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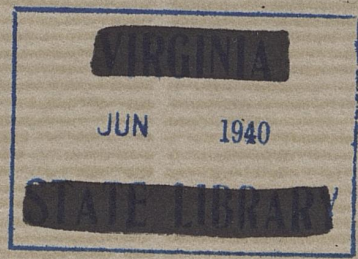
HOWARD B. MYERS, DIRECTOR
SOCIAL RESEARCH DIVISION

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

GOVERNMENT PUBLICATIONS

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PREPARED BY ROBERT C. LOWE AND JOHN A. HANLEY
LEGAL RESEARCH SECTION

UNDER THE SUPERVISION OF
A. ROSS ECKLER, COORDINATOR OF SPECIAL INQUIRIES
DIVISION OF SOCIAL RESEARCH

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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. 9

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DIGEST OF PUBLIC WELFARE PROVISIONSGENERAL POOR RELIEF(a) Description of class

Paupers, unable to support themselves 1/, and indigent sick 2/; indigent public charges afflicted with tuberculosis. 3/

(b) Procedure for determining eligibility

The Commissioners' Court must issue all notices, citations, writs and processes as may be necessary for the proper execution of the powers and duties imposed on such court, including providing for the support of paupers. 4/

(c) Measure of responsibility

Support 1/ (form not specified); burial 5/; hospitalization 6/; care in poor houses and farms. 7/

(d) Qualifications imposed

Applicant must be a bona fide resident of the county for not less than 6 months and of the State not less than one year. 1/

(e) Incidence of financial responsibility

On the county. (Obligation mandatory. 1/)

(f) Taxes

No general provision, but Commissioners' Court may lawfully issue bonds for purpose of establishing the poorhouse and farm, the bond issue to be retired by a property tax for all county purposes not to exceed 5% of the county's taxable value. 7/

(g) Administrative agencies

County: Commissioners' Court. 1/

(h) Supervisory controls

No provision.

-
1. Complete Stat. (1928), Art. 2351(11).
 2. Ibid, Art. 4438.
 3. Ibid, Art. 3241.
 4. Ibid, Art. 2351(14).
 5. Ibid, Art. 2351(12).
 6. Ibid, Art. 3198, 4438.
 7. Complete Stat. (1931 Supp.), Art. 722.

AID TO DEPENDENT CHILDREN IN THEIR OWN HOMES

(a) Description of class

Any widow who is the mother of a child or children under 16 years of age, and who is unable to support them, maintain her home and properly educate her children. By widow is meant a mother who is widowed by death or divorce, or whose husband has abandoned her for more than the 2 preceding years, or whose husband is confined in the penitentiary or in a State hospital for insane. 1/

(b) Procedure for determining eligibility

Mother may present a sworn petition for aid to the Commissioners' Court of the county wherein she has resided. The Court must cause a hearing and examination to be held, and if it concludes relief is necessary, it may make an order directing monthly payments to the mother. 1/

(c) Measure of responsibility

Fifteen dollars for support of one child, and \$6 for each additional child, provided such allowance must be discontinued for any child as soon as such child reaches the age of 16 years. 1/

(d) Qualifications imposed

In the sworn petition for assistance, the widow must show:
(a) The time and place of her marriage, date of death of husband, or date of his confinement in the penitentiary or in an insane asylum, or date of his abandonment of her; (b) her length of residence in State, her present residence, and her residence during each of the previous 5 years; (c) all property belonging to her and to each of her children, including any future or contingent interest she or any of them may have; (d) efforts made to support her children; (e) name, address, and relationship of each of her husband's relatives that may be known; petition for assistance made in county wherein applicant has resided for the preceding 2 years; unless relief is granted the widow will be unable to properly support and educate her children, and they may become a public charge. 1/

(e) Incidence of financial responsibility

On the county. (Obligation mandatory. 1/)

(f) Taxes

No specific provision. (County general fund.)

(g) Administrative agencies

County: Commissioners' Court. 1/

(h) Supervisory controls

No provision.

