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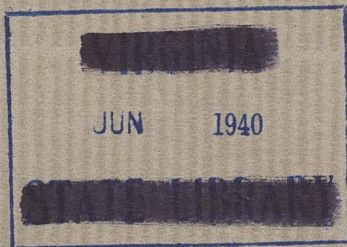


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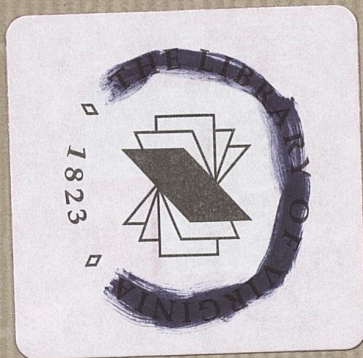


DIGEST OF PUBLIC WELFARE PROVISIONS
UNDER THE LAWS OF THE STATE OF
VERMONT

GOVERNMENT PUBLICATIONS

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JANUARY 1, 1936



PREPARED BY ROBERT C. LOWE AND STAFF
LEGAL RESEARCH UNIT

UNDER THE SUPERVISION OF
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Preface

This bulletin is one of a series intended to present in abstract form the public welfare provisions of the laws of each of the States.

The purpose of these bulletins is to give a brief review of the provisions for public assistance under the laws of the several jurisdictions, and of the administrative agencies set up by law with reference thereto. A chart showing the organizational relationships of the administrative agencies is included.

The possibility of error in attempting with a limited staff and in a limited time to assemble and digest the formidable mass of material incident to such a study is frankly recognized. The cooperation of those who have occasion to use these digests in reporting any errors of omission or commission noted, or in suggesting improvement in form or content, is invited and will be greatly appreciated.

Meanwhile it is hoped that those interested in considering the reorganization or strengthening of public welfare services in the several States may find the digests of practical value.

June 1940. Va. Div. of Statutory Research & Drafting, 3

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ABSTRACT OF PUBLIC WELFARE PROVISIONS1. GENERAL POOR RELIEF(a) Description of class

Poor and indigent persons residing or found in a town, when they are in need. 1/

(b) Procedure for determining eligibility

When application for assistance is made, the Overseer of the Poor must relieve such person or his family. 1/

(c) Measure of responsibility

Care in poorhouses. 2/

Direct relief and burial expenses. 3/ (Obligation mandatory)

(d) Qualifications imposed

Residence in the State for one year supporting self and family. 3/ Residence in town three years. 3/

(e) Incidence of financial responsibility

A town may make provision for the relief and support of its paupers. 4/ If no town is liable for the support of poor persons committed to jail while residing in a town, the expense must be paid out of the State Treasury. 5/

Recovery where possible from kindred 6/; or estate of pauper 7/; expense of poorhouses must be paid by towns interested in proportion to their grand list at the time the expense was incurred. 8/

(f) Taxes

No special provision.

(g) Administrative agencies

Overseers of the Poor 9/; Supervisors for unorganized towns and gores have same duties as overseers 10/; Superintendents of the Poor run poorhouses 11/; Town Manager. 12/

(h) Supervisory controls

No provision.

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- | | |
|---|---------------------|
| 1. Public Laws of Vermont (1933), Sec. 3918 | 7. Ibid, Sec. 3928 |
| 2. Ibid, Sec. 3961, 3980 | 8. Ibid, Sec. 3971 |
| 3. Ibid, Sec. 3923 | 9. Ibid, Sec. 3920 |
| 4. Ibid, Sec. 3922 | 10. Ibid, Sec. 3960 |
| 5. Ibid, Sec. 3929 | 11. Ibid, Sec. 3967 |
| 6. Ibid, Sec. 3935, 3944 | 12. Ibid, Sec. 3595 |

ABSTRACT OF PUBLIC WELFARE PROVISIONS2. CARE OF DEPENDENT CHILDREN IN THEIR OWN HOMES 1/(a) Description of class

Child under age of 16 years who has been deprived of parental support or care by reason of the death or continued absence from home, or physical or mental incapacity of a parent, and who is living with his father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle, or aunt, in a place of residence maintained by one or more of such relatives as his or their home. 1/

(b) Procedure for determining eligibility

Investigation by the Department of Public Welfare of child committed to it by the juvenile court or otherwise under its control. 2/

(c) Measure of responsibility

Cash allowance not to exceed \$4 per week per child. 1/
(Obligation optional)

(d) Qualifications imposed

Child can remain with such relative only if he or she is aided; it would be for benefit of such child that it should remain; it is desirable that the family be maintained; and such relative is a proper person to have the care of such child. 1/

(e) Incidence of financial responsibility

Town (which is liable for support of such relative as pauper): One-half. 1/

State: One-half. 1/

(f) Taxes

No special provision.

(g) Administrative agencies

Department of Public Welfare. 3/

(h) Supervisory controls

None.

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1. Public Laws of Vermont (1933), Sec. 5421, amended by Laws of Vermont (1935), (1st Spec. Sess. H. B. 16-X, Sec. 1).
 2. Public Laws of Vermont (1933), Sec. 5418, 5446, 5447.
 3. Ibid, (1st Spec. Sess. (1935), H. B. -X, Sec. 4).

ABSTRACT OF PUBLIC WELFARE PROVISIONS3. DEPENDENT AND NEGLECTED CHILDREN (INSTITUTIONAL)(a) Description of class

Dependent, neglected, homeless, destitute, or abandoned children under 16 years of age. 1/

(b) Procedure for determining eligibility

A person knowing of such child may file with a court of the county a petition in writing, setting forth the facts, and verified by oath. The Commissioner of Public Welfare or his deputy may file such a petition in any county. 2/ The court may give notice to the State Probation Officer who must investigate the case and, if it appear to the court in the public interest, the parent or guardian of the child may be summoned to court for hearing, and disposition of the case. 3/

(c) Measure of responsibility

Care in institution 4/; family homes or foster homes 5/; medical and surgical care. 6/ (Obligation optional)

(d) Qualifications imposed

None.

(e) Incidence of financial responsibility

State: One-half. 7/ Funds from State appropriation to Department of Public Welfare, and private gifts. 8/

Town: One-half. 7/

Court may order parents to pay as far as they are able. 9/

(f) Taxes

No special provision.

(g) Administrative agencies

Juvenile Court. 10/ State Probation Officer and Deputies. 10/ Department of Public Welfare. 11/

(h) Supervisory controls

Department of Public Welfare. 11/

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- | | |
|---|---------------------|
| 1. Public Laws of Vermont (1933), Sec. 5444 | 7. Ibid, Sec. 5455 |
| 2. Ibid, Sec. 5446 | 8. Ibid, Sec. 5420 |
| 3. Ibid, Sec. 5447 | 9. Ibid, Sec. 5467 |
| 4. Ibid, Sec. 5454 | 10. Ibid, Sec. 5447 |
| 5. Ibid, Sec. 5415 | 11. Ibid, Sec. 5418 |
| 6. Ibid, Sec. 5417 | |

4. BLIND ASSISTANCE(a) Description of class

Any adult blind person. 1/

(b) Procedure for determining eligibility

Application made to the Department of Public Welfare which investigates the case and fixes the amount of assistance, if any. If application is denied, the applicant may within 30 days after receiving notice appeal to the Department for reconsideration. 2/

Assistance is granted for 1 year or less. 3/

The amount of the assistance may be changed at any time if the department finds upon investigation that the applicant's circumstances have changed. 4/

(c) Measure of responsibility

Not to exceed \$30 per month. 5/

Funeral and burial expenses not to exceed \$150 provided that the estate of the deceased is insufficient to defray such expense. 6/

(d) Qualifications imposed

(1) United States citizenship. 1/

(2) Loss of eyesight while a resident of State or residence in the State for a period of 5 years during the 9 years immediately preceding the filing of the application, the last year of which must be continuous and immediately preceding such application. 1/

(3) Not an inmate of or maintained by any public or private institution at the time of receiving assistance. An inmate of the institution may, however, make application for assistance, but the assistance, if granted, shall not begin until he ceases to be an inmate. 1/

(4) Not sufficient income or other resources to provide a reasonable subsistence compatible with decency and health. 1/

(5) No assignment or transfer of property or income made to qualify for assistance. 1/

-
1. Laws of Vermont (1935), 1st Spec. Sess. H. B. No. 27-X, Sec. 2
 2. Ibid, Sec. 5
 3. Ibid, Sec. 6
 4. Ibid, Sec. 7
 5. Ibid, Sec. 3
 6. Ibid, Sec. 10

4. BLIND ASSISTANCE (Cont'd)

(d) Qualifications imposed (Cont'd)

(6) Twenty-one years of age if a male, 18 years if female. 7/

(7) No person receiving assistance under this Act shall at the same time receive old age assistance from the State. 8/

(e) Incidence of financial responsibility

The State General Fund; provided that the State shall be reimbursed one-half of each award, not exceeding \$15 a month, from the Federal Government. 7/

Amount paid as assistance to any person shall be a lien on the estate of the recipient. 9/

(f) Taxes

No special provision.

(g) Administrative agencies

The Department of Public Welfare. 10/

(h) Supervisory controls

No provision.

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7. Laws of Vermont (1935), 1st Spec. Sess. H. B. No. 27-X, Sec. 2
8. Ibid, Sec. 10
9. Ibid, Sec. 13a
10. Ibid, Sec. 4

ABSTRACT OF PUBLIC WELFARE PROVISIONS5. OLD AGE ASSISTANCE(a) Description of class

Subject to the provisions of the act, aged and deserving citizens residing in the State of Vermont who are in need of assistance are entitled to aid in old age from the State. 1/

(b) Procedure for determining eligibility

Application for assistance must be made to the person designated by the selectmen or city council of the town or city in which applicant is domiciled, and in the manner and form prescribed by the State Old Age Assistance Commission. Such local official must immediately investigate the applicant's condition, and, within 30 days, forward it with recommendation to the State Old Age Assistance Commission together with such supporting evidence and papers as the Commission shall require. The Commission thereupon makes such investigation as it deems necessary, and must decide upon the application and fix the amount of assistance if any; provided, however, that should an application be denied, the applicant may within 30 days after notice of such action, make appeal to the Commission for reconsideration of the application for assistance. 2/ If at any time the Commission has reason to believe that assistance has been improperly obtained, it must cause a special investigation to be made, and the reward reviewed. 3/

(c) Measure of responsibility

An amount, which, when added to the income of applicant from all sources, does not exceed a total of \$30 per month, or where a husband and wife living together are both applicants, the amount does not give them a total income exceeding \$45 a month, provided that in computing the income, earnings or gifts when such do not exceed \$100 in any calendar year, are not considered. 4/ Funeral expenses not to exceed \$150, if estate is insufficient to defray same. 5/ (Obligation mandatory)

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1. Laws of Vermont (1935), No. 82, Sec. 1
 2. Ibid, Sec. 8
 3. Ibid, Sec. 14
 4. Ibid, Sec. 4. - Should funds available be insufficient to permit assistance to all those entitled to the same the commission must select in their discretion those most urgent cases. Ibid, Sec. 23.
 5. Laws of Vermont (1935), No. 82, Sec. 13

5. OLD AGE ASSISTANCE (Cont'd)

(d) Qualifications imposed

- (1) Citizen of the United States; 6/
- (2) Residence in the State for 5 years or more with-
in 10 years immediately preceding application; 6/
- (3) Applicant not receiving aid or an inmate of any
public reform or correctional institution; 6/
- (4) Applicant has not adequate income, when joined
with the income of such person's spouse, to provide a reasonable sub-
sistence compatible with decency and health; 6/
- (5) Applicant has made no assignment or transfer of
property or income for the purpose of qualifying for assistance; 6/
- (6) Applicant must be 65 years of age or over; 6/
- (7) Income of applicant must be less than \$360 a
year, or if married and not separated from spouse, joint income must
be less than \$500 per year. 7/
- (8) Applicant must not have equity in property in
excess of \$2,500; or if married and not separated, equity in combined
property must not exceed \$4,000; provided \$1,000 value in home is not
considered in computing value of property. 7/
- (9) Recipient must not at the same time receive
other assistance from the State, except medical, surgical or hospital
aid. 8/

(e) Incidence of financial responsibility

State: Annual appropriation of \$250,000 from gen-
eral fund. 9/

(f) Taxes

No provisions.

(g) Administrative agencies

State Director of Old Age Assistance assisted by
legal voter in each town or city designated by selectmen or city
council. 10/

-
6. Laws of Vermont (1935), No. 82, Sec. 2
 7. Ibid, Sec. 3
 8. Ibid, Sec. 13
 9. Ibid, Sec. 23 - State appropriation subject to proviso that
State be reimbursed one-half of expenditure by Federal Govern-
ment. Ibid, Sec. 24.
 10. Laws of Vermont (1935), No. 82, Sec. 7,8.

5. OLD AGE ASSISTANCE (Cont'd)(h) Supervisory controlsReport to Governor. 11/Report to Federal Social Security Board. 12/

(Note)

In any event any provision of this act shall be in conflict with any law of the United States hereinafter enacted prior to convening of the General Assembly for the year 1937, under which, if this act were not so in conflict, the State would be entitled to receive contributions from the United States, the conflicting provisions shall be considered suspended. 13/

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11. Laws of Vermont (1935), No. 82, Sec. 19
 12. Ibid, Sec. 20
 13. Ibid, Sec. 26

ABSTRACT OF PUBLIC WELFARE PROVISIONS

6. SOLDIERS' AND SAILORS' RELIEF

(a) Description of class

Burial Expenses: Honorably discharged Union soldier or sailor of the Civil War, or soldier or sailor of the Spanish American War, Phillippine Insurrection, China Boxer Rebellion, or the World War, or widow of such soldier or sailor. 1/

Direct Relief: Indigent disabled veterans and indigent persons who are legally dependents of veterans who are unable to take advantage of the benefits of the Soldiers' Home. 2/

(b) Procedure for determining eligibility

Burial Expense: The commandant and adjutant of the Grand Army Post, the Spanish American War Veterans Association, or of the American Legion Post of which such soldier or sailor is a member, or if not a member, then a majority of the selectmen of a town or the mayor of a city in which such soldier or sailor or widow resided, must under oath certify to the Auditor of Accounts that such soldier, sailor or widow did not leave sufficient estate to pay the expenses of the funeral and a headstone. The Auditor of Accounts must issue a warrant for such expenses. 1/

Direct Relief: A person deserving aid must make application to the selectmen of the town or mayor of the city wherein he resides. The selectmen or mayor must investigate such person's military or naval record and the need for such assistance by him or his legal dependents, and must report to the Board (or Committee) to aid Indigent Veterans. The Committee may make such further investigation as it deems necessary and if satisfied of such person's need, must disburse such funds as it may deem necessary in each case. 3/

(c) Measure of responsibility

Burial and headstone expenses not to exceed \$150. 1/
Such amount of direct relief as the committee deems necessary in each case. 3/ (Obligation mandatory)

(d) Qualification imposed

Burial Expenses: No qualification.

