 70.

Original Papers—Admission of Child.

THE discharge of children from the Queen's Asylum is a matter which does not come within the scope of my authority, but I think it my duty so far to interfere as to bring this case under the consideration of the Colonial Secretary. As will be seen from the annexed papers, the parties with whom it is proposed the child should live are described as fit persons to have charge of her; and the mother herself is stated to be sober, honest, cleanly, and industrious. Unless, therefore, there are facts known to the Guardians which do not appear, it is difficult to understand upon what grounds the mother is deprived of her child, or the Public Funds burthened with her continued maintenance.

The Hon. the Colonial Secretary.

(Signed) W. TARLETON.
22. 1. 70.

THE papers in this case are forwarded for the perusal of the Guardians, who are requested to state their reasons for withholding the child from the mother.

(Signed) B. TRAVERS SOLLY.
24 January, 1870.

THE abject poverty of the mother, as disclosed in accompanying papers, precludes the possibility of the Guardians concurring in the discharge of the child; and, as respects the Public Funds being burdened with the maintenance of the child, there is every reason to believe they would be equally taxed whether the child be retained in the Asylum or discharged from it.

B. TRAVERS SOLLY, *Esq.*

(Signed) J. COVERDALE, *Principal*.
11. 3. 70.

St. John's Parsonage, Hobart Town, July 26th, 1870.

I BEG to apply for the discharge of the child of Elizabeth Barber from the Queen's Asylum. She is now married (by myself), and her husband is able to make a respectable home for the child. His name is Mr. Higgins, near Dr. Nicholson's, in Bathurst-street.

(Signed) H. B. BROMBY.

REFERRED to Mr. Tarleton.

HIGGINS is in a position to keep his wife and her child.

(Signed) ALFRED JONES.
28. 7. 70.

TRANSMITTED for the decision of the Guardians of the Queen's Asylum.

(Signed) W. TARLETON.
29. 7. 70.

THE Guardians approve.

(Signed) J. COVERDALE, Principal.

MOTHER to be informed.

(Signed) W. TARLETON.
4. 8. 70.

Mr. C. D. C. JONES.

INFORMED as requested.

(Signed) GEO. W. EDWARDS.
5. 8. 70.

Hobart Town, 28th May, 1869.

SIR,

THE man named in the margin came here this morning and gave himself up; he states he is willing to take his two children and that he will provide for them, which is, I think, very questionable. He has no home but can get work at Oatlands, where he has been living some time. He has been remanded until Tuesday, pending instructions.

James Baker.

I am, &c.,

(Signed) ALFRED JONES.

W. TARLETON, Esq.

THIS man, if (as I have been informed) he is a good tradesman, should be able to support his children either in or out of the Queen's Asylum. If they remain in that Institution he must be proceeded against for their maintenance, but as there is nothing recorded against his character except his desertion of his wife, which there is reason to believe is in part attributable to her violent conduct, I see no reason why they should not be entrusted to him; and, therefore, whenever he is in a position to show that he has a settled home to offer them, I would recommend their discharge to the favourable consideration of the Guardians. In the meantime he had better be discharged from custody upon the above understanding.

(Signed) W. TARLETON.
May 31st, 1869.

Hobart Town, 4th June, 1869.

MEMO.

THE man named in the margin surrendered himself to the Police. He states he has been working for Mr. Ryan at Oatlands, and that he has plenty of work there and intends returning; the Government are willing to hand his children over to him provided he has a home to take them to. He has promised to let you know when he is prepared to receive them. Will you kindly cause enquiry to be made how he conducts himself, whether he is in the habit of spending his earnings in drink. If such should be the case proceedings will be taken against him to compel his supporting the children in the Queen's Asylum.

James Baker.

(Signed) ALFRED JONES.

Mr. W. EXTON, Superintendent of Police, Oatlands.

THIS man can get constant work at Oatlands. He appears to have worked regularly, and to have spent his earnings in drink as regularly, without neglecting his work from drunkenness.

(Signed) WILLIAM EXTON, Superintendent of Police.
7th June, 1869.

FORWARDED for Mr. Tarleton's information.

(Signed) ALFRED JONES.
8. 6. 69.

Green Ponds, 8th June, 1869.

SIR,

THE man named in the margin states he has two children in the Orphan School who were to be sent to him by you when he got work. He wishes me to let you know that he has got constant work at Mr. Newbold's, at Kempton, and is ready to receive the children.

James Baker.

I am, &c.,

(Signed) THOS. W. STANWIX,
Superintendent of Police.

Mr. A. JONES, C.D.C., Hobart.

FORWARDED for the information of Mr. Tarleton.