1. Laws (1931), Ch. 251, Sec. 1.

CARE OF DEPENDENT AND NEGLECTED CHILDREN (INSTITUTIONS AND AGENCIES)(a) Description of class

Any child under 16 years of age who is dependent upon the public for support or who is destitute, homeless, or abandoned; or who has not proper parental care or guardianship, or who habitually begs or receives alms, or who is found living in any house of ill-fame or with any vicious or disreputable person, or whose home, by reason of neglect, cruelty or depravity on the part of its parent, guardian or other person in whose care it may be, is an unfit place for such child; or any such child whose parents or guardian permit it to use intoxicating liquor except for medicinal purposes, or to become addicted to the use of such liquors, or permit it in or about any place where intoxicating liquors are sold. 1/

(b) Procedure for determining eligibility

Any person who is a resident of the county, having knowledge of a child in his county who appears to be a dependent or neglected child may file with the district clerk of his county a verified written petition setting forth the facts constituting the child dependent or neglected. 2/ The court must fix a time and place for hearing of such petition. 3/ Upon hearing of such case, the court must investigate the facts and ascertain whether the child is dependent and the causes thereof 4/; and if the child is found to be dependent, it must be so adjudged and an order may be entered making disposition of the child as the court deems best for its moral and physical welfare. 5/

(c) Measure of responsibility

A "dependent" or "neglected" child may be turned over to the care and custody of any suitable person or any suitable institution in the county or State which are able and willing to care for it. 5/ The child may be permitted to remain in its own home and under care and control of its own parents or guardian subject to jurisdiction and direction of court. 6/ Commitment may be made to the State Orphans' Home 7/, State Home for Dependent and Neglected Children 8/, Girls Training School and Colored Girls Training School. 9/

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1. Complete Stat. (1928), Art. 2330.
 2. Ibid, Art. 2331.
 3. Ibid, Art. 2332.
 4. Ibid, Art. 2333.
 5. Ibid, Art. 2335.
 6. Ibid, Art. 2336.
 7. Ibid, Art. 3208.
 8. Ibid, Art. 3257.
 9. Ibid, Art. 3259a.

CARE OF DEPENDENT AND NEGLECTED CHILDREN (INSTITUTIONS AND AGENCIES) (Cont'd)(d) Qualifications imposed

When a child is turned over to the custody of any individual or institution, such person or institution has the right to the custody of the child, and is at all times responsible for its education and maintenance, subject to the order of the court 10/, and subject to visitation or inspection by any person appointed by the court, and such person or institution may be required to report periodically to the court, in order that the court be fully advised as to the care, education, maintenance, moral and physical training of the child. 11/

(e) Incidence of financial responsibility

On county. 12/ (Obligation optional. 10/)

On State. 13/ (Institutional care) (Obligation optional. 10/)

(f) Taxes

If adequate funds are not available from current funds of county for building of parental homes, the Commissioners' Court may submit a proposition for issuance of county bonds to vote of county. The Commissioners' Court may levy sufficient taxes to retire these bonds. 14/

(g) Administrative agencies

County: District court has original jurisdiction in proceedings wherein it is sought to have a child adjudged dependent or neglected. 15/

(h) Supervisory controls

Division of Child Welfare in the State Board of Control. 16/

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10. Complete Stat. (1928), Art. 2335.
 11. Ibid, Art. 2336.
 12. Ibid, Art. 5138.
 13. Laws (1935), Ch. 352.
 14. Complete Stat. (1931 Supp.), Art. 5138a.
 15. Ibid (1928), Art. 2329.
 16. Ibid (1931 Supp.), Art. 695a(10).

OLD AGE ASSISTANCE

(a) Description of class

Every needy person over 65 years of age and residing in State. 1/

(b) Procedure for determining eligibility

Any person over the age of 65 years may present or mail an application in writing for an old age assistance grant to the local administrative agency designated by the State Old Age Assistance Commission to receive the same. Such application must be on forms prescribed by the Commission and must be duly sworn to by the applicant. 2/ Upon the filing of such application, it is the duty of the local administrative agency in the county or district in which application is made to investigate such sworn statement. After examination and investigation, the local agency shall enter an order granting the same, in whole or in part or in denying the same, and transmit a copy of the same to the Commission. Any aggrieved applicant or recipient may appeal to Commission for a review of application. The order of the Commission is final. 3/

(c) Measure of responsibility

Amount of assistance from State may not exceed \$15 per month; but in case Federal funds are allocated to State, applicant may receive an additional sum. In no case may the amount of aid when added to income of applicant from all sources exceed a total of \$30 per month. 4/