Direct Relief: Residence in State for at least one year next prior to application. 2/

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1. Public Laws of Vermont (1933), Sec. 3930. Amended by Public Acts of Vermont (1935), No. 79.
 2. Public Laws of Vermont (1933), Sec. 3931.
 3. Ibid, Sec. 3932

VERMONT6. SOLDIERS' AND SAILORS' RELIEF (Cont'd)(e) Incidence of financial responsibilityState General Fund. 4/(f) Taxes

No special provision.

(g) Administrative agencies

Burial Expenses: Commander and Adjutant of Grand Army
Post or American Legion Post.

Selectmen of town; mayor of city.
Auditor of Accounts. 5/

Direct Relief: Selectmen of town; mayor of city.
Committee of Board of Trustees of
Soldiers' Home. 6/

(h) Supervisory controlsBurial Expenses: No provision.

Direct Relief: Report to Auditor of Accounts and to
General Assembly. 7/

-
4. Public Acts of Vermont (1935), No. 41, Sec. 38
5. Public Laws of Vermont (1933), Sec. 3930. Amended by Public Acts
of Vermont (1935), No. 79.
6. Public Laws of Vermont (1933), Sec. 3932
7. Ibid, Sec. 3934

ABSTRACT OF ADMINISTRATIVE PROVISIONSCOMMISSIONER OF PUBLIC WELFARE

(Department)

(Statutory Body)

1. General Powers and Duties

(a) The Department of Public Welfare has the power to supervise and direct the conduct of the State Hospital at Waterbury, the State Prison and House of Correction for Men at Windsor, the State Prison and House of Correction for Women at Rutland, the Brandon State School at Brandon, the Vermont Industrial School at Vergennes, the Shelter Home for Children at Montpelier, the Vermont Sanatorium at Pittsford, and other like institutions maintained by the State. 1/

(b) The Department of Public Welfare has the power of visitation in and over all institutions chartered by the State for the care of dependent classes which solicit public support for their work. 2/

(c) The Department of Public Welfare has supervision and control of such dependent, neglected, and delinquent children as it may take under its care and such as are committed to it by the juvenile courts; it must receive and disburse all funds which are given to it for charitable purposes and must aid and assist in such charitable work as in the judgment of the Commissioner of Public Welfare will best promote the general good of the State. 3/

(d) The Department of Public Welfare, with the approval of the Governor, may designate or construct a ward or hospital room at any State institution for the purpose of giving treatment and care to inmates of such institutions. 4/

(e) The Department of Public Welfare must investigate the administration of poor relief and the condition of the poorhouses in the State. It may in its investigations and recommendations, request the cooperation of the State Board of Health, when necessary and advisable. If any poorhouse is found deficient in the care of its inmates, or if the buildings, equipment or appliances are insanitary, defective or improper, or if any condition surrounding the care of the poor warrants, the Commissioner must report and recommend such changes to the selectmen or directors of a poorhouse association.

1. Public Laws of Vermont (1933), Sec. 471

2. Ibid, Sec. 5422

3. Ibid, Sec. 5418 - The overseers of the poor in each town shall report to the Commissioner of Public Welfare on forms furnished by him, all cases of dependent, neglected, or delinquent children, and they shall make such statistical reports showing financial data as the Commissioner may require. Ibid, Sec. 5424

4. Public Laws of Vermont (1933), Sec. 5433

1. General Powers and Duties (Cont'd)

If they fail to act, the Commissioner, at the expense of the town or poorhouse association, may make such changes as he deems best, but the board of selectmen of the town or the directors of a poorhouse association within thirty days after receipt of recommendations, may appeal to the assistant judges of the county court. 5/

If in the absence of a poorhouse association, it appears to the Commissioner that the organization of such an association would promote the welfare of the town poorhouses, he may call a meeting of the selectmen of such towns and present to them the facts and his recommendations. 6/

(f) The Commissioner of Public Welfare, or his deputy, at any time may visit each county jail and there examine into its condition, sanitary or otherwise, and into the treatment of prisoners; and, if he finds that such condition or treatment ought to be corrected, he must report the facts to the Governor for such action as the latter may direct. 7/

(g) The Commissioner of Public Welfare, through the Board of Supervisors of the Insane, exercises all the powers and duties of such Board. 8/

(h) The Department of Public Welfare may receive in trust and invest and expend in accordance with the provisions of trusts, funds and property given, granted and bequeathed by persons for the support, care, and education of dependent, neglected, or delinquent children and may receive and disburse funds given for the temporary needs of children, and may receive such gifts to be used in carrying out the charitable work of the department in all branches. 9/

The Department of Public Welfare may pay a limited amount, not to exceed four dollars per week, for the maintenance of dependent children in their homes. 10/

The Department of Public Welfare, with the approval of the Governor, to accomplish the purposes of title IV of the Social Security Act, must appoint officers and assistants and fix their salaries; make provision that any State plan shall be in effect in all political subdivisions of the State; provide methods of administration (other than selection, tenure of office, and compensation of personnel) found by the Federal Social Security Board to be necessary for the efficient operation of the plan;

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5. Public Laws of Vermont (1933), Sec. 5427, 5428
 6. Ibid, Sec. 5429
 7. Ibid, Sec. 8824
 8. Ibid, Sec. 471
 9. Public Laws of Vermont (1933), Sec. 5431 amended by H. B. 16X, Sec. 1, 1st Special Session 1935.
 10. Public Laws of Vermont (1933), Sec. 5421 amended by H. B. 16X, Sec. 2, 1st Special Session 1935.

1. General Powers and Duties (Cont'd)

grant opportunity for a fair hearing to any individual whose claim with respect to aid to a child eligible therefor is denied; make amend, suspend, and repeal rules and regulations; submit plans and reports; and comply with provisions necessary to assure the corrections and verification of reports. 11/

The Department of Public Welfare is authorized to accept the cooperation of the United States through the Federal Children's Bureau, in accordance with the provisions of Part 3 of Title V of the Federal Social Security Act. 12/

The Department of Public Welfare is empowered to cooperate with the Federal Social Security Board and the Children's Bureau of the United States Department of Labor in securing Federal funds available for services required of the State Department of Public Welfare by statute, and to submit plans and reports, make rules and regulations and in other respects comply with the provisions of the Social Security Act. 13/

(i) The Department of Public Welfare must supervise the administration of assistance to the blind. The Department is authorized to make such rules and regulations necessary for carrying out the provisions of this Act and to prescribe the form of and furnish applications, reports, affidavits, and such other forms as it may deem necessary. The department is hereby authorized to make such rules and regulations as may be necessary to conform with any requirements of the Social Security Board or other agency established under the provisions of the Social Security Act. 14/ The Department must make investigation, decide on applications for blind assistance and fix their amount. 15/

(j) The Commissioner of Public Welfare is, by virtue of his office, State Probation Officer, Commissioner of the Deaf, Dumb, Blind, Idiotic, Feeble-minded or Epileptic Children of Indigent Parents, and Commissioner of Indigent Tuberculous Persons and Indigent Children, Predisposed to Tuberculosis, and of Tuberculosis Hospitals. 16/ As such he has the following powers and duties: -

(1) State Probation Officer:

(a) The State Probation Officer has general supervision of persons placed on probation and of administration of the statutes relating to probation and may prescribe rules not

11. Laws of Vermont (1935), 1st Special Session, H. B. 16X, Sec. 4
12. Ibid, Sec. 5
13. Ibid, Sec. 6
14. Ibid, H. B. 27X, Sec. 4
15. Laws of Vermont (1935), 1st Special Session, H. B. 27X, Sec. 5
16. Public Laws of Vermont (1933), Sec. 471

VERMONT - Abstract of Administrative Provisions -
Commissioner of Public Welfare

1. General Powers and Duties (Cont'd)

(1) State Probation Officer: (Cont'd)

inconsistent with the orders of the court placing the person on probation, covering the conduct of such a person, and may require such a person to report in person to him or such deputy as he may appoint. 17/

(b) The State Probation Officer, in the execution of his duties, has all the powers of a police officer and the authority, rights and powers over and in relation to each probationer in his care and custody which he would have if he were a surety upon the recognizance of such probationer. Such authority, rights and powers, extend to and are vested in the State Probation Officer for the time being over and in relation to all cases pending in his charge during his term of office whether such probationers were originally committed to his charge or to that of his predecessor in office. 18/

(c) The State Probation Officer has supervision of all persons placed on parole by the Governor, and when requested by the Governor must investigate and report upon applications for a pardon or parole. 19/

17. Each probationer must make a monthly report to such probation officer of his whereabouts and present employment and give such information as such officer may require, and upon neglect or failure so to do or whenever such officer believes that the probationer has violated any of the terms or conditions of his probation, he must bring the probationer, or cause him to be brought, before the court where he was convicted, or if the court is not in session, before a majority of the judges of such court, and such court or judges must inquire summarily into the conduct of the probationer subsequent to his release on probation; and if such court or judges are satisfied that the probationer has violated any conditions of his probation, they may order him committed on his original sentence. Public Laws of Vermont (1933), Sec. 8865, 8879.

When a person has been placed on probation the court may authorize and direct the State Probation Officer to expend for such persons the temporary support or traveling expenses or both, to such reasonable sum as the court may deem expedient, and money so expended by him shall be repaid him on vouchers approved by such court by a warrant issued by the Auditor of Accounts. Ibid, Sec. 8877.

18. Public Laws of Vermont (1933), Sec. 8875

19. The Sheriff at the request of the State Probation Officer must investigate as to any person placed on probation, parole or pardon, and for such investigation such officer receives his actual and necessary expenses. Ibid, Sec. 8866, 8867.

1. General Powers and Duties (Cont'd)

(1) State Probation Officer: (Cont'd)

(d) The State Probation Officer, at the request of the Justices of the Supreme Court, must investigate as to any person against whom a prosecution is pending in that court and make report thereon to the court, and upon order of such court, he must take on probation any person sentenced therein. 20/

(e) The State Probation Officer must keep a full record of all cases placed in his care and of all duties performed by him. He must also keep an accurate account of all monies coming into his hands. 21/

(2) Commissioner of the Deaf, Dumb, Blind, Idiotic, Feeble-minded or Epileptic Children of Indigent Parents:

(a) The Commissioner may provide for the instruction of the blind, deaf and dumb children over fourteen years of age and of blind adults, in such schools outside the State as he may designate, but such schools must be selected with a view to furnishing instruction in such trades or lines of work as will be better regulated to enable such persons to become self-supporting. 22/

(3) Commissioner of Indigent Tuberculous Persons and Indigent Children, Predisposed to Tuberculosis:

(a) The Commissioner has general direction, control and management of the Washington County Tuberculosis Hospital and makes regulations relating to the operation of such hospital. Such hospital must receive and treat persons suffering from tuberculosis and be open to the public under such regulations as the Commissioner may prescribe. 23/

20. The State Probation Officer when directed so to do by a court in the State before which a person is being prosecuted for a crime, must inquire into the circumstances of the particular case and the character and previous record of the accused and may recommend that such person if convicted be placed on probation. Such court must pass sentence on the accused, if he is convicted, and may then suspend all or a part of such sentence and place the person so convicted and sentenced in the care and custody of the State Probation Officer upon such conditions and for such time as it may prescribe or until further court order. Public Laws of Vermont (1933), Sec. 8868, 8872.

21. Ibid, Sec. 8869, 8870

22. The Board of Listers in each town must ascertain and certify to the Commissioner of Public Welfare, on or before May 1st, annually, the number of deaf and dumb persons and the number of blind and epileptic persons in such town, their ages, conditions, and circumstances, and the ability of their parents to educate them,

(Footnote - Number 22)

and the names of all idiotic or feeble-minded children between the ages of five and fourteen residing in such town and the pecuniary ability and circumstances of their parents or the persons bound to support them and whether in the opinion of the Board persons named are proper subjects for the charity of the State and whether their parents or guardians are willing that they should become beneficiaries of any institution provided for the education of such persons. Public Laws of Vermont (1933), Sec. 5563, 5566.

The selectmen of each town may execute in their official capacity in behalf of their respective towns, without a previous vote, the bond which may be required to be given by the town to indemnify the State, against expenses which may accrue in consequence of the sickness, clothing, or transportation of such beneficiaries under these provisions. Ibid, Sec. 5568.

When a person is designated as a beneficiary, the town in which he resides shall defray the expenses of his conveyance to and from the institution in which he is to be instructed, when, in the opinion of the selectmen, the parent or guardian is not able to pay the same. Ibid, Sec. 5569.

The beneficiaries specified must be instructed in the following institutions: The deaf and dumb at the American Asylum for the Education for the Deaf and Dumb at Hartford, Connecticut, the Clark School for the Deaf at Northampton, Massachusetts, the Mystic Oral School at Mystic, Connecticut, or the Austine Institution at Brattleboro, Vermont; the Blind at the New England Institution for the Instruction of the Blind at Boston, Massachusetts; and the Idiotic or Feeble-minded Children at the Massachusetts School for the Idiotic and Feeble-minded Youth at Boston, or at such other institution of like nature as the Commissioner selects. Ibid, Sec. 5565.
23. Public Laws of Vermont (1933), Sec. 5523

1. General Powers and Duties (Cont'd)

(2) Commissioner of the Deaf, Dumb, Blind, Idiotic,
Feeble-minded or Epileptic Children of Indigent
Parents: (Cont'd)

(b) The Commissioner of Public Welfare may designate one or more blind or deaf and dumb beneficiaries, to be educated within this State, when, in his judgment, adequate advantages exist for proper instruction and the public good will be served thereby. 22a/ The Commissioner shall allow for the benefit of such a person, from the general funds available to carry out the provisions of this chapter, a sum equal to the amount paid for a single beneficiary at any of the institutions mentioned (in footnote 22) and upon receiving a certificate from the selectmen of the town in which such person resides that a proper course of study has been pursued, he may direct the auditor of accounts to issue his warrants in quarterly installments in favor of the person designated. 22b/

(c) The Commissioner may designate beneficiaries and direct the auditor of accounts to issue his warrants for any part of the funds available for the purposes of this chapter. He may superintend and direct all matters relating to education of the deaf, dumb, blind, idiotic, feeble-minded or epileptic children, inhabitants of the State, and may allow all or any portion of the expense of their conveyance to and from and support in the institutions in which they are instructed for such time as he deems proper; and he may take bonds to indemnify the State against the expenses which accrue in consequence of the sickness, clothing or transportation of a beneficiary. 22c/

(d) The sum of \$2,500 of the fund annually available for such beneficiaries may be expended by the Commissioner in his discretion for the care, education and training of such beneficiaries after they have been discharged from the institution where they have been kept as subjects of State charity. 22d/

22a. Public Laws of Vermont (1933), Sec. 5570.