(Signed) ALFRED JONES.
9. 6. 69.

HAS Baker got a home to receive these children into? They are girls only 8 and 6 years old; who is to take charge of them?

(Signed) W. TARLETON.
10th June, 1869.

Mr. Stanwix will oblige by supplying the information required by Mr. Tarleton.

(Signed) ALFRED JONES.
10. 6. 69.

Green Ponds.
BAKER lives in Mr. Newbold's house where he has got work. Mrs. Newbold is to look after the children *as long as Baker is in Newbold's employ.* He has not engaged for any time with Newbold.

(Signed) THOS. W. STANWIX,
Superintendent of Police.
14. 6. 69.

Mr. A. JONES, C.D.C., Hobart Town.

TRANSMITTED for the consideration of the Guardians. The father seems to be in a position to maintain these children, and the Government should, I think, be relieved of the cost of their maintenance. I think it not improbable that the responsibility of supporting his children might have a good effect upon the man's conduct.

(Signed) W. TARLETON.
16th June, 1869.

Queen's Asylum, New Town, 23rd June, 1869.

MEMO.

UPON the particulars disclosed in accompanying papers the Guardians are of opinion that the father of the two children should be compelled to contribute to their support in the Institution, in place of discharging them from it.

(Signed) J. COVERDALE, *Principal.*

W. TARLETON, *Esq.*

As I cannot concur in the decision of the Guardians in this case, I beg to refer it to the consideration of the Colonial Secretary. The father appears to be able and willing to provide for these children at his present abode, the house of a respectable master tradesman, and I see no reason why he should not have charge of them. There is always extreme difficulty in obtaining payment of contributions of this kind, and I feel assured that if retained in the Asylum the burden of maintaining the children will inevitably fall upon the Government. It seems to me, moreover, a harsh course to pursue towards the father to deny him his children when he is sincerely desirous of having them with him.

(Signed) W. TARLETON.
24th June, 1869.

THE Government would desire to refer this case for reconsideration by the Guardians.

Should the father fail to take due care of his children, he having the means of supporting them, it will be time enough for the Government to assume the duties of a parent; in the meantime it would be better that they should be restored to the father.

(Signed) RICHARD DRY.
24th June, 1869.

It does not appear clear to the Guardians that Baker has a settled home to offer his children. It is true, so long as he behaves himself, he may remain under Mr. Newbold's roof, liable, however, to dismissal at any moment for misconduct, and then the care of the children would doubtless be a greater charge on the Government than at present. The

Guardians, therefore, are unwilling to reverse their former decision, unless Newbold will become security for the children's maintenance for some specified time.

(Signed) J. COVERDALE, *Principal*.
29. 6. 69.

The Hon. the Colonial Secretary.

It is extremely improbable that Newbold would become security for the maintenance of these children. As the father offers to take them he cannot be compelled to contribute towards their support. Baker is able to maintain his children and seems willing to discharge his duty as a father, and as no contribution can be exacted from him I trust the Guardians will see the propriety of restoring the children to him.

(Signed) RICHARD DRY.
1st July, 1869.

July 8th, 1869.

SIR,

WE the undersigned, who respectively hold the joint offices of Guardian and Chaplain* to the Queen's Asylum, have the honor to address you on a subject in which we take very deep interest.

In our exercise of the former office we act in concert with our co-Guardian the Principal, who has hitherto been our mouthpiece in communications with the Government, as far as the Guardians' duties are concerned. But there exists a difference between his position and ours; namely this—that he, as Principal, is bound to entertain questions of economy as between the inmates of the Institution and the Government, which do not come within our sphere of interest. It is thus difficult for him to separate the respective duties of Principal and Guardian in all the cases which come before us. We are relieved from this difficulty, and are so enabled to arrive at dispassionate decisions with regard to what we consider the welfare of the children entrusted to us. Our tie is simply a moral one, and under this head we feel it our duty to consider the *worldly benefit* of our charges.

But with regard to our office as Chaplains we have a far more responsible duty to fulfil in our study of the *religious future* of the children of our respective creeds. We feel, indeed, loth to banish them from our care without some guarantee that the instruction we have afforded shall not be neutralized or without the *security of continued guardianship*.

Thus it is possible that questions of economy may sometimes clash with those of moral welfare and religious training, and may bring the Guardians into temporary conflict with the Government. This we are rejoiced to admit has not often occurred, and we trust may not be frequent.

In the case of the children named in the margin, we think it our duty to state why we must withhold our acquiescence in their restoration to their parent's keeping, without some more solid assurance than we have at present that their moral and spiritual welfare shall be secured.