(d) Qualifications imposed

Applicant must be a citizen of the United States; must have resided in State 5 years or more within the last 9 years preceding date of application, and must have resided continuously in the State for one year immediately preceding the application. Applicant is not at time of receiving aid an inmate of any public or private home for the aged, or any public or private institution of a custodial, correctional, or curative character. Applicant has not made a voluntary assignment or transfer of property for purpose of qualifying; has an income, if a single person, from all sources not exceeding \$360 per year, or if married, a combined income not exceeding \$720; does not own property, real, personal or mixed, the fair value of which, less all incumbrances and liens, exceeds, if single, \$5,000, or if married, \$7,500; does not have or own cash or marketable securities, the fair value of which exceeds \$500, if single, or \$1,000, if married. Applicant is not an habitual criminal or habitual drunkard. Applicant has no husband or wife able to furnish an adequate support. 5/

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1. Laws (1935 2nd. Sp. Sess.), H. B. 26, Sec. 1.
 2. Ibid, Sec. 7.
 3. Ibid, Sec. 8.
 4. Ibid, Sec. 9a.
 5. Ibid, Sec. 2.

OLD AGE ASSISTANCE (Cont'd)(d) Qualifications imposed (Cont'd)

If, on death of any recipient, it is found he was possessed of property or income in excess of the amount so provided, the total amount of assistance in excess of that to which he was entitled may be recovered by the Commission as a preferred claim, together with 6% interest from the estate of the deceased; one-half of the amount so recovered must be paid over to the Federal Government in such manner as Social Security Act may require. 6/

(e) Incidence of financial responsibility

On State. 7/ (Obligation mandatory. 8/)

(f) Taxes

No specific provision. (State General Fund)

(g) Administrative agencies

Local administrative agency designated by State Old Age Assistance Commission. 9/

(h) Supervisory controls

Old Age Assistance Commission. 10/

6. Laws (1935 2nd. Sp. Sess.), H. B. 26, Sec. 11d.
7. Ibid, Sec. 8.
8. Ibid, Sec. 1.
9. Ibid, Sec. 7.
10. Ibid, Sec. 5.

VETERANS' RELIEF

(a) Description of class

Pensions:

Indigent or disabled Confederate soldier or sailor, whose application has heretofore been approved, and any who came to Texas prior to January 1, 1928; and their widows whose applications have been heretofore approved or who have been bona fide residents since January 1, 1921, and have lived with such soldier or sailor continuously for at least 10 years immediately prior to his death; provided, no widow born since January 1, 1873 is entitled to a widow's pension. 1/

Care in Confederate Home:

Disabled and indigent Confederate veteran not receiving pension from any source, and if he did not serve under a Texas command, was a bona fide resident of Texas on January 1, 1895. 2/

Any woman who is wife of Confederate soldier who is an inmate of Confederate Woman's Home and her husband is an inmate of the Confederate Home, may, on her request, be transferred to the Confederate Home. 3/

Confederate Woman's Home:

Indigent wives and widows over 60 years of age, of disabled ex-Confederate soldiers and sailors who entered the service from Texas or who came to the State prior to January 1, 1880, and whose disability is the proximate result of actual service of at least 3 months and also women who aided the Confederacy. 4/

(b) Procedure for determining eligibility

Pensions:

Application must be made in writing and under oath to the county judge of the applicant's county, and each applicant must furnish the testimony of at least one credible witness who personally knows the facts of the application; or he may furnish documentary evidence of such facts, and the affidavit must be accompanied by a sworn statement of at least 2 credible witnesses who have known the applicant for at least 10 years and who have no financial interest in the welfare of the applicant. 5/

A widow must make application and state facts by affidavit showing her eligibility to the county judge, and he must make an order that such pension be paid to her. 6/

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1. Complete Stat. (1931 Supp.), Art. 6205.
 2. Ibid (1928), Art. 3216.
 3. Ibid (1931 Supp.), Art. 3217.
 4. Ibid (1928), Art. 3218.
 5. Ibid (1931 Supp.), Art. 6208.
 6. Ibid (1928), Art. 6212.

VETERANS' RELIEF (Cont'd)

(b) Procedure for determining eligibility (Cont'd)

Confederate Home and Confederate Woman's Home:

Application made to respective home for admission, all applications must be passed upon by the State Board of Control. 7/

(c) Measure of responsibility

Pensions:

Fifty dollars per month to each married veteran living with his wife; to each veteran now unmarried, or a widower or widow, the sum of \$25 per month. 8/

Burial:

When any pensioner dies, an amount not exceeding \$100 is paid to cover funeral expenses. 9/

Confederate Home and Confederate Woman's Home:

Care in these homes.