22b. Ibid, Sec. 5571.

A deaf or blind child, who is within the age of a legal pupil and who is designated under the provisions of this chapter by the Commissioner to an institution for the education of the deaf or blind in this State, shall attend such designated institution during its regular session for the period for which such child is designated unless such child is mentally or physically unable so to attend or has already acquired knowledge of the studies required to be taught in the elementary school course or is otherwise being furnished with the same education, provided such child shall not be required to attend more than 40 weeks in any school year. Ibid, Sec. 5572.

22c. Public Laws of Vermont (1933), Sec. 5567.

If any person refuses to permit a child to receive instructions, he may be fined not more than \$25 nor less than \$5. Ibid, Sec. 5573.

22d. Public Laws of Vermont (1933), Sec. 5574.

1. General Powers and Duties (Cont'd)(3) Commissioner of Indigent Tuberculous Persons
and Indigent Children, Predisposed to
Tuberculosis:

(a) The Commissioner has general direction, control and management of the Washington County Tuberculosis Hospital and makes regulations relating to the operation of such hospital. Such hospital must receive and treat persons suffering from tuberculosis and be open to the public under such regulations as the Commissioner may prescribe. 23/

23. Public Laws of Vermont (1933), Sec. 5523.

1. General Powers and Duties (Cont'd)

(3) Commissioner of Indigent Tuberculous Persons and
Indigent Children, Predisposed to Tuberculosis:

(b) The Commissioner has the general care, control and management of the Vermont Sanatorium for the care of persons who are or may be suffering from tuberculosis and must faithfully carry out its purposes and objects. He may employ and fix the compensation of a superintendent and such physicians, nurses, attendants, laborers and other assistants as may be necessary to properly operate such institution. The Commissioner may make regulations relating to the operation of such institution and to the admission of patients thereto not inconsistent with the purposes of such institution. 24/

(c) The Commissioner must designate beneficiaries and must direct the time when and the place where a beneficiary is to be treated. 25/

(d) The Commissioner may make such regulations as he deems proper for the admission to such hospitals of private patients and patients able to pay only a part of the expense. 26/

24. Public Laws of Vermont (1933), Sec. 5525, 5526

25. A person wishing treatment hereunder must be examined by a reputable licensed physician, who must report in writing of his finding to the selectmen of the town or the mayor of the city in which such person resides. The selectmen or mayor must thereupon investigate the financial condition of the person applying for treatment; and if found worthy must make a complete report together with the physician's report to the Commissioner of Public Welfare. Ibid; Sec. 5528.

The Commissioner may designate beneficiaries and must direct the time when and the place where a beneficiary is to be treated, and the Auditor of Accounts must issue his warrants for such treatment upon the certificate of the Commissioner, and the Commissioner, in his discretion, may take a bond to indemnify the State against expenses which accrue in consequence of the clothing or transportation of a beneficiary. The selectmen or mayor may execute such bond in their official capacity in behalf of their respective towns or cities, without a previous vote. Ibid, Sec. 5529.

When a person is designated a beneficiary, the town or city in which he resides must defray the expenses of his conveyance to and from the institution to which he is sent for treatment and must provide necessary clothing. In case a beneficiary dies while receiving treatment as provided, the town of his residence must be immediately notified of his death and is chargeable with his burial expenses. Ibid, Sec. 5530.

The beneficiaries must receive treatment in the Vermont Sanatorium at Pittsford, at the Caverly Preventorium, at the Washington County Tuberculosis Hospital, or a similar institution. Ibid, Sec. 5529, 5531.

26. Public Laws of Vermont (1933), Sec. 5524

1. General Powers and Duties (Cont'd)

(i) State Detention Farms: The Commissioner of Public Welfare, at the expense of the State and with the approval of the Governor, must lease such farms or lands as the Governor may deem advisable for the establishment of State Detention Farms. Such farms are for the discipline, correction, reformation, instruction and work of persons confined in jails. 27/

The Commissioner must equip such farms or land with buildings and equipment and provide necessary tools for persons removed to such farms, and must make reasonable rules and regulations for the management of such farms and persons removed thereto and he, with the approval of the Governor, may employ superintendents and attendants for such farms. 28/

The Commissioner must cause persons removed to a detention farm to perform such work on or in the vicinity of such farm as the Governor deems advisable and may make contracts for labor to be performed by such persons. 29/

The Commissioner must pay to such prisoners performing work or to their dependents such sums per day as the Governor shall fix. 30/

The Commissioner must keep correct accounts and quarterly pay all money received into the State Treasury. 31/

2. Composition and Appointment of Governing Body

The Governor makes, promulgates and has power to enforce such rules and regulations as he may see fit for the conduct of the Department of Public Welfare, and may alter or add to the same. 32/

The Commissioner of Public Welfare is appointed by the Governor, biennially during the session of the General Assembly, with the advice and consent of the Senate; and his salary is fixed at \$4,000 per year. 33/

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27. Public Laws of Vermont (1933), Sec. 5471
28. Ibid, Sec. 5472
29. Ibid, Sec. 5474
30. Ibid, Sec. 5475
31. Ibid, Sec. 5479
32. Ibid, Sec. 458
33. Ibid, Sec. 455, 8915

2. Composition and Appointment of Governing Body (Cont'd)

The Commissioner of Public Welfare administers the Department of Public Welfare; and, by virtue of his office, is Commissioner of the deaf, dumb, blind, idiotic, feeble-minded or epileptic children of indigent parents, Commissioner of indigent tuberculous persons and indigent children, predisposed to tuberculosis, and State Probation Officer. 34/

The Commissioner of Public Welfare manages and controls the State Detention Farms. 35/

3. Reports

The Commissioner of Public Welfare must investigate and make report to the Governor as to all public charities and, in each even year, must make a report to the Governor of the acts of his department. 36/

The Commissioner of Public Welfare makes reports to the Commissioner of Finance at such times and in such manner as he, with the approval of the Governor, may prescribe. 37/

Within 90 days after the close of each calendar year, the Department must make a report to the Governor for the preceding year regarding blind assistance. 38/

The Commissioner of Public Welfare, acting as Commissioner of the deaf, dumb, blind, idiotic, feeble-minded or epileptic children of indigent parents, and as Commissioner of indigent tuberculous persons and indigent children, predisposed to tuberculosis, must report biennially to the General Assembly, with an account of his expenditures. 39/

4. Executive

See "Commissioner of Public Welfare" under "Composition and Appointment of Governing Body".

5. Staff

The Department of Public Welfare is empowered to employ such assistants, clerical or otherwise, as the Governor deems necessary for its proper and efficient administration, and, subject to his approval, fixes the compensation to be paid therefor. 40/

The Governor may transfer temporarily or permanently, subordinates of any one of the departments to another department as the needs of the State may seem to him to require. 41/

34. Public Laws of Vermont (1933), Sec. 454, 5562, 5527, 471

35. Ibid, Sec. 5471

36. Ibid, Sec. 5418

37. Ibid, Sec. 467

38. Laws of Vermont (1935), 1st Special Session, H.B. 27-X, Sec. 5

39. Public Laws of Vermont (1933), Sec. 5564, 5527

40. Ibid, Sec. 460

41. Ibid, Sec. 468

5. Staff (Cont'd)

The Commissioner of Public Welfare, acting as State Probation Officer, with the approval of the Governor, may appoint and remove at pleasure, deputy probation officers, both male and female. Such deputy probation officers are under the supervision and control of the State Probation Officer and receive such compensation as is fixed by him, with the approval of the Governor. 42/

6. Financial Provisions

The Department of Public Welfare is financed by appropriation from the general fund of the State. 43/

Amount of Appropriation:

The sum of \$1,757,000 is appropriated for the Department of Public Welfare for the period from July 1, 1935 to June 30, 1937. 43/

Limitation of Funds:

Commissioner's and other salaries; clerks, field agents, deputies, supplies, etc.	\$ 56,000
Kinstead	14,000
Defective Aid	1,000
Children's Aid	56,000
Mother's Aid	60,000
State Hospital for Insane	542,000
Industrial School	220,000
Prison and House of Correction	296,000
Prison and House of Correction for Women	48,000
Brandon State School	164,000
Brandon School Colonies	20,000
For Relief of Indigent Tuberculosis Persons	222,000
State Beneficiaries; Deaf, Dumb, Blind	52,000
Educational Work. Adult Blind	<u>6,000</u>
	<u>\$1,757,000</u>

42. Public Laws of Vermont (1933), Sec. 8871

43. Laws of Vermont (1935), No. 41, Sec. 24

SUPERINTENDENT OF STATE HOSPITAL FOR INSANE 1/

(Statutory Body)

1. General Powers and Duties(a) Superintendent

The Superintendent, so far as the capacity of the Hospital will permit, must receive all persons who have been adjudged proper subjects for treatment in the Hospital for the Insane pursuant to law 2/, and all insane criminals ordered committed to the hospital, and must safely keep them until they are discharged agreeably to law and the by-laws of the hospital. 3/

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1. An insane person residing in the State must be supported at the Vermont State Hospital for the Insane or at the Brattleboro Retreat at the expense of the State when the earnings of such insane person are not sufficient. (Public Laws of Vermont (1933) Sec. 5552) See note on Brattleboro Retreat.
 2. See footnotes under "Supervisors of the Insane" for Admission to Insane Hospitals and Appeals to Probate Court.

Insane Poor: Insane persons in a town, destitute, and not having relatives in the State bound by law to support them, and insane persons whose estate or property does not exceed \$300, must be supported by the State, while in a hospital for the insane. (Public Laws of Vermont (1933), Sec. 3981.)

Admission: The selectmen, on application of the overseer of the poor of such town, must ascertain whether such insane person is liable to be supported by the State, and upon petition in writing may institute a court inquiry before the Probate Court of the district in which the town is situated. The court must then give notice and arrange for the hearing, but the judge, in his discretion, and upon satisfactory evidence that the person is insane and dangerous, may order his removal to the Vermont State Hospital for the Insane or the Brattleboro Retreat for safekeeping and treatment pending hearing, for not more than 20 days. (Public Laws of Vermont (1933) Sec. 3982 - amended by Laws of Vermont, 1935, No. 81) The State's Attorney, or attorney appointed by the court, must investigate the case; and if he finds that such insane person is not liable to be supported by the State, he must attend such court and produce, at the expense of the State, such witnesses and testimony as he deems advisable for the protection of the rights of the State. (Ibid, Sec. 3983.)

VERMONT - Abstract of Administrative Provisions
Superintendent of State Hospital for Insane (cont'd)

1. General Powers and Duties (cont'd)

The Superintendent may receive and detain a voluntary patient. 4/

(b) Commissioner of Public Welfare

1. The Commissioner of Public Welfare has the general direction and control of all property and affairs of the Vermont State Hospital for the Insane not otherwise provided by law, must take charge of the general interests of the institution and see that those designs are carried into effect according to law and the by-laws, rules and regulations thereof. 5/

2. The Commissioner must make and enforce such rules and regulations as may be necessary for the internal government and discipline of the hospital and for conducting its business and must fix the conditions of admission, support and discharge of the patients. 6/

Admission (cont'd) - The State or any other party in interest may appeal from the finding or decree of the court and such appeal must be had in the county court, in accordance with the provisions of the law. (Public Laws of Vermont (1933) Sec.3986)

When in the opinion of the Superintendent of the Soldiers Home at Bennington, an inmate thereof becomes insane, the Superintendent may apply to the Probate Court for the district of Bennington for an inquisition of lunacy and for an order to commit such persons, if found insane, to a hospital for the insane, and the same proceeding must be had as upon the application of the selectmen of a town and as if such inmate were a resident of Bennington, except that the Court may omit the notice of hearing to the State's Attorney. (Ibid, Sec.5549)

3. Ibid, Sec. 5544. .
4. Ibid, Sec. 4048.
5. Ibid, Sec. 5532.
6. Ibid, Sec. 5535.

Idiots and persons non compos mentis, or demented persons who are not dangerous, must not be confined in a hospital for the insane. If such person is so confined, the State Board of Supervisors of the Insane must discharge him, and the Commissioner of Public Welfare, superintendent or the board of trustees of such hospital must notify the selectmen of the town or the mayor of the city from which such person was removed, of such discharge; and if such town or city does not

1. General Powers and Duties (cont'd)

3. The Commissioner must make provision for the care, custody and treatment of the criminal insane of the State in the State Hospital for the Insane. He must make provision for the insane poor of the State in such hospital for the insane or in the Brattleboro Retreat, in the proportion of as nearly 5 to 2 patients in each respectively, as is practicable. 7/

4. The Commissioner must formulate and have printed at the expense of the State blank forms for the commitment of an insane person to the Vermont State Hospital for the Insane and the Brattleboro Retreat. Such blanks must be furnished by him to the several judges of probate in the State and the use thereof is obligatory. 8/

5. The Commissioner, upon discharge by the Supervisors of Insane of a patient who is an idiot or non compos mentis or demented but not dangerous must notify the selectmen of the town or the mayor of the city from which such person was removed, of the discharge, and if such town or city does not remove such person within 12 days after receiving notice, such town or city is liable to the hospital for the support of such person. 9/

2. Composition and Appointment of Governing Body

Superintendent: The Commissioner of Public Welfare must appoint a well-educated physician experienced in the treatment of the insane as Medical Superintendent, who must give bond in such sum and with such surety as the State Treasurer approves, conditioned for the faithful performance of his duties. 10/ His salary is fixed by the Commissioner, with the approval of the Governor. 11/

remove such person within 12 days after receiving such notice, such town or city is liable to such hospital for the support of such person, to be recovered in an action of tort on this statute. (Public Laws of Vermont (1933) Sec. 4043)

7. Public Laws of Vermont (1933) Sec. 5533.

8. Ibid, Sec. 5536.

9. Ibid, Sec. 4043.

10. Ibid, Sec. 5537.

11. Ibid, Sec. 8945.

VERMONT - Abstract of Administrative Provisions
Superintendent of State Hospital for Insane (cont'd)

3. Reports

The Commissioner of Public Welfare must cause to be kept an account of all receipts and expenditures, and his report must contain a statement of such account together with a tabulated statement of work done by the hospital during the preceeding two years. 12/

The Superintendent must keep a record in a book kept for that purpose of the visits of the Commissioner of Public Welfare to the hospital and on the first day of every month must transmit a true copy thereof to the Governor. 13/

The Superintendent, annually, on July first, must furnish the Auditor with a list in duplicate of the persons confined in the institution supported in whole or in part by the State, with the amount paid by the State for the support of each patient during the previous fiscal year, and such other information as the Auditor may require. 14/

4. Executive

See "Superintendent" under "Composition and Appointment of Governing Body".