Sophia Baker,
8 years, and
Mary Baker,
6 years.

Looking over the papers relating to them we find:—

- | | |
|--|-----------------|
| 1. That the mother is dissolute, unnatural, and of questionable sanity. | C. D. C. Jones. |
| 2. That the children were discovered in a most filthy and destitute condition. | |
| 3. That the father spends his earnings regularly in drink. | Supt. Exton. |
| 4. That he has no fixed place of abode. | |
| 5. That he has only temporary employment at Newbold's; that Mrs. Newbold is to take care of the children so long as Baker is in her husband's employ, but that Baker has not engaged for any specified time. | Supt. Stanwix. |

There is no undertaking in writing on the part of Newbold to fulfil the verbal promise made by his wife, and Baker is liable, from his habits, to be discharged at any or without any notice. The two infants (girls) might thus be consigned to squalor and misery equal to, possibly worse than, that from which they have so recently been rescued.

* The Rev. P. R. Hennebery is the immediate Chaplain, but as he acts under my direction, I am described as holding the office of Chaplain as well as Guardian.

(Signed) W. J. DUNNE, *V.G.*

Under these circumstances we most respectfully decline to become parties to their removal from the Queen's Asylum.

We have, &c.,
(Signed)

WILLIAM J. DUNNE, V.G.,
Guardian.
FRANCIS HUDSPETH, P.C.,
New Town, Guardian.

The Hon. the Colonial Secretary.

FORWARDED to Mr. Tarleton for record. No further steps can be taken in this case at present.

(Signed) B. T. SOLLY.
10th August, 1869.

Parsonage, July 22nd, 1869.

MY DEAR SIR,

I HAD an interview with Mr. Newbold, shoemaker, of Green Ponds, the other day, and elicited the following information respecting the man Baker.

Baker remained in Newbold's employ for a fortnight and left him about a month ago. Newbold has no knowledge of Baker's present residence, but fancies he went to Hobart Town. Newbold further says that he does not consider either Baker or his wife fit to have charge of young children. Mrs. Newbold never undertook to keep the children of Baker. Baker's assertion to that effect must have been a simple fiction.

I presume this will close the matter as far as the proposed removal of the children from the Queen's Asylum is concerned. I beg, however, to call your attention to the fact that the children were baptized as Protestants, but are entered at the Asylum as Roman Catholics.

I have, &c.,
(Signed) F. HUDSPETH.

Dr. COVERDALE.

FORWARDED with accompanying papers for the information of the Honorable the Colonial Secretary.

(Signed) J. COVERDALE, *Principal.*
23. 7. 69.

FORWARDED to Mr. Tarleton. Under the circumstances it would appear that nothing further can be done in this case until the father can be found. Mr. Tarleton's attention is called to what Mr. Hudspeth states as respects the religion of these children.

(Signed) B. T. SOLLY,
for the Col. Secretary (absent),
24th July, 1869.

MEMO.

A MAN named James Baker (518) having applied for his children, Sophia and Mary, now in the Queen's Asylum, information is requested as to his abode, capability of maintaining them, present condition, &c.; he will be heard of at R. Chadwick's.

(Signed) W. TARLETON.
13. 1. 70.

Mr. A. JONES, C.D.C.

THIS man is working for Mr. Chadwick and is in receipt of 30s. to 35s. per week, he can have constant work; his wife is in the Hospital for Insane.

(Signed) ALFRED JONES.
17. 1. 70.

TRANSMITTED for the information of the Guardians Queen's Asylum.

(Signed) W. TARLETON.
19. 1. 70.

Queen's Asylum, 14th January, 1870.

MEMO.

THE man named in the margin having applied for the discharge of his two children **James Baker.** from this Institution, information is requested as to his capability of supporting them, and as to his habits of life.

The man has reported himself as working for a Mr. Chadwick of Liverpool-street, boot and shoemaker.

(Signed) J. COVERDALE, *Principal.*

Mr. C. D. C. JONES.

P.S.—Is Baker's wife alive, and living with him, and how many children have they?
J. C.

BAKER is in receipt of 30s. to 35s. per week; his wife is in the Asylum for Insane; he can get constant employment.

(Signed) ALFRED JONES.
17. 1. 70.

THIS information has been supplied to Mr. Tarleton, who made the same enquiries.

(Signed) ALFRED JONES.
17. 1. 70.

Queen's Asylum, New Town, 20th January, 1870.

SIR,

IN returning accompanying papers *in re* James Baker, I am requested by my clerical co-Guardians to direct attention to their letter of 8th July last, with a view to obtaining a reply thereto.