(d) Qualifications imposed

Pensions:

A widow born since January 1, 1873, is not entitled to a pension; but a widow entitled to a pension who remarries a man other than a Confederate soldier or sailor is not barred from receiving a pension, in the event she be left a widow after such remarriage, so long as she remains a widow. 10/

Soldiers or widows over 88 years of age, who have been bona fide citizens of Texas since prior to January 1, 1930, are entitled to pensions, if otherwise pensionable. 10/

No application may be allowed, nor any aid be given or pension paid, to any soldier or sailor, or the widow of such, when any such soldier deserted his command or voluntarily abandoned his post; no aid may be given any widow who lives separately from her soldier or sailor husband and continued to live separately up to the time of his death. 11/

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7. Complete Stat. (1928), Art. 3216, 3219.
 8. Ibid (1931 Supp.), Art. 6221.
 9. Ibid, Art. 6227.
 10. Ibid, Art. 6205.
 11. Ibid (1928), Art. 6217.

VETERANS' RELIEF (Cont'd)

(d) Qualifications imposed (Cont'd)

Pensions: (Cont'd)

No person may receive a pension while confined in any asylum of this State, at the expense of State, or in the State penitentiary; and any person having been granted a pension and afterwards so confined, must during that period forfeit his pension. No pensioner who is absent for more than 6 months from State may draw a pension. 12/

If any pensioner be admitted to the Confederate Home or the Confederate Woman's Home, he is thereafter entitled to receive pension payments in one-half of the amount of pension he would otherwise be entitled to receive. 12/

(e) Incidence of financial responsibility

Pensions:

On the State. (Obligation mandatory. 13/)

Burial:

On the State. (Obligation optional. 15/)

Care in Confederate Home or Confederate Woman's Home:

On the State. (Obligation mandatory. 14/)

(f) Taxes

Pensions:

There must be levied annually an ad valorem tax of 7¢ on the \$100 valuation of all property in State for payment of pensions. 16/

(g) Administrative agencies

Pensions:

County Judge. 17/

Institutional care:

State Board of Control passes upon all applications for admission to either of the homes, submitted to the superintendent thereof. 18/

(h) Supervisory controls

No provision.

12. Complete Stat. (1928), Art. 6220.

13. Ibid (1931 Supp.), Art. 6204.

14. Ibid (1928), Art. 3213, 3219.

15. Ibid (1931 Supp.), Art. 6227.

16. Ibid (1931 Supp.), Art. 6204.

17. Ibid, Art. 6208.

18. Ibid (1928), Art. 3216, 3218.

ABSTRACT OF ADMINISTRATIVE PROVISIONSSTATE BOARD OF CONTROL

(Statutory Body)

I. General Powers and Duties(a) Board of Control:

(1) The State Board of Control has the general control, management, and direction of the affairs, property, and business of all State eleemosynary institutions. The following are included under its Division of Eleemosynary Institutions and Child Welfare: 1/

State Home for Dependent and Neglected Children
 State Juvenile Training School
 Austin State School
 Wichita Falls State Hospital
 Terrell State Hospital
 Rusk State Hospital
 San Antonio State Hospital
 Austin State Hospital
 Galveston State Psychopathic Hospital
 Dallas State Hospital
 Abilene State Hospital
 State Tuberculosis Sanatorium
 State Tuberculosis Sanatorium for Negroes
 State Orphans' Home
 Girls' Training School
 Colored Girls' Training School
 Texas School for Blind
 Texas School for Deaf
 Deaf, Dumb, and Blind Institute for Colored Youths
 and Colored Orphans' Home
 Confederate Home
 Confederate Woman's Home

(2) The Board of Control has the power to make rules and regulations for the government of the State eleemosynary institutions, and to make contracts necessary for their efficiency and best interests. 2/

(3) The Board must maintain an effective inspection of institutions under its control and management, for which purpose a representative of the Board must visit each institution once a month, and members of the Board must visit each of them at least once a year. 2/

1. Complete Stat. (1928), Art. 603, 3174; Laws (1931), Ch. 194; Laws (1935), Ch. 352.

The State Board of Control includes other divisions and possesses additional powers and duties, of a non-welfare nature, which are not treated in this digest. Complete Stat. (1928), Art. 603.