5. Staff

The Commissioner of Public Welfare appoints a steward, chaplain, matron, and other necessary officers, attendants and assistants. 15/ Their salaries are fixed by the Commissioner, with the approval of the Governor. 16/

6. Financial Provisions

The Superintendent of the Vermont State Hospital for the Insane, on the first day of each month must estimate the amount of funds required to transact the business of the hospital and support the patients therein for the current month, stating in detail for what purpose the funds are required. When such estimate has been approved by the Commissioner of Public Welfare, the Auditor of Accounts must issue his warrant for the same. The Superintendent, on the last day of each month, must deliver an abstract of the expenses for the institution for the month, with vouchers for the same, and the Auditor of Accounts must issue his warrant for such balance as he finds due. 17/

12. Public Laws of Vt. (1933) Sec.5538.
13. Ibid, Sec. 5548.
14. Ibid, Sec. 3996,3997.

15. Ibid, Sec. 5537.
16. Ibid, Sec. 8945.
17. Ibid, Sec. 5546.
See next page.

6. Financial Provisions (cont'd)

Amount of Appropriation:

The appropriation from the general fund for the two year period from July 1, 1935 to June 30, 1937, for the Vermont State Hospital is \$542,000. 18/

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17. (cont'd) If an insane person supported at the expense of the State in a hospital for the insane had, at the time of commitment, or thereafter acquires real or personal estate, or a pension or annuity, the same must be appropriated towards the support of such person in such hospital except as otherwise provided. (Public Laws of Vermont (1933) Sec. 5558) The costs and expenses of the examination and removal of an insane person are to be paid by the town instituting the inquiry and if such person has not resided in such town for the period of three years, supporting himself and family, such town may recover such costs and expenses in an action of contract from the town, if any, in which such person has last resided three years supporting himself and family. (Ibid, Sec. 3988) The court must ascertain, so far as it is able, concerning the next of kin of such person, and what prospects of inheritance such insane person has. This information is filed with the superintendent of the institution to which such insane person is committed. (Ibid, Sec. 3985.) A patient must not be supported at such hospital or retreat entirely by the State unless he was removed there on order of a Probate Court or from the State Prison, House of Correction, or Women's Reformatory or court sentence. (Ibid, Sec. 3991.)
18. Laws of Vermont (1935), No. 41, Sec. 24, f.

NOTE ON BRATTLEBORO RETREAT

This is not a State agency. The Commissioner of Public Welfare makes contracts with the Brattleboro Retreat for keeping insane poor, to the number of 200, while 500 are kept at the Vermont State Hospital for the Insane, or in that proportion as nearly as practicable. 1/

The Trustees of the Brattleboro Retreat must semi-annually, in June and December, furnish the Auditor of Accounts with a written statement, verified by oath of the superintendent or one of the trustees, giving the name and residence of each patient who is supported wholly or in part by the State, the time he has been in the Retreat and the number of weeks for which pay is charged. 2/ Upon receipt and examination of such statement, the Auditor of Accounts must issue his warrant at such rate per week as may be fixed by the Governor. 3/ Annually on July 1, the Superintendent of the Brattleboro Retreat must furnish the Auditor with a list in duplicate of the persons confined in the institution, supported in whole or in part by the State, with the amount paid by the State for the support of each patient during the previous fiscal year, and such other information as the Auditor may require. 4/

The appropriation from the general fund for the 2 year period from July 1, 1935 to June 30, 1937 is \$228,000. 5/

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1. Public Laws of Vermont (1933), Sec. 5533.
 2. Ibid , Sec. 3992.
 3. Ibid, Sec. 3993.
 4. Ibid, Sec. 3996-7
 5. Laws of Vermont (1935), No. 41, Sec. 34.

STATE BOARD OF SUPERVISORS OF THE INSANE

(Statutory Body)

1. General Powers and Duties

(a) Supervision of hospitals for insane: The Board must visit the Vermont State Hospital for the Insane and the Brattleboro Retreat as often as occasion requires, and one of the Board as often as once each month, and in its discretion, may visit any other hospital or place in this State where insane persons are confined. The Board must examine the condition of such hospitals and other places, the management and treatment of the patients therein, their physical and mental condition and medical treatment; it must hear grievances of patients apart from the officers and keepers, and investigate such cases as, in its judgment, require special investigation, and particularly must ascertain whether persons are confined in such hospitals or other places who ought to be discharged. 1/

1. Public Laws of Vermont (1933), Sec. 4017

Admission to Insane Hospitals: A person, except as otherwise provided, must not be admitted to or detained in a hospital for the insane, as a patient or inmate except upon the certificate of such person's insanity made by two legally qualified physicians, residents of this State. Such certificate must contain a statement that the physicians are each legally qualified to practice in the State, that they have made a careful examination of the supposed insane person not more than 5 days previous to making the certificate, and their reasons for adjudging the person insane. This certificate must be made and sworn to not more than 20 days before the admission of the insane person to the hospital for the insane, unless a longer time is required to dispose of an appeal taken from the decision of the physicians. Public Laws of Vermont (1933), Sec. 4034, 4037.

Appeal to Probate Court: A person whose insanity is so certified or any next friend or relative may appeal from the decision of the physicians so certifying to the Probate Court of the district in which such person resides, or in which the hospital for the insane to which he is committed is situated. The appeal must then be heard before a jury of 12 citizens of the county, as specified by law, and the Probate Court must keep a record of trials of appeals under this section. If the jury finds the person insane, the court certifies the verdict and such person may be committed and detained in a hospital for the insane. If the jury finds that such person is not insane, the court must vacate the certificates of the physician. Public Laws of Vermont (1933), Sec. 4038, 4039.

1. General Powers and Duties (cont'd)

(b) Surgical treatment: If the Board find an insane person, who is supported by the State in the State Hospital for the Insane or Brattleboro Retreat, who requires surgical operation for his comfort, or if a surgical operation would promote the possibility of his discharge from such institution, the Board, with the consent of such person and some member of his family, may make the necessary arrangements with some surgeon and hospital for such operation, the expense of which must be paid by the State out of the general fund, but the entire expense for such surgical treatment and care in all such cases must not exceed the sum of \$1,000 in any biennial term. 2/

(c) Insane not confined in institutions: The Board has the general supervision of idiots and persons non compos mentis who have been discharged from a hospital or other place of confinement by authority of the Board and also of the insane of the State not in confinement, so far as concerns their physical and mental condition, their care, management and medical treatment and must make such orders therein as each case requires. 3/

(d) Non-residents confined in State institutions: The Board must ascertain, so far as possible, the presence of insane persons, not criminal, who are or may be confined at the expense of the State in an institution for the insane, who have no legal address in the State, but who reside in and are properly chargeable to some other state or country, and must take measures to return such persons to the state or country of their residence. 4/

(e) Persons adjudged insane in another state: The Board may receive and temporarily detain for observation for a period of not more than 20 days in any hospital in the State, insane persons resident in the State who have been apprehended and adjudged insane in another state or country and have been returned to this State, and the Board upon petition brought during such period of detention before any probate court in the State may have committed such insane persons to the State Hospital for the Insane or the Brattleboro Retreat. 5/

(f) Investigation of discharges: The Board may administer oaths, summon witnesses before it in any case under investigation, and discharge by its order in writing any person confined as a patient in any hospital for the insane whom it finds on investigation to be wrongfully confined or so far sane as to warrant his discharge. The Board must discharge patients, not criminals, who have escaped from a hospital for the insane and have not been apprehended at the expiration of 6 months from the time of their escape. The Board must not order the discharge of a patient without giving the superintendent of the hospital an opportunity to be heard. 6/

2. Public Laws of Vermont (1933), Sec. 4018.

3. Ibid, Sec. 4019.

4. Ibid, Sec. 4023.

5. Ibid, Sec. 4024.

6. Ibid, Sec. 4027.

1. General Powers and Duties (Cont'd)

(g) Conditional discharges: The Board may conditionally discharge from a hospital for the insane such incurable persons as in its judgment may be sanely and properly cared for in the places from whence they were committed, but a revocation by the Board of such discharge authorizes the return of such person to the hospital. 7/

(h) Cases referred by Governor: The Board must investigate the case of any patient referred to it by the Governor, and by its order grant such relief as is required, and, if it has not the power to grant the necessary relief, and if the patient is one of the insane poor of the State, it must cause such proceedings to be commenced in court, at the expense of the State, as are required to obtain the necessary relief. 8/

(i) Transfer of patients: When in the judgment of the Superintendent of the State Hospital for the Insane, a patient in the State Hospital can be better cared for at the Brandon State School, he may make application to the Board for an examination of such person and if it is the Board's decision that such person should be transferred to the Brandon State School; it must notify the Governor in writing. The Governor, upon such notice, may order such person transferred. 9/ Similarly, Superintendents of the Industrial School and the Brandon State School may make application to the State Board of Supervisors of the Insane for an examination of an inmate, and if the Board decides that such inmate may be transferred to the State Hospital for the Insane, it must notify the Governor, who may order such person transferred. 10/

(j) Licensing of private institutions: The State Board of Supervisors of the Insane after due investigation may license for not less than two years nor more than six years, any suitable person to keep such private hospital for the insane, which is subject to visitations from the Board. 11/ The Board has the power to revoke such license when it appears to it that the holder thereof does not exercise sufficient skill and is not possessed with adequate means and methods for the proper care and treatment of the insane. 12/

(k) Criminal insane: The Superintendent of a hospital for the insane in the State must report to the Board a list of the criminal insane whose terms of sentence have already expired and must notify the Board at least 30 days previous to the expiration of the sentence of an insane person who has been or may be transferred to a hospital for the insane from a penal institution or jail; whereupon the Board, if public safety requires, must proceed to have such

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7. Public Laws of Vermont (1933), Sec. 4028
 8. Ibid, Sec. 4029
 9. Ibid, Sec. 5542
 10. Ibid, Sec. 5543
 11. Ibid, Sec. 4052
 12. Ibid, Sec. 4053

1. General Powers and Duties (Cont'd)

insane person legally committed to a hospital for the insane, and upon petition in writing may institute a court of inquiry before the Probate Court. 13/

(1) Reformation of inebriates: The State Board of Supervisors of the Insane exercises the same supervision and power as it does over the insane over any person admitted to an institution in the State for habitual drunkenness, or dipsomania, or who is so addicted to the intemperate use of narcotics or stimulants as to have lost the power of self-control. 14/ The Board, in its discretion may give such person a conditional discharge at the expiration of 2 months, and a revocation of such conditional discharge by the Board at any time thereafter until the expiration of the term of commitment is sufficient warrant for the return of such person to the institution to which he was committed. 15/

2. Composition and Appointment of Governing Body

The State Board of Supervisors of the Insane consists of 3 persons. Two members must be physicians and one must be a trustee, superintendent, employee, or other officer of an insane hospital in the State. The term of office of each member is 6 years. The Governor, biennially, in January, with the advice and consent of the Senate appoints a member of the Board. 16/

13. Public Laws of Vermont (1933), Sec. 4020

14. Ibid, Sec. 4014 - Commitment of inebriates: The Probate Court for the district in which such person resides, on application of the selectmen of a town or the mayor of a city, or any of the patient's relations, or upon reasonable notice to such person, must make inquiry. If it is found that he has lost his power of self-control, the said Probate Court must order such person committed for a period of not more than 1 year nor less than 6 months to an institution in this State where he can receive special treatment for his condition, or must order him committed to the care, custody, and control of some suitable person for a similar period. The State or any other party in interest may appeal from the finding, and such appeal to the county court must be had as provided by law for other appeals, except that a bond or security for costs is not required in case of any appeal by the State or by the alleged inebriate or dipsomaniac. A person may voluntarily commit himself under an agreement with the Superintendent of such an institution. Public Laws of Vermont (1933), Sec. 4007, 4010, 4012.

Financial Provisions for indigent inebriates: Expenses of commitment and all necessary expenses of transportation must be paid by the State, but in the event of death, burial expenses are paid by the town from which the person was committed. The estate of any person committed as an inebriate is liable for his support and expenses of any proceedings as the court before whom the case is heard may order. Public Laws of Vermont (1933), Sec. 4009, 4011.

15. Public Laws of Vermont (1933), Sec. 4008

16. Ibid, Sec. 4015

2. Composition and Appointment of Governing Body (Cont'd)

When a vacancy occurs in the Board, the Governor must fill the same by appointment, and the person appointed holds office to and including the last day of January after the beginning of the next biennial session of the General Assembly; at which session the vacancy must be filled by the Governor with the advice and consent of the Senate. 17/

Each of the Supervisors of the Insane is paid \$6 a day. 18/

3. Reports

The Board must biennially report its doings to the Governor and the General Assembly, the condition and discipline of the hospitals for the insane and patients therein, their physical and medical treatment, and such other matters as it deems advisable. 19/

4. Executive

The Commissioner of Public Welfare, through the Board of Supervisors of the Insane, exercises all the powers and duties of such Board. 20/

5. Staff

No provision.

6. Financial Provisions

The appropriation from the general fund for the two year period from July 1, 1935 to June 30, 1937, is \$5,000. 21/

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17. Public Laws of Vermont (1933), Sec. 4016
18. Ibid, Sec. 8914
19. Ibid, Sec. 4026
20. Ibid, Sec. 471
21. Vermont Acts (1935), No. 41, Sec. 60

WARDEN OF THE STATE PRISON AND HOUSE OF CORRECTION

(Statutory Body)

1. General Powers and Duties(a) Department of Public Welfare:

The Department of Public Welfare has power to supervise and direct the conduct of the State Prison and House of Correction for Men at Windsor. 1/

(b) Commissioner of Public Welfare:

(1) The Commissioner of Public Welfare has charge of the general interests of the State Prison and House of Correction and the Warden, in the discharge of his duties, is under the direction and subject to the control of the Commissioner of Public Welfare. 2/

(2) The Commissioner of Public Welfare must make an examination of the institution in all its departments, of the buildings, and material used in and about the same, inquire into the discipline and sanitary condition of each, and give such direction to the Warden as to the general management of the institution as he deems necessary. 3/

(3) The Commissioner of Public Welfare may contract, for not exceeding five years, to any person or corporation, the labor of any part of the convicts in the State penal and reformatory institutions; but such contracts must not interfere with the management or discipline of the convicts. He may purchase the material, supplies, machinery and appliances required, and may employ any superintendents, accountants, or help necessary. He may conduct such enterprise separate from the State Prison and may sell any and all articles so manufactured and pay all expenses of such enterprise out of the receipts of such business. 4/ The Commissioner may, with the approval of the Governor, from time to time, make requisitions upon the Auditor of Accounts for such sums as may be necessary for establishing and conducting such business, and the Auditor must issue his warrants for such sums. 5/

1. The State Prison at Windsor is the general penitentiary and prison of the State for the reformation and punishment of male offenders who are convicted of felonies; in which prison must be securely confined, employed, and governed male offenders sentenced to solitary imprisonment or confined therein at hard labor. Public Laws of Vermont (1933), Sec. 5481.