The copy of the letter bears no address, but as it is attached to the correspondence I must be excused from addressing you on the subject, being at the same time fully sensible it is beyond your province.

The question of discharging the two children to the care of their father was yesterday considered by the Guardians, and as the same obstacles—namely, character and want of fixed residence—appear to be in no respect altered, my clerical *Confrères* hold to their former decision. Under these circumstances I feel assured you will afford your assistance to have the points raised settled with as little delay as possible.

I have, &c.,
(Signed) J. COVERDALE, *Principal.*

W. TARLETON, *Esq.*

TRANSMITTED for the consideration of the Colonial Secretary. Former papers herewith.

(Signed) W. TARLETON.
27. 1. 70.

Colonial Secretary's Office.

MEMORANDUM.

JAMES Baker's application to have his two children handed over to him, which was considered by the Guardians on the 19th ultimo, when they adhered to their former decision, having been submitted to the Colonial Secretary, he desires to bring under the consideration of the Guardians the fact that the grounds of their refusal on the previous occasion have been removed. James Baker's wife, who, it appears, was in a great measure the cause of his misery and consequent improvident life, has been for some time an inmate of the Hospital for Insane. He is now in regular employment, earning from 24s. to 28s. per week; lives in respectable lodgings; and is reported by his master, Mr. Chadwick, as a steady man; Mr. Chadwick's note is attached. The Government recognize the interest taken by the Guardians in the moral and religious welfare of the children maintained in the Asylum; but they cannot, in the present instance, and under existing circumstances, see sufficient reason for withholding these children from the father, their natural protector, who is both willing and able to support them.

(Signed) J. M. WILSON.

162, *Liverpool-street, Hobart Town, February 7th, 1870.*

SIR,

IN reference to the man James Baker, I beg to state he is in my employ; earns from 24s. to 28s. per week; is a steady man, and I think it would be advisable to let him have his two girls, at present in the Queen's Asylum.

Mr. O'BOYLE.

I have, &c.,
(Signed)

R. CHADWICK.

MEMO.

THE Principal Queen's Asylum is requested to return the last application of James Baker for his children, forwarded to him on the 13th instant with former papers.

(Signed) W. TARLETON.
24. 1. 70.

APPLICATION herewith, as also paper bearing on same subject forwarded directly to Police.

W. TARLETON, *Esq.*

(Signed) J. COVERDALE, *Principal.*
25. 1. 70.

Macquarie-street, 1st March, 1870.

MY DEAR SIR,

IN reply to your note of the 28th ultimo, enclosing a letter from the Honorable the Colonial Secretary in reference to the children of James Baker for my information and opinion, I have to state that my opinion is still unchanged as to the propriety of not surrendering those children to their parent at present.

1st. Because Baker's present steadiness of character cannot be depended upon; his past propensity to change from master to master, from place to place, and from times of sobriety to seasons of intoxication, affords sufficient reason for this anticipation.

2nd. Because Baker's wife was not so much the cause of his past misery and improvident life as his own propensity for drink; and as the two children at the Asylum are females, the confinement of the mother at the Lunatic Asylum, New Norfolk, (a sad result of Baker's cruel treatment of her), supplies an additional reason why the children should be retained at the Queen's Asylum.

3rd. Because I believe these children, if surrendered to such a father, will ere long become wretched outcasts, unless taken under the guardianship of some benevolent persons.

4th. Because there exists a means of compelling Baker to pay the usual allowance for the maintenance of his children at the Asylum.

For these reasons I feel bound to adhere to my former opinions.

Dr. COVERDALE.

I am, &c.,
(Signed)

WILLIAM J. DUNNE, *Vicar-General.*

Queen's Asylum, New Town, 18th March, 1870.

SIR,

Sophia Baker,
9 years.
Mary Baker,
7 years.

AT the request of the Very Reverend W. J. Dunne, *V.G.*, I have the honor to forward the accompanying protest, on his behalf, to the discharge of the two children named in the margin to their father. The question, however, has been fully re-considered by the Guardians in meeting assembled; and whilst they endorse to a large extent the objections offered by one of their number, the majority are unable to see (under existing circumstances, there being no means of compelling Baker to pay the usual allowance for the maintenance of his children at the Asylum) their way sufficiently clear to oppose the discharge of the children to the father.

The Hon. the Colonial Secretary.

I have, &c.,
(Signed)

J. COVERDALE, *Principal.*

FORWARDED to Mr. C.D.C. Jones in order that he may arrange with the father for the receipt of his children.

(Signed) B. TRAVERS SOLLY.
21st March, 1870.

THESE children have been handed over to their father.

(Signed) ALFRED JONES.
1. 4. 70.