2. Complete Stat. (1928), Art. 693.

I. General Powers and Duties (Cont'd)(a) Board of Control: (Cont'd)

(4) The Board of Control has the power to appoint all superintendents, officers, and employees of the several institutions under its control; and it may fix their salaries and wages, and, upon recommendation of the respective superintendents, it may discharge any officer, employee, or inmate. Each superintendent appointed by the Board serves a 2-year term, subject to removal by the Board for good cause, and has the following general powers and duties: 3/

(a) To have general charge of everything connected with the institution over which he presides, subject to the rules of the Board; and to be chief disbursing officer of the asylum. 4/

(b) To establish such rules and regulations for the government of the institution in his charge as he deems will best promote the interest and welfare of its inmates. 5/

(c) Where not otherwise provided by law, to appoint subordinates, fix their salaries, and remove same for good cause, with the consent of the Board. 5/

(d) To receive and discharge patients and pupils, to care for and have custody of property belonging to the institution, to see that all moneys intrusted to him are judiciously expended, and to keep accurate accounts of all moneys. 6/

(e) To keep a register of all patients and pupils and to maintain a full record of all operations of the institution. 7/

(5) The Board of Control must examine and approve or reject any vouchers or accounts of the superintendents, exercise a careful supervision over the general operations of the several institutions and control their expenditures, and direct the manner in which their revenues are disbursed. 8/

(6) The Board, and the Governor, have the right to release juveniles from penal or reformatory institutions, when juveniles are qualified. 9/

(7) The Board serves in a purely supervisory relationship with the county child welfare boards, both of which work jointly with the county commissioners for the care and protection of dependent and neglected children in the several counties; and the Board is administratively active, in conjunction with the local boards of education and the State Department of Public Instruction, through its agents and institutions, in the improvement of the mental and physical conditions of all children who present problems in development. 10/

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3. Complete Stat. (1928), Art. 691, 693.
 4. Ibid, Art. 3177.
 5. Ibid, Art. 3176.
 6. Ibid, Art. 3175, 3176.
 7. Ibid, Art. 3175.
 8. Ibid, Art. 693.
 9. Revised Civil Stat. (1925), Sec. 5126.
 10. Complete Stat. (1928 Supp.), Art. 695a, Sec. 5; Complete Stat. (1928), Art. 3191.

I. General Powers and Duties (Cont'd)(b) Division of Eleemosynary Institutions:

The several institutions listed in (1), "Board of Control", are included under the Division of Eleemosynary Institutions.

(c) Division of Child Welfare

(1) The Board through the Division of Child Welfare must promote the enforcement of all laws for the protection of defective, illegitimate, dependent, neglected, and delinquent children; and it must visit and study conditions of the eleemosynary institutions maintained by State appropriations for the care and custody of such children, namely: The State Orphans' Home, Home for Dependent and Neglected Children, Girls' Training School, Juvenile Training School, Austin State School, and the Colored Orphans' Home. 11/

(2) The licensing, visiting, and inspection of all such agencies for defective, dependent, delinquent, or neglected children is a duty of the Division of Child Welfare. 12/

(3) The Division of Child Welfare, with the Board of Control, approves all commitments of children to State reformatory or charitable institutions which are made by the juvenile courts in the State. 13/

II. Composition and Appointment of Governing Body

The State Board of Control consists of 3 persons, citizens of the State, who are appointed by the Governor for 6-year rotating terms. For the 2 years ending August 31, 1936 and August 31, 1937, their salaries are \$4,200 annually, plus the additional sum of \$100 per month while acting as Relief Directors of the State. Members of the Board are public officers, and each is required to give bond in the form prescribed by the Attorney General in the sum of \$50,000. The Board elects one of its number chairman. Two members are always necessary for the consideration of any question, and minutes of their proceedings must be recorded. 14/

11. Complete Stat. (1928 Supp.), Art. 695a, Sec. 2, 10.

The exclusive possession and custody of all delinquent, dependent, illegitimate and other minor children, who are now in institutions owned or managed by the State of Texas, is vested in the Board of Control. These children are not wards of a court, and are declared to be charges of the State unless confinement be under sentence of some penal offense, or unless the respective parents of the children remove them therefrom within 60 days. When any child is found by a District Court to be dependent, neglected or abandoned by its parents or custodians, the Board of Control takes custody of it. If, upon 30 days notice to the parent or guardian of the child, it is not shown to the satisfaction of the County Child Welfare Board or other agency selected by the Board of Control, that the child can be cared for by such person, the Board may assign the child to some institution of the State for a period of 30 days. If within that time, the parent or other person has not qualified himself to take charge of the child, the guardianship of the child may be assigned to any person or institution that the District Court may deem capable of supporting, maintaining and educating said child. Ibid, Sec. 11.