There is established at the State Prison at Windsor a department known as the House of Correction for Men, for the punishment, employment and reformation of men who are convicted of misdemeanors. Public Laws of Vermont (1933), Sec. 5482.

2. Public Laws of Vermont (1933), Sec. 5509, 471

3. Ibid, Sec. 5487

4. Ibid, Sec. 5490

5. Ibid, Sec. 5492

1. General Powers and Duties (Cont'd)

(c) Warden:

(1) The Warden has charge of the buildings and property of the institution belonging to the State. He must keep regular and complete accounts of the property, expenses, business and concerns of the institution, subject at all times to the inspection of the Commissioner. 6/

(2) The Warden, with the approval of the Commissioner of Public Welfare, makes such regulations and by-laws for the management of his institution and for the government and safe keeping of persons confined therein as are necessary. 7/

2. Composition and Appointment of Governing Body

The Commissioner of Public Welfare, by and with the consent of the Governor, biennially appoints a Warden of the State Prison, who is ex officio Superintendent of the House of Correction, who shall hold office for two years from and including February first in the year of his appointment, and until his successor has been appointed and has qualified. The Warden may be removed at any time by the Commissioner of Public Welfare, who may fill a vacancy in such office by and with the consent of the Governor for an unexpired term. 8/

The salary of the Warden is fixed by the Commissioner of Public Welfare, with the approval of the Governor. 9/

The Warden, during his continuance in office, must reside within the precincts of the institution constantly, and must not during such time be concerned or engaged in any other business. 10/

The Warden, before entering upon the duties of his office, must give a bond to the State in the sum of \$10,000 with two or more sureties approved by the State Treasurer, conditioned for faithful performance. 11/

3. Reports

The Warden must biennially make a report to the General Assembly, showing the condition of the institution, the amount of money received during the two years, and from what source, the disposition of the same, the number of prisoners committed, the number discharged, and whether discharged on account of expiration of term of sentence, paroled, or pardoned by the Governor or other cause, and the deaths of prisoners and the causes thereof. 12/

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6. Public Laws of Vermont (1933), Sec. 5518
 7. Ibid, Sec. 5517
 8. Ibid, Sec. 5507
 9. Ibid, Sec. 8945
 10. Ibid, Sec. 5516
 11. Ibid, Sec. 5508
 12. Ibid, Sec. 5513

3. Reports (Cont'd)

The Warden must keep a record in a book kept for that purpose of the visits of the Commissioner of Public Welfare to the institution, and on the first day of each month, transmit a true copy thereof to the Governor. 13/

The Commissioner of Public Welfare quarterly, during the first ten days of the month of February, May, August, and November, must file with the Auditor of Accounts a detailed statement of how the prisoners confined in the State Prison and House of Correction have been employed during the three months preceeding; such statement must show the average number confined each month, the kind and nature of the employment each prisoner has been engaged in, the number of days so employed, the rate received for each prisoner per day, and the amount paid into the State Treasury, and must also show in detail the accounts and notes to become due, with dates of maturity, the outstanding liabilities, all monies paid for labor with vouchers therefor, and such statement must include an account of stock on hand in detail when required by the Auditor of Accounts. Such statement must be verified by oath and if the Commissioner falsely swears to a quarterly statement, he is guilty of perjury. 14/

The Commissioner of Public Welfare on June 30 of each even year must make or cause to be made, an inventory of the property at the State Prison and House of Correction, and appraise the same at its value in money and examine the just accounts of the Warden for the two preceding years. 15/

4. Executive

See "Warden", under "Composition and Appointment of Governing Body".

5. Staff

The Commissioner of Public Welfare appoints such officers and assistants as may be necessary. 16/

The annual salary of each officer and employee is fixed by the Commissioner of Public Welfare with the approval of the Governor. 17/

The Commissioner fixes the compensation of teachers, matrons, assistants, servants, and guards appointed by himself or by the Warden. 18/

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13. Public Laws of Vermont (1933), Sec. 5512
 14. Ibid, Sec. 5496
 15. Ibid, Sec. 5489
 16. Ibid, Sec. 5507
 17. Ibid, Sec. 8945
 18. Ibid, Sec. 5488

6. Financial Provisions

The Warden on the first day of each month must estimate the amount of funds required for the payroll for the current month and when such estimate has been approved by the Commissioner of Public Welfare, the Auditor of Accounts must issue his warrant for the same. 19/

Amount of Appropriation:

The appropriation for the two-year period beginning July 1, 1935 and ending June 30, 1937 is \$296,000. 20/

19. Public Laws of Vermont (1933), Sec. 5514

20. Laws of Vermont (1935), No. 41, Sec. 24 h

SUPERINTENDENT OF THE PRISONANDHOUSE OF CORRECTION FOR WOMEN 1/

(Statutory Body)

1. General Powers and Duties(a) Department of Public Welfare:

The Department of Public Welfare has power to supervise and direct the conduct of the State Prison and House of Correction for Women at Rutland. 2/

(b) Commissioner of Public Welfare:

(1) The Commissioner of Public Welfare has charge of the general interests of the State Prison and House of Correction for Women, and the Superintendent, in the discharge of her duties, is under the direction and subject to the control of the Commissioner of Public Welfare. 3/

(2) The Commissioner of Public Welfare must make an examination of the institution at least once a month in all its departments, make a thorough examination of the buildings and material used in and about the same, inquire into the discipline and sanitary condition of each, and give such direction to the Superintendent as to the general management of the institution as he deems necessary. 4/

(3) The Commissioner of Public Welfare may contract, for not exceeding five years, to any person or corporation, the labor of any part of the convicts in the State penal and reformatory institutions; but such contracts must not interfere with the management or discipline of the convicts. He may purchase the material, supplies, machinery and appliances required, and may employ any superintendents, accountants, or help necessary. He may conduct such enterprise separate from the institution and he may sell any and all articles so manufactured and pay all expenses of such enterprise out of the receipts of such business. 5/ The Commissioner may, with the approval of the Governor, from time to time make requisitions upon the Auditor of Accounts for such sums as may be necessary for establishing and conducting such business, and the Auditor must issue his warrants for such sums. 6/

1. Title of "Matron" changed: Laws of Vermont (1935), No. 134. This institution is at Rutland and is for the punishment, employment, and reformation of women, whether convicted of felonies or of misdemeanors. Public Laws of Vermont (1933), Sec. 5483.

2. Public Laws of Vermont (1933), Sec. 471

3. Ibid, Sec. 5509

4. Ibid, Sec. 5487

5. Ibid, Sec. 5490

6. Ibid, Sec. 5492

1. General Powers and Duties (Cont'd)

(c) Superintendent:

(1) The Superintendent has charge of the buildings and property of the institution belonging to the State, and must keep regular and complete accounts of the property, expenses, business and concerns of the institution, subject at all times to the inspection of the Commissioner. 7/

(2) The Superintendent, with the approval of the Commissioner of Public Welfare makes such regulations and by-laws for the management of the institution and for the government and safe-keeping of persons confined therein as are necessary. 8/

(3) United States Prisoners: The Superintendent of the women's reformatory must receive and keep at hard labor in the reformatory, women sentenced therein or transferred from other States by the authority of the Government of the United States, until they are discharged agreeably to the laws of the United States; but the State of Vermont is not bound to receive such prisoners unless and until a suitable agreement is made between the government of the United States and the State of Vermont which must include the care and maintenance of such prisoners and the compensation the State of Vermont is to receive from the Government of the United States, and in no case are prisoners to be committed for a term shorter than six months. Such agreement must be executed on the part of the State by the Commissioner of Public Welfare, with the approval of the Governor. 9/

2. Composition and Appointment of Governing Body

The Commissioner of Public Welfare appoints, by and with the consent of the Governor a Superintendent of the Prison and House of Correction for Women. 10/ The salary of the Superintendent is fixed by the Commissioner of Public Welfare, with the approval of the Governor. 11/

The Superintendent, during continuance in office, must reside within the precincts of the institution constantly, and must not during such time be concerned or engaged in any other business. 12/

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7. Public Laws of Vermont (1933), Sec. 5518
 8. Ibid, Sec. 5517
 9. Ibid, Sec. 5519
 10. Ibid, Sec. 5507
 11. Ibid, Sec. 8945
 12. Ibid, Sec. 5516

VERMONT - Abstract of Administrative Provisions -
Superintendent of the Prison and
House of Correction for Women

2. Composition and Appointment of Governing Body (Cont'd)

The Superintendent, before entering upon the duties of the office, must give a bond to the State in the sum of \$10,000 with two or more sureties, approved by the State Treasurer, conditioned for faithful performance. 13/

3. Reports

The Superintendent must biennially make a report to the General Assembly, showing the condition of the institution, the amount of money received during the two years, and from what source, the disposition of the same, the number of prisoners committed, the number discharged, and whether discharged on account of expiration of term of sentence, paroled, or pardoned by the Governor or other cause, and the deaths of prisoners and the causes thereof. 14/

The Superintendent must keep a record in a book kept for that purpose of the visits of the Commissioner of Public Welfare to the institution, and on the first day of each month, transmit a true copy thereof to the Governor. 15/

The Commissioner of Public Welfare quarterly, during the first ten days of the months of February, May, August, and November, must file with the Auditor of Accounts a detailed statement of how the prisoners confined in the State Prison and House of Correction for Women have been employed during the three months preceding. Such statement must show the employment each prisoner has been engaged in, and the number of days so employed, the rate received for each prisoner per day, and the amount paid into the State Treasury, and must also show in detail the accounts and notes to become due with dates of maturity, the outstanding liabilities, all moneys paid for labor with vouchers therefor, and such statement must include an account of stock on hand in detail when required by the Auditor of Accounts. Such statement must be verified by oath and if the Commissioner falsely swears to a quarterly statement, he shall be guilty of perjury. 16/

The Commissioner of Public Welfare on June 30 of each even year must make or cause to be made, an inventory of the property at the State Prison and House of Correction for Women, appraise the same at its value in money and examine the just accounts of the Superintendent for the two preceding years. 17/

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13. Public Laws of Vermont (1933), Sec. 5508
14. Ibid, Sec. 5513
15. Ibid, Sec. 5512
16. Ibid, Sec. 5496
17. Ibid, Sec. 5489

4. Executive

See "Superintendent" under "Composition and Appointment of Governing Body".

5. Staff

The Commissioner of Public Welfare appoints such officers and assistants as may be necessary. 18/ The annual salary of each officer and employee is fixed by the Commissioner of Public Welfare with the approval of the Governor. 19/

The Commissioner fixes the compensation of teachers, matrons, assistants, servants, and guards appointed by himself or by the Superintendent. 20/

6. Financial Provisions

The Superintendent on the first day of each month must estimate the amount of funds required for the payroll for the current month and when such estimate has been approved by the Commissioner of Public Welfare, the Auditor of Accounts must issue his warrant for the same. 21/

Amount of Appropriation:

The appropriation for the two year period beginning July 1, 1935 and ending June 30, 1937, is \$48,000, to which may be added receipts, except from convict labor. 22/

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18. Public Laws of Vermont (1933), Sec. 5507
19. Ibid, Sec. 8945
20. Ibid, Sec. 5488
21. Ibid, Sec. 5514
22. Laws of Vermont (1935), No. 41, Sec. 24 i

SUPERINTENDENT OF VERMONT INDUSTRIAL SCHOOL 1/

(Statutory Body)

1. General Powers and Duties(a) Department of Public Welfare:

The Department of Public Welfare has power to supervise and direct the conduct of the Vermont Industrial School at Vergennes. 2/

(b) Commissioner of Public Welfare:

(1) The Commissioner of Public Welfare must visit the Vermont Industrial School at least once in each month, examine into all commitments thereto, give special attention to the methods of governing, managing, and reforming the inmates, look after their welfare, see that injustice is not done, ascertain so far as practicable the wants, standing and condition of each child under the control of the school and the character and qualifications of each officer employed. 3/

(2) The Commissioner of Public Welfare, in his discretion at any time, may discharge a child received into the school. 4/

(3) The Commissioner of Public Welfare must cause the inmates of the Industrial School to be employed in such regular labor as is best suited to their strength, disposition and capacity, and calculated to make them honest and industrious citizens. He may sell the products of the School. 5/

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1. The Vermont Industrial School at Vergennes is the reform school of the State for the discipline, correction and reformation of juvenile offenders. Public Laws of Vermont (1933) Sec. 5484.

Commitments to Industrial School: When a boy or girl under 16 and over 10 years of age is convicted of an offense not punishable by death, the court may sentence the offender to the Vermont Industrial School until such offender arrives at the age of 21. County and municipal courts have discretionary power to commit persons over 16 years of age. Ibid, Sec. 8766, 8767.

2. Public Laws of Vermont (1933), Sec. 471
3. Ibid, Sec. 5486
4. Ibid, Sec. 8777
5. Ibid, Sec. 5498

1. General Powers and Duties (Cont'd)

(c) Superintendent:

(1) The Superintendent of the Vermont Industrial School, acting under the Commissioner of Public Welfare as probation officer, has the oversight of all children on probation as long as may be necessary, and may appoint an agent in the vicinity where the child is placed to act as adviser and friend of the child; and such agent must make stated reports of the conduct and welfare of the child and serve without expense to the State. 6/

(2) The Superintendent, has charge of the buildings and property of the institution belonging to the State. He must keep regular and complete accounts of the property, expenses, business and concerns of the institution, subject at all times to the inspection of the Commissioner. 7/

(3) The Superintendent, with the approval of the Commissioner of Public Welfare makes such regulations and by-laws for the management of his institution and for the government and safe-keeping of persons confined therein as are necessary. 8/

2. Composition and Appointment of Governing Body

The Commissioner of Public Welfare, by and with the consent of the Governor, appoints biennially a Superintendent of the Industrial School, who holds office for two years from and including February 1 in the year of his appointment, and until his successor has been appointed and has qualified. The Superintendent of the Industrial School may be removed at any time by the Commissioner of Public Welfare who may fill a vacancy in the office by and with the consent of the Governor for an unexpired term. 9/

The salary of the Superintendent is fixed by the Commissioner of Public Welfare, with the approval of the Governor. 10/

The Superintendent, during his continuance in office, must reside within the precincts of the institution constantly, and must not during such time be concerned or engaged in any other business. 11/

6. Public Laws of Vermont (1933), Sec. 8787

7. Public Laws of Vermont (1933), Sec. 5518

8. Ibid, Sec. 5517

9. Ibid, Sec. 5507

10. Ibid, Sec. 8945

11. Ibid, Sec. 5516

Vermont - Abstract of
Administrative Provisions -
Superintendent of Vermont
Industrial School

2. Composition and Appointment of Governing Body (Cont'd)

The Superintendent, before entering upon the duties of his office, must give a bond to the State in the sum of \$10,000 with two or more sureties approved by the State Treasurer, conditioned for faithful performance. 12/

3. Reports

The Superintendent must biennially make a report to the General Assembly, showing the condition of the institution, the amount of money received during the two years, and from what source, the disposition of the same, the number of prisoners committed, the number discharged, and whether discharged on account of expiration of sentence, paroled, or pardoned by the Governor, or other cause, and deaths of prisoners and the causes thereof. 13/

The Superintendent of the Industrial School must present in this biennial report a summary of the results of the probation or placing-out system for the previous two years. 14/

The Superintendent must keep a record in a book kept for that purpose of the visits of the Commissioner of Public Welfare to the institution, and on the first day of each month, transmit a true copy thereof to the Governor. 15/

The Commissioner of Public Welfare on June 30 of each even year must make or cause to be made, an inventory of the property at the Industrial School, appraise the same at its value in money and examine the just accounts of the Superintendent for the two preceding years. 16/

4. Executive

See "Superintendent" under "Composition and Appointment of Governing Body."

5. Staff

The Commissioner of Public Welfare appoints such officers and assistants as may be necessary. 17/ The annual salary of each officer and employee is fixed by the Commissioner of Public Welfare with the approval of the Governor. 18/

12. Public Laws of Vermont (1933), Sec. 5508

13. Ibid, Sec. 5513

14. Ibid, Sec. 8788

15. Ibid, Sec. 5512

16. Ibid, Sec. 5489

17. Ibid, Sec. 5507

18. Ibid, Sec. 8945

5. Staff (Cont'd)

The Commissioner fixes the compensation of teachers, matrons, assistants, servants, and guards appointed by himself or by the Superintendent. 19/

6. Financial Provisions

The Superintendent on the first day of each month must estimate the amount of funds required for the payroll for the current month and when such estimate has been approved by the Commissioner of Public Welfare, the Auditor of Accounts must issue his warrant for the same. 20/

Amount of Appropriation:

The appropriation for the two year period beginning July 1, 1935 and ending June 30, 1937 is \$220,000. 21/

19. Public Laws of Vermont (1933), Sec. 5488.
20. Ibid, Sec. 5514
21. Laws of Vermont (1935), No. 41, Paragraph 24, g.

SUPERINTENDENTS OF STATE DETENTION FARMS

(Statutory Body)

1. General Powers and Duties(a) Commissioner of Public Welfare:

- (1) The Commissioner of Public Welfare controls and manages the State Detention Farms. 1/
- (2) The Commissioner, at the expense of the State and with the approval of the Governor must lease such farms or lands as the Governor deems advisable for the establishment of State Detention Farms. 1/
- (3) The Commissioner must equip such farms or land with buildings and equipment and provide necessary tools for persons removed to such farms. 2/
- (4) The Commissioner of Public Welfare must make reasonable rules and regulations for the management of such farms and persons removed thereto. 2/
- (5) The Commissioner must cause persons removed to a detention farm to perform such work on or in the vicinity of such farm as the Governor deems advisable and may make contracts for labor to be performed by such persons. 3/
- (6) The Commissioner must keep correct accounts and must quarterly pay all money received into the State Treasury. 4/

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1. Public Laws of Vermont (1933), Sec. 5471
Such farms are for the discipline, correction, reformation, instruction and work of persons confined in jails.
There are no detention farms in Vermont. The State Prison and House of Correction at Windsor maintains a farm to provide produce, etc., for the inmates and those inmates in good behavior are allowed to work on the farm, but it cannot be classed as a "detention farm". The Industrial School at Vergennes also has a similar farm. Letter from State Department of Public Welfare under date of December 11, 1935.
 2. Public Laws of Vermont (1933), Sec. 5472
 3. Ibid, Sec. 7474
Prisoners performing work must receive such sum per day as the Governor shall fix, which money must be paid to such person or his dependents as the Commissioner of Public Welfare orders. Public Laws of Vermont (1933), Sec. 5475.
 4. Public Laws of Vermont (1933), Sec. 5479

1. General Powers and Duties (Cont'd)

(b) Superintendents:

(1) The Superintendents have the same power and authority over persons under their charge as sheriffs have in control and care of prisoners committed to their custody. 5/

2. Composition and Appointment of Governing Body

The Superintendents of the State Detention Farms are appointed by the Commissioner of Public Welfare with the approval of the Governor. 6/

3. Reports

The Commissioner of Public Welfare in each even year must make a report to the Governor of the acts of his department. 7/

4. Executive

See "Superintendent" under "Composition and Appointment of Governing Body."

5. Staff

Attendants for the State Detention Farms are employed by the Commissioner of Public Welfare with the approval of the Governor. 6/

6. Financial Provisions

All expenses of the State Detention Farms are paid by the State from the State general fund. 8/

5. Public Laws of Vermont, (1933), Sec. 5473.

6. Ibid, Sec. 5472.

7. Ibid, Sec. 5418.

8. Ibid, Sec. 5480.

SUPERINTENDENT OF BRANDON STATE SCHOOL 1/

(Statutory Body)

1. General Powers and Duties(a) Commissioner of Public Welfare:

(1) The Commissioner of Public Welfare has the care, control, and management of the School, and must carry out its purposes and objects. He must visit the School at least once each month. 2/

1. The Brandon School is created and established for the care, training, and education of idiotic and feeble-minded children. Public Laws of Vermont (1933), Sec. 5575.

An indigent child of the State between 5 and 21 years of age may be received into the School at the expense of the State. Women between the ages of 21 and 45 years, with the approval of the Governor, may be committed to the School if they are proper subjects therefor. Ibid, Sec. 5588.

The parent or guardian of a child or the Commissioner of Public Welfare or the selectmen of the town in which a child resides, though the child is not indigent but is considered a proper subject to be committed to the school, may make application to the Judge of the Probate Court for the district in which the child resides for an order of commitment of the child to the school. Ibid, Sec. 5582.

A child may be received into the school upon the payment of such sum and upon such terms for the care, training, education, and maintenance as the Commissioner determines. Ibid, Sec. 5581.

The Judge after a hearing and after certificates are sworn to by two physicians may make commitment. Ibid, Sec. 5583.

An order of commitment is subject to appeal in the same manner, by the same persons, and to the same extent that the decrees of Probate Court appointing a guardian over persons alleged to be insane are subject to appeal; and a commitment does not bear habeas corpus proceedings. Ibid, Sec. 5586.

Children are received in the following order: (a) those committed from the Vermont Industrial School; (b) those committed by Probate Court who have no property or kinsmen liable for them; (c) those who may be received upon payment and terms as determined by the Commissioner. Ibid, Sec. 5587.

Beneficiaries under State aid to mentally deficient and feeble-minded persons may be placed in the Austine Institution at Brattleboro by the Commissioner of Public Welfare. Ibid, Sec. 5565.

2. Public Laws of Vermont (1933), Sec. 5576

1. General Powers and Duties (Cont'd)

(a) Commissioner of Public Welfare: (Cont'd)

(2) The Commissioner makes necessary rules and regulations for the government of the School and its inmates, not inconsistent with those prescribed by law, and must do all necessary acts to provide for the proper care, training and education of those committed to the School. He, with such teachers, prescribes and adopts courses of instruction for the inmates of the School and prescribes and adopts the means and methods for the discipline and training of the inmates and sees that undue force is not used in enforcing obedience thereto. He may cause such inmates to perform such amount of manual labor as he deems to be conducive to their physical, mental and moral improvement. 3/

(3) An inmate of the Vermont Industrial School may be transferred to the Brandon State School upon the certificate of the Commissioner of Public Welfare accompanied by the certificate of two physicians that such child is a suitable and proper subject for commitment to such school. 4/

(4) The Commissioner of Public Welfare is empowered to receive gifts and bequests of real or personal estate made for the use and benefit of such School and must invest such moneys so received in safe interest bearing securities in the corporate name of such School. 5/

(5) The Commissioner of Public Welfare may make application to the Judge of the Probate Court for the district in which a child resides for an order of commitment to the School, although the child is not indigent but is considered a proper subject to be committed. 6/

(6) The Commissioner has the power to determine the amount to be paid for, and the terms for the care, training, education, and maintenance of such children as may be received into the School. 7/

(7) The Commissioner or a Superior Judge, after proper hearing and further detention in the school is deemed unnecessary, may discharge an inmate of the School. An inmate so discharged, who was at the time of commitment under sentence to the Industrial School, the period of whose sentence had not expired, must be remanded to such Industrial School and thereafter be subject to the terms of his original sentence. 8/

3. Public Laws of Vermont (1933), Sec. 5577

4. Ibid, Sec. 5580

5. Ibid, Sec. 5579

6. Ibid, Sec. 5582

7. Ibid, Sec. 5581

8. Ibid, Sec. 5589

VERMONT - Abstract of Administrative Provisions -
Superintendent of Brandon State School

2. Composition and Appointment of Governing Body

See "Commissioner of Public Welfare".

3. Reports

The Commissioner of Public Welfare must investigate and make report to the Governor as to all public charities, and in each even year must make a report to the Governor of the acts of his department. 10/

The Commissioner must make reports to the Commissioner of Finance at such times and in such manner as he, with the approval of the Governor, may prescribe. 11/

4. Executive

Superintendent not specifically provided for, but appointed under general authority of the Commissioner to employ staff. 12/

5. Staff

The Commissioner employs and removes at pleasure teachers, clerks, servants and employees. 12/ The Commissioner fixes all salaries with the approval of the Governor. 13/

The Commissioner may employ expert physicians of repute and professional skill and of special fitness in the treatment of such mentally defective persons as may be committed to such school, to prescribe for and treat them professionally. The Commissioner fixes the compensation to be paid such physicians. 14/

10. Public Laws of Vermont (1933), Sec. 5418

11. Ibid, Sec. 467

12. Ibid, Sec. 5577

13. Ibid, Sec. 8945

14. Ibid, Sec. 5578

6. Financial Provisions 15/

Funds are appropriated for Brandon School from the general fund of the State.

Amount of Appropriation:

The sum of \$164,000 is appropriated to the Brandon State School for the period from July 1, 1935 to June 30, 1937. 16/

The appropriation for the Brandon School Colonies for the same period is \$20,000. 17/

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15. The property and kinsmen of a child committed to the School are subject to the support or contribution towards the support of the child in the School. Public Laws of Vermont (1933), Sec. 5585.
16. Laws of Vermont (1935), No. 41, Sec. 24 j
17. Ibid, Sec. 24k

KINSTEAD HOME 1/

(Statutory Body)

1. General Powers and Duties

The Commissioner of Public Welfare has the power to supervise and direct the Shelter Home for Children at Montpelier (Kinstead Home). 2/

2. Composition and Appointment of Governing Body

See "Commissioner of Public Welfare".

3. Reports

The Commissioner of Public Welfare, in each even year, must make a report to the Governor of the acts of his department. 3/

4. Executive

No provision. 4/

5. Staff

The annual salary or wage of each officer and employee at the Kinstead Home is fixed by the Commissioner of Public Welfare, with the approval of the Governor. 5/

6. Financial Provisions

The Kinstead Home is financed by appropriation from the general fund of the State. 6/

Amount of Appropriation:

The sum of \$14,000 is appropriated to the Home for the period from July 1, 1935 to June 30, 1937. 6/

1. "It is the intention that a child committed to this home shall be given a thorough mental and physical examination and shall be kept in such home only until a proper home for the placement of such child can be found". Letter from State Department of Public Welfare under date December 11, 1935.

2. Public Laws of Vermont (1933), Sec. 471

3. Ibid, Sec. 5418

4. "The matron is appointed by the Commissioner of Public Welfare", Letter from State Department of Public Welfare December 11, 1935.

5. Public Laws of Vermont (1933), Sec. 8945

6. Laws of Vermont (1935), No. 41, Sec. 24

VERMONT SANITORIUM 1/

(Statutory Body)

1. General Powers and Duties

The Commissioner of Public Welfare has general care, control and management of the Vermont Sanatorium and must faithfully carry out its purposes and objects. 1/

The Commissioner of Public Welfare makes regulations relating to the operating of the Vermont Sanatorium and to the admission of patients thereto not inconsistent with the purposes of such institution. 2/

2. Composition and Appointment of Governing Body

See "Commissioner of Public Welfare".

3. Reports

The Commissioner of Public Welfare, acting as Commissioner of indigent children, predisposed to tuberculosis, must report biennially to the General Assembly, with an account of his expenditures. 3/

4. Executive

The Superintendent is employed and his compensation is fixed by the Commissioner of Public Welfare. 1/

5. Staff

Such physicians, nurses, attendants, laborers, and other assistants as may be necessary in properly operating such institution are employed and their salaries or wages are fixed by the Commissioner of Public Welfare. 1/

6. Financial Provisions

The only appropriation for the Vermont Sanatorium is the unexpended balance at the end of any fiscal year plus receipts from the institution for the biennial year. 4/

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1. An institution for the care of persons who are or may be suffering from tuberculosis. Public Laws of Vermont (1933), Sec. 5525, 8945.
 2. Public Laws of Vermont (1933), Sec. 5526
 3. Ibid, Sec. 5527
 4. Laws of Vermont (1935), No. 41, Sec. 70. However, the sum of \$220,000 is appropriated to the Department of Public Welfare for the payment for the care of indigent tuberculosis patients, part of whom are sent to the Vermont Sanatorium.

WASHINGTON COUNTY TUBERCULOSIS HOSPITAL(Statutory Body) 1/1. General Powers and Duties

The Commissioner of Public Welfare has general direction, control and management of the Washington County Tuberculosis Hospital. 1/

The Commissioner of Public Welfare makes regulations relating to the operation of the hospital, including regulations for the admission of private patients and patients able to pay only part of the expense. 1/

2. Composition and Appointment of Governing Body

See "Commissioner of Public Welfare".

3. Reports

The Commissioner of Public Welfare, acting as Commissioner of indigent tuberculous persons and indigent children predisposed to tuberculosis, and of tuberculosis hospitals, must report biennially to the General Assembly, with an account of his expenditures. 2/

4. Executive

No provision.

5. Staff

The annual salary or wage of each officer and employee at the Washington County Tuberculosis Hospital is fixed by the Commissioner of Public Welfare with the approval of the Governor. 3/

6. Financial Provisions

The only appropriation for the Washington County Tuberculosis Hospital is the unexpended balance at the end of any fiscal year, plus receipts from the institution for the biennial year. 4/

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1. Public Acts (1931), No. 182, Sec. 1,2,3. Such hospital shall receive and treat persons suffering from tuberculosis. Public Laws of Vermont (1933), Sec. 5523.
 2. Public Laws of Vermont (1933), Sec. 5527
 3. Ibid, Sec. 8945
 4. Laws of Vermont (1935), No. 41, Sec. 70. However, the sum of \$220,000 is appropriated to the Department of Public Welfare for the payment for the care of indigent tuberculous persons, part of whom are sent to the Washington County Tuberculosis Hospital. Ibid, Sec. 63.

CAVERLY PREVENTORIUM

(Private Institution)

This is a private institution for the care of tubercular patients. The indigent tubercular patients aided by the State "shall receive treatment in the Vermont Sanitorium at Pittsford, at the Caverly Preventorium, at the Washington County Tuberculosis Hospital, or a similar institution." 1/

1. Public Laws of Vermont (1933) Sec. 5531.

TRUSTEES OF THE SOLDIERS' HOME1. General Powers and Duties(a) Trustees:

(1) The trustees may own and convey such personal and real estate not exceeding \$200,000 as they may acquire by gift, grant or otherwise for the purpose of maintaining in this State a home for deserving soldiers and sailors and such members of their families as said trustees may deem proper under such conditions and regulations as such trustees may from time to time decide. 1/

(2) Three trustees acting as board to aid indigent veterans and their dependents, administer relief to those unable to take advantage of the benefits of the Soldiers' Home. 2/

(3) The trustees must pay the expense of hearings and commitments of inmates to insane asylums. 3/

(b) Superintendent:

(1) When, in the opinion of the Superintendent, an inmate of the Home becomes insane and dangerous to the peace of the other inmates of such home, the Superintendent may apply to the Probate Court for the district of Bennington for an inquisition of lunacy and for an order to commit such person, if found insane, to a hospital for the insane, and the same proceedings must be had upon the application of the selectmen of the town, and as if such inmate were a resident of the town of Bennington, except that the court may omit the notice of hearing to the State's Attorney. 4/ While the person so committed remains at the hospital for the insane he must be considered an inmate of the Soldiers' Home and the Superintendent of such Home is his guardian and must carry his name on the rolls of the Home, and in all matters account for him to the officers of the Home as though he were present. 5/

(2) The Superintendent on or before the 20th of each month shall estimate the expenses for the ensuing month and prepare a requisition to be given the State Treasurer for the amount of the funds required for the next month. 6/

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1. Laws of Vermont (1884), No. 180, Sec. 2
 2. Public Laws of Vermont (1933), Sec. 3931
 3. Ibid, Sec. 5550
 4. Ibid, Sec. 5549
 5. Ibid, Sec. 5551
 6. Laws of Vermont (1910), No. 262 and (1919), No. 231

2. Composition and Appointment of Governing Body

Originally the trustees appointed their own membership. 7/ In 1919 the provision was made that the Governor should on May 1, 1919, appoint 2 trustees whose terms expired January 31, 1922, and whenever a vacancy occurred in said Board, the Governor, on the first day of February following such vacancy, should appoint a trustee whose term of office would be for the 3 years next ensuing. 8/

The whole number of said trustees must never exceed 20, 15 of whom must be honorably discharged soldiers and sailors of the War of the Rebellion of 1861 to 1865 or the War with Spain or other wars in which the United States has engaged. 8/

3. Reports

The trustees of the Soldiers' Home must make a report to each biennial session of the Legislature. 9/

4. Executive

Superintendent appointed by trustees under general authority to appoint staff. 10/

5. Staff

The trustees may, from to time as they may by their by-laws prescribe, elect such officers as they may judge necessary and prescribe the terms and duties of such officers. 10/

6. Financial Provisions

The appropriation from the State general fund for the 2-year period from July 1, 1935 to June 30, 1936 is \$62,000. 11/

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7. Laws of Vermont (1884), No. 180, Sec. 1
 8. Ibid, (1919), No. 230
 9. Ibid, (1884), No. 180, Sec. 1. Amended by Laws of Vermont (1888), No. 184.
 10. Ibid, (1884), No. 180, Sec. 1. Amended by Laws of Vermont (1910), No. 414 and (1919), No. 230.
 11. Ibid, (1935), No. 41, Sec. 28

BOARD TO AID INDIGENT VETERANS1. General Powers and Duties

The Board must disburse the funds as may be necessary in aiding and caring for indigent and disabled veterans and indigent persons who are legal dependents of veterans who are unable to take advantage of the benefits of the Soldiers' Home; provided such veteran or person has been a resident of the State for at least a year prior to his or her application. 1/

2. Composition and Appointment of Governing Body

The Board to Aid Indigent Veterans consists of three trustees of the Soldiers' Home, elected by the Board of Trustees of the Home at a meeting called for that purpose. Any vacancy occurring in the Board after such election must be filled by the Board of Trustees. 2/

Any member of the Board who makes further necessary investigation into a person's need, after receiving the report thereon from the selectmen of the town or the mayor of the city, receives \$2.00 a day and his necessary expenses. 3/

3. Reports

The Committee must make a report biennially to the general assembly. 4/

Fifteen days after the close of each quarter the Committee must make a detailed report to the auditor of accounts and disbursements of the quarter, submit such report with proper vouchers, and return to the State Treasurer any balance of the requisition for the quarter remaining unexpended. 4/

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1. A person desiring aid from the Board must make application to the selectmen of the town or the mayor of the city wherein he resides. The selectmen of the town or the mayor of the city must investigate the person's military or naval record and the need for assistance and make a report thereon to the Board. The Board must investigate further as it may deem necessary and if satisfied of the person's need, must draw upon the funds provided for such purpose. Public Laws of Vermont (1933), Sec. 3931, 3932.
 2. Public Laws of Vermont (1933), Sec. 3931
 3. Ibid, Sec. 3932
 4. At the beginning of each quarter the Committee must make requisition on the auditor of accounts for such portion of the fund, not exceeding a fourth of the sum annually available, as it may think necessary for the coming quarter; and the auditor must issue his warrant for the same. Ibid, Sec. 3934.

4. Executive

The Board, when elected, must designate one of its number to act as clerk and treasurer. He receives a salary of \$100 a year, paid quarterly by the auditor of accounts from monies available for that purpose. 5/

5. Staff

No provisions.

6. Financial Provisions

The Board is financed by an appropriation from the general fund of the State. 6/

Amount of Appropriation:

The sum of \$38,000 is appropriated to the Board for the period from July 1, 1935 to June 30, 1937. 6/

5. Public Laws of Vermont (1933), Sec. 3933
6. Laws of Vermont (1935), No. 41, Sec. 46

OLD AGE ASSISTANCE COMMISSION

(Statutory Body)

1. General Powers and Duties

The Old Age Assistance Commission administers old age assistance subject to the provisions of the act granting the same. 1/

2. Composition and Appointment of Governing Body

The Old Age Assistance Commission consists of 3 citizens of the State, not more than 2 of whom may belong to the same political party. The members are appointed by the Governor, with the advice and consent of the Senate, for 6 year overlapping terms, 1 member being appointed every 2 years. Each member of the Commission, except the Chairman, receives \$8 a day while actually engaged in the business of the Commission and the necessary expenses incurred in the performance of his duties. Vacancies occurring when the legislature is not in session are filled by the Governor. 2/

The Chairman of the Commission is designated biennially by the Governor. He is known as the Director of the Old Age Assistance Commission. The Commission defines his duties and fixes his compensation. 3/

3. Reports

(a) To the Governor:

Within 90 days after the close of each calendar year the commission must make a report to the Governor for the preceding year stating: -

- (1) The total number of applications.
- (2) The number of applications granted.
- (3) The number of applications denied.
- (4) The total number of recipients.
- (5) The amount paid for assistance.
- (6) The number cancelled during the year, and
- (7) Such other information as the Commission deems advisable. 4/

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1. Laws of Vermont (1935), No. 82.
 2. Ibid, Sec. 6.
 3. Ibid, Sec. 7
 4. Ibid, Sec. 19

3. Reports (Cont'd)

(b) To the Federal Agency:

To obtain the benefits of any act passed by Congress, the Commission must submit to such agency of the Government as may be named in such act at such time and upon such forms as may be required, the following:

(1) An annual statement of the amount of the appropriation made by the State for its current or ensuing fiscal year for the purpose of carrying out the State plan, stating how much of such appropriation is for the actual payments of old age assistance and how much for the payment of expenses of administration.

(2) An annual estimate of the sum which must be contributed by the political subdivisions of the State during such year for the purpose of carrying out the State plan, estimating how much of the sum is for payment of old age assistance and how much is for the payment of expenses of administration; and as soon as possible thereafter, a statement of the exact sums contributed thus.

(3) At least once in every three months, a statement of the amount actually paid as old age assistance to each person 65 or over, and the amount actually expended for the purpose of administration.

(4) An annual statement of the amount collected, if any, from the estate of any assisted aged person, for which the State may be accountable to the United States.

(5) An annual statement of the exact amount, if any, of any allotment made under this act to this State remaining unexpended at the close of the year for which such allotment was made. 5/

4. Executive

See "Director of Old Age Assistance" under "Composition and Appointment of Governing Body."

5. Staff

The Old Age Assistance Commission appoints all necessary assistants and fixes their duties and salaries. 6/

5. Laws of Vermont, (1935), No. 82, Sec. 20.

6. Ibid, Sec. 7.

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Administrative Provisions -
Old Age Assistance Commission

6. Financial Provisions

The Old Age Assistance Commission is financed by appropriation from the general fund of the State. 7/

Amount of Appropriation:

The sum of \$500,000, or as much thereof as may be necessary, is appropriated for the period from July 1, 1935 to June 30, 1937. 7/

Limitation of Funds:

Not to exceed 5% for administration expense. At least 95% for payment of assistance. 8/

7. Laws of Vermont (1935), No. 82, Sec. 23

8. Ibid, Sec. 7

JUVENILE COURTS 1/

(Statutory Body)

1. General Powers and Duties

(a) The Juvenile Court has original jurisdiction in all cases involving delinquent, dependent, or neglected children. 2/

1. The Justice and Municipal Courts have original jurisdiction in all cases involving delinquent, dependent, or neglected children, and while so acting are termed Juvenile Courts. Public Laws of Vermont (1933), Sec. 5445.

2. Provisions herein stated apply only to children under the age of 16 years; but when a child under 16 years of age comes into custody of the Juvenile Court, he must continue, for all necessary purposes of discipline, a ward of the court until reaching the age of majority, unless sooner discharged. Ibid, Sec. 5443

"Delinquent child" includes a child under 16 years of age who violated a law of this State or a city or village ordinance or who is incorrigible; or who is persistently truant from school; or who associates with criminals, or reputed criminals, or vicious or immoral persons; or who is growing up in idleness or crime; or who wanders about the streets in the night time; or who frequents or is found in a disorderly house, saloon or bar room; or who visits or is found in a gambling house; or who uses vile, obscene or indecent language, or is guilty of immoral conduct. Ibid, Sec. 5444.

"Dependent child" or "neglected child" means a child under 16 years of age who is dependent upon the public for support; or who is homeless, destitute or abandoned; or who has not proper parental care or guardianship; or who begs or receives alms; or who is found living in a house of ill fame or with a vicious or disreputable person; or whose home by reason of neglect, cruelty, or depravity is an unfit place for such child, or whose environment is such as to warrant the State in the interest of the child, in assuming guardianship. Ibid, Sec. 5444.

A person who has knowledge of a child in his county who appears to be either dependent, neglected or delinquent may file with a court in that county a petition in writing, setting forth the facts verified by oath. It is sufficient that the facts stated in the petition are upon information and belief. The Commissioner of Public Welfare or his deputy may file such petition in such a court in any county in this State. Ibid, Sec. 5446.

A child under 16 years of age must not be committed to a jail or other prison unless charged with a crime punishable by death; this does not affect the provisions of law relating to sentences to or confinements in the Vermont Industrial School or to transfers from that school to jails or penal institutions or to affect the right of a child to be released on bail. Ibid, Sec. 5461.

A child against whom proceedings are had, and his parents or guardians, have the right to appeal from the action of a justice as in criminal causes and the appellate court has the jurisdiction of a Juvenile Court. The State's Attorney appears in such court and presents the case. Ibid, Sec. 5445

1. General Powers and Duties (Cont'd)

(b) The Court may, upon the filing of a petition, before any further proceeding is had, give notice thereof to the State Probation Officer whose duty it is to inquire into and make full examination of the parentage and surroundings of the child and of the facts and circumstances of the case, and report the same to the Court; and if it appears to the Court that the public interest and the interest of the child is best served thereby, a summons is issued requiring the person having custody of the child, or with whom the child may be, to appear; but such summons may be issued without such investigation. 3/

If a person summoned fails, without reasonable cause, to appear and abide the court order, or fails to bring the child, he may be proceeded against for contempt, and when the summons is ineffectual a warrant may issue. 4/

(c) When a child is found to be dependent or neglected, the Court may make an order committing the child to the care of some reputable citizen of good moral character who is willing to receive the child without charge, or to the care of some association willing to receive him, embracing in its objects the purpose of caring for or obtaining homes for dependent or neglected children, or commit the child to the care and custody of the State Probation Officer under such conditions as may be specified in the order of the court. 5/

(d) When a child comes into the custody of a Juvenile Court, the Court before making a final determination of the case, may order that the child be given a physical and mental examination by a competent physician appointed by the Court. 6/

(e) When a child is found to be delinquent, the Court may commit the child to the care and custody of the department under such conditions as may be specified in the order of the Court, or may allow the child to remain in his home, subject to the visitation of the State Probation Officer; and subject to be returned to Court;

3. Public Laws of Vermont (1933), Sec. 5447

4. The State Probation Officer, at the request of the Court must investigate cases after issue of summons or warrant. Ibid, Sec. 5453, 5449, 5454.

5. The Department of Public Welfare may visit the premises where a dependent child is cared for at any time, and may require such reports from licenses relating to their business as it deems proper. Ibid, Sec. 5465.

The approval and certification of the Department is required before a child may be received into a home or institution. Ibid, Sec. 5462. The Department grants licenses and makes regulations relating to the conduct of business so far as it concerns the health of the child and the sanitary and moral conditions surrounding him; and no person may receive a dependent child under the age of 2 years or engage in placing children in homes without obtaining license from the Department. Ibid, Sec. 5464

6. Public Laws of Vermont (1933), Sec. 5452

1. General Powers and Duties (Cont'd)

or the Court may commit the child to the care of the department subject to the further order of the Court, or it may authorize the child to be boarded in some suitable family home or committed to the care and custody of a reputable citizen of good moral character who is willing to assume such supervision without charge, or to an association or institution; or to the Vermont Industrial School or other suitable public institution. 7/

(f) A Juvenile Court, at any time, may require from a private institution, association or person receiving or deserving to receive children, such reports, information and statements as the Court or department deems proper and necessary for its action and may visit and inspect each institution, association, or the home of such person at such times as it deems proper. 8/

(g) When the Court finds a child neglected, dependent or delinquent, it may, in the same or subsequent proceedings, upon the summoning or voluntary appearance of the parents of the child, proceed to inquire into the ability of the parents to support the child or contribute thereto, and if the Court finds that the parents can support or contribute to the support of the child, the Court may make such order or enter such judgment as is equitable, and may enforce its orders or decrees. The property of the parents is not exempt from levy and sale under such execution. 9/

(h) The proceedings and orders of the Court in all examinations and trials of cases must be entered in a book kept as the Juvenile Court Record. 10/

2. Composition and Appointment of Governing Body

Justice and Municipal Courts have original jurisdiction of all cases involving delinquent, dependent or neglected children. The Appellate Court has the jurisdiction of a Juvenile Court in criminal cases where a child against whom proceedings are brought and his parents have the right to an appeal from the action of a Justice, as in criminal causes. 10/

7. Public Laws of Vermont (1933), Sec. 5456

8. Ibid, Sec. 5463

9. The necessary expenses incurred by a department to which a dependent or neglected child has been committed for its proper care and maintenance must be paid in equal share by the State and the town in which the child is found; the town may recover such expenses incurred from the town of which the child is a resident. Expenses must not be so incurred by the department unless, prior to the issue of the order of commitment by the Court, a notice for hearing has been given by the Court to the department, its authorized agent or deputy, and to the overseer of the poor of the town in which the child is found. Payments must be made in accordance with regulations prescribed by the department. Ibid, Sec. 5455, 5467.

10. Public Laws of Vermont (1933), Sec. 5445

2. Composition and Appointment of Governing Body (Cont'd)

Salaries of judges of probate range from \$600 to \$2,100 a year in the various counties. 11/

Salaries of municipal judges range from \$500 to \$1,500 a year in the various counties. 12/

3. Reports

The clerks of the County and Municipal Courts must forward to the Commissioner of Public Welfare, on blanks to be supplied by him, a certified copy of such portions of the records of judgments rendered in their respective courts in all cases of felony in which a conviction or a plea of guilty is had, as the Commissioner may require. 13/

4. Executive

Judge of the Juvenile Court (Probate and Municipal Court Judges).

5. Staff

See "Commissioner of Public Welfare as State Probation Officer".

The fees of officers and justices incident to proceedings are the same as paid in criminal causes before justices, and must be paid by the State. 14/

6. Financial Provisions

The fees of officers and justices incident to proceedings are paid by the State. 15/

11. Public Laws of Vermont (1933), Sec. 8963

12. Ibid, Sec. 8966

13. Laws of Vermont (1935), No. 41, Sec. 24

14. Public Laws of Vermont (1933), Sec. 5468

15. In proceedings to determine the parents' ability to pay, the Court in its discretion may assess costs against such parents, and in case of an appeal from the action of a justice, the Appellate Court, in its discretion, may assess such costs against appellant as it deems best. Public Laws of Vermont (1933), Sec. 5468.

SUPERINTENDENTS OF THE POOR

(Statutory Body)

1. General Powers and DutiesA. Superintendents of the Poor

1. The Superintendents may hold in their corporate name real and personal property, may sue and be sued under such corporate name, and may possess the usual powers of a corporation for public purposes. 1/
2. The Superintendents have charge of the poor, idle, and disorderly persons placed in the poorhouse of the town and may decide what persons are proper subjects to be supported therein. 2/
3. The Superintendents (as a corporation) may purchase at the expense of the towns, real estate necessary for the support of the poor, and provide suitable houses for their accomodation, and, until houses can be provided, may rent tenements and land, not exceeding 300 acres, and cause the poor to be maintained in such places. It may purchase such furniture, implements, and materials as are necessary for the maintenance of the poor in the houses, and for their employment in labor or manufacturing, and may dispose of the proceeds of such labor as it deems expedient. 3/
4. The Superintendents must hold meetings quarterly. Two-thirds of the superintendents constitute a quorum to transact business. 4/
5. The Superintendents (as a corporation) may make reasonable by-laws in conformity with law. 5/
6. The Superintendents may provide for the manner in which a person is discharged from the poorhouse. 6/
7. The Superintendents (as a corporation) may designate, as it deems proper, the manner in which the profits and earnings from the work of the paupers, and the income from the poorhouse must be disposed of. 7/

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1. Public Laws of Vermont (1933), Sec. 3966
 2. Ibid, Sec. 3969
 3. Ibid, Sec. 3970
 4. Ibid, Sec. 3968
 5. Ibid, Sec. 3974
 6. Ibid, Sec. 3978
 7. Ibid, Sec. 3979

VERMONT - Abstract of Administrative Provisions -
Superintendents of the Poor

1. General Powers and Duties (Cont'd)

B. Commissioner of Public Welfare

1. The Commissioner of Public Welfare must investigate the administration of poor relief and the condition of poorhouses in the State. 8/

2. If any poorhouse is found deficient in the care of its inmates, or if the buildings, equipment or appliances are insanitary, defective or improper, or if any condition surrounding the care of the poor warrants, the commissioner may recommend such changes as he deems best, for the correction of such conditions to the selectmen or directors of poorhouse associations. If they fail to act, he may make such changes as he deems best for the correction of such deficiency or condition, at the expense of the town or poorhouse association. 8/

2. Composition and Appointment of Governing Body

A Superintendent of the Poor is chosen annually by each of the towns united to form an association poorhouse. The Superintendents so chosen form a corporation by the name of the Superintendents of the Poor of the towns for which they are chosen or such other name as the towns may choose. 9/

If an interested town fails to appoint a Superintendent the other towns interested therein may have entire charge. 10/

In the case of death or removal of a Superintendent from the town for which he was chosen, the vacancy may be filled by the town. 9/

A town may vote to compensate any or all town officials for their official services and may fix their compensation in annual meeting; when a town does not fix the compensation paid, the selectmen must fix and determine the same. 11/

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8. The Department of Welfare may requires the cooperation of the State Board of Health in these investigations and recommendations when necessary and advisable. Public Laws of Vermont (1933), Sec. 5427.

The Board of Selectmen of a town or the directors of a poorhouse association, within 30 days after receipt of the recommendation, may appeal to the assistant judges of the county court. Ibid, Sec. 5428.

9. Public Laws of Vermont (1933), Sec. 3966
10. Ibid, Sec. 3967
11. Ibid, Sec. 3441, 3442

3. Reports

The Commissioner of Public Welfare must investigate and make a report to the Governor as to all Public Charities. 12/

4. Executive

No provision.

5. Staff

A clerk, who records the proceedings of the corporation, is appointed by the Superintendents, at the first meeting after their election. 13/

Keepers of the poorhouses, necessary officers and servants may be employed by the Corporation. 14/

Compensation of the town employees may be fixed by the town in annual meeting; when a town does not fix such compensation, the selectmen must fix and determine same. 11/

6. Financial Provisions

The expense of purchasing real estate, erecting the necessary buildings thereon and furnishing same, and conducting such poorhouse must be paid by the towns interested in proportion to their grand list at the time when the expense was incurred, or in such proportion as their articles of association prescribe. 15/

12. Public Laws of Vermont (1933), Sec. 5418

13. Ibid, Sec. 3968

14. The paupers and other persons under the control of the keepers may appeal from an order or direction of the keepers to the corporation. Ibid, Sec. 3975.

15. The corporation may temporarily borrow money to meet these expenses provided a majority of the Superintendents constituting the corporation do so vote, and give written obligation therefor.

OVERSEERS OF THE POOR

(Statutory Body)

1. General Powers and Duties(a) Overseer of the Poor:

(1) The Overseer of the Poor has the care of poor and indigent persons, so long as they remain at the charge of the town, and must see that they are suitably relieved, supported and employed, at the charge of the town, either in the poorhouse provided by the town, or in such other manner as the town directs, or otherwise at the discretion of the Overseer, and the Overseer must take effectual measures to prevent such poor and indigent persons from strolling into other towns. 1/

(2) The Overseer of the Poor of a town must relieve a person who is poor and in need of assistance for himself or family, or relieve his family, when application for such assistance is made. If he has not resided in the State for 1 year supporting himself and family, and is not of sufficient ability to provide transportation to the place from which he came into the State, the Overseer may provide him with transportation. 2/

(3) An Overseer who furnishes relief for a pauper who has not resided in a town for 3 years supporting himself and his family, and is not able to do so, may recover such expenses in action of contract from the town in which he last resided 2/; if such person dies, the Overseer may provide for his burial, the expenses of which may be recovered against the town legally liable for his support. 3/

(4) The Overseer of the Poor of a town chargeable with the support of paupers who are residing in another town may remove the paupers to the town chargeable with their support. 4/

(5) The Overseer must relieve and support poor persons for whose support no town in the State is liable, committed to jail while residing in his town; and the expenses must be paid out of the State Treasury. 5/

(6) The Overseer of the Poor may bind out to labor, or employ in the poorhouses, any person residing in the town, who lives idly and pursues no lawful business, and who is poor and in need of relief, or is supported by the town, and such Overseer may take and appropriate his wages to the maintenance of such person or his family. 6/

1. Public Laws of Vermont (1933), Sec. 3442

2. A fine not exceeding \$10 or a maximum of 90 days imprisonment or both must be given to such non-resident pauper who again makes application of this kind. Ibid, Sec. 3923.

3. Public Laws of Vermont (1933), Sec. 3923

4. Ibid, Sec. 3948

5. Ibid, Sec. 3929

6. Ibid, Sec. 3945

2. Composition and Appointment of Governing Body (Cont'd)

(a) Overseers of the Poor in Organized Towns: (Cont'd)

(2) The Overseer of the Poor is under the control and direction of the selectmen of a town and, for cause, may be removed by them, unless a town votes otherwise. 15/

(3) A town may vote to compensate any or all town officers for their official services and may fix their compensation in annual meeting 16/; when a town does not fix the compensation paid, the selectmen must fix and determine the same. 17/

(b) Supervisors in Unorganized Towns and Gores:

(1) One Supervisor for the unorganized towns and gores in each county is appointed biennially on February 1 by the Governor. 18/

(2) The Supervisor must give bond and must not be an appraiser. 18/

(3) The Supervisor receives \$3 a day for time spent performing duties, except as collector of taxes. 19/

(c) Managers of Towns:

(1) A Manager is appointed by the selectmen and may or may not be a resident of the town. 20/

(2) The Manager's salary is fixed by the selectmen, unless specifically voted by the town. 21/

3. Reports

The Overseers of the Poor in each town must report to the Commissioner of Public Welfare on forms furnished by him all cases of dependent, neglected, or delinquent children, and they must make such statistical reports showing financial data as the Commissioner may require. 22/

4. Executive

See "Composition and Appointment of Governing Body".

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15. Public Laws of Vermont (1933), Sec. 3514
16. Ibid, Sec. 3456
17. Ibid, Sec. 3441 and 3442
18. Ibid, Sec. 3579
19. Ibid, Sec. 8944
20. Ibid, Sec. 3591
21. Ibid, Sec. 3598
22. Ibid, Sec. 5424

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Overseers of the Poor

5. Staff

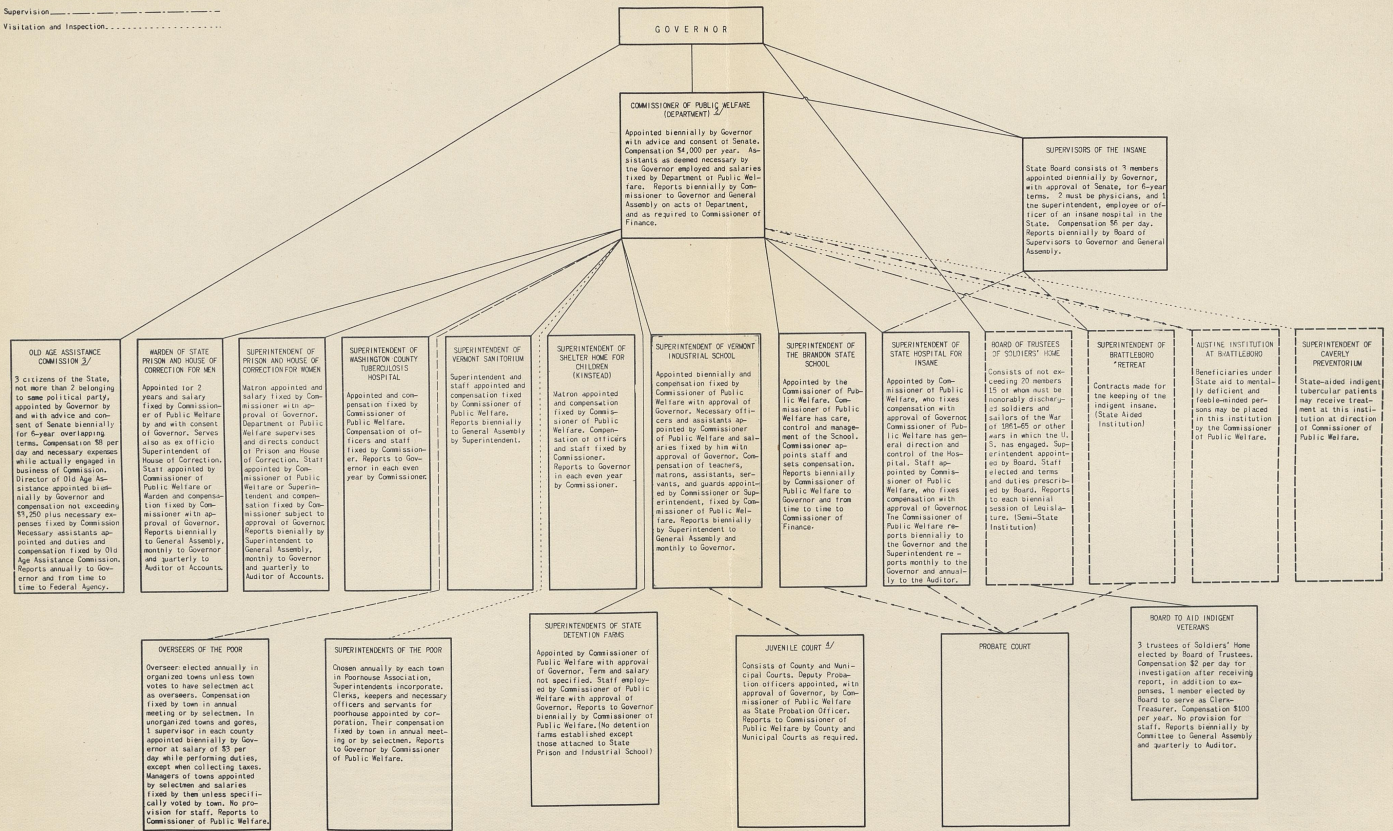
No provisions.

6. Financial Provisions

Expenses incurred are paid from the general fund of
the town. 23/

23. Public Laws of Vermont (1933), Sec. 3441, 3442

Actual Control _____
 Reports made _____
 Commissions made _____
 Supervision _____
 Visitation and Inspection _____



1/ Statutory and Constitutional organization
 2/ Administer aid to dependent children in their own homes and blind assistance
 3/ Administer old age assistance
 4/ Has original jurisdiction over dependent, neglected and delinquent children