12. Complete Stat. (1928 Supp.), Art. 695a, Sec. 8.13. Complete Stat. (1928), Art. 2329.14. Ibid, Art. 601, 602; Laws (1935), Ch. 364.

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

The State Board of Control is the governing body of the Division of Eleemosynary Institutions and the Division of Child Welfare. 15/

III. Reports

The Board of Control must, in each alternate year, submit a report to the State Legislature detailing the last year's operation. Inserted in such report must be the general result of the inspections of institutions and the reports of the medical superintendents and stewards. 16/

The State auditor must submit his annual report to the Governor relating an itemized, complete, financial balance sheet for the State at the close of the preceding year, and the names and allotments made of all institutions, departments, and boards. 17/

The superintendent of each institution under the Board of Control must report to the Board and to the Governor twice each year, on January 1 and July 1, detailing the proceedings of such institution and the amount of money received and disbursed; and on November 1, of each year, the superintendent must submit to the Board an inventory of all personal property belonging to the institution. 18/

IV. Executive

(a) Board of Control:

See "Composition and Appointment of Governing Body".

(b) Division of Eleemosynary Institutions:

The Chief of the Division of Eleemosynary Institutions is appointed by the Board of Control. He must be an active practising surgeon who has been actively engaged in the practice of the profession for not less than 10 years immediately preceding his appointment, and a physician of generally recognized eminence. 19/

(c) Division of Child Welfare:

The Chief of the Division of Child Welfare is employed by the Board of Control to serve at a salary, determined by the Board, not to exceed \$3,600 per year. The Chief must be qualified by adequate education, training, and experience. The experience of the person will be deemed sufficient if he has had 5 years or more of practical experience in child welfare work preceding his appointment. 20/

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15. Complete Stat. (1928), Art. 603, 3174.
 16. Ibid, Art. 693.
 17. Complete Stat. (1928 Supp.), Art. 689a.
 18. Complete Stat. (1928), Art. 3178, 3175.
 19. Ibid, Art. 690.
 20. Complete Stat. (1928 Supp.), Art. 695a, Sec. 1.

V. Staff

A secretary and such other clerks, stenographers, auditors, bookkeepers, and clerical help as are necessary may be employed by the Board of Control in the administration of its department, within the limits of the appropriations that are made for the work of the Board. The Board has the power to fix their salaries and duties and to remove or dismiss them from office for good cause. 21/

VI. Financial Provisions

The State Board of Control, its several divisions and institutions, are financed by appropriations out of the State Treasury. 22/

Amount of Appropriation:

The sum of \$480,431 is appropriated to the State Board of Control, including its several divisions, and the sum of \$10,870,726 to the various eleemosynary institutions under its control, for the biennium beginning September 1, 1935 and ending August 31, 1937. 22/

Limitation of Funds: 22/Salaries:

Division of Eleemosynary Institutions	\$ 7,500
Division of Child Welfare	19,716
Board of Control, including other divisions	250,615

Maintenance and Miscellaneous:

Division of Child Welfare	10,000
Board of Control, including all divisions	192,600
Total	\$480,431

21. Complete Stat. (1928), Art. 602.

22. Laws (1935), Ch. 352, 364.

The head of each department, school, institution, and of the prison system, and the head of any division or department of government for which appropriations are made by the Legislature, must submit to the Board each year preceding the regular biennial session of the Legislature an itemized account of all items of expense for the preceding 2 years, and an estimate of the appropriation required by such department or institution. The Board must then make up an appropriation budget and transmit it to the Governor for approval, and the Governor in turn must submit the approved budget for Legislative action. Complete Stat. (1928 Supp.), Art. 688, 689a-4.

Appropriations to the various eleemosynary institutions are listed in this digest under the respective institutions, but out of the total \$10,870,726 appropriation for such institutions there is an appropriation of \$19,340 to the Alabama and Coushatti Indians, for the same biennium, which is not included. Laws (1935), Ch. 352.

The Board of Control, together with the Juvenile Board or other County or City Board or other agencies, is authorized to use and allot any funds appropriated for such purposes by the Legislature, that may be necessary in jointly establishing and maintaining homes, schools and institutions for the care, protection, education and training of the class of children sought to be protected. Complete Stat. (1928 Supp.), Art. 695a, Sec. 5.

SUPERINTENDENT OF
STATE HOME FOR DEPENDENT AND NEGLECTED CHILDREN

(Statutory Body)

I. General Powers and Duties

(a) Superintendent:

See No. 4, "General Powers and Duties" under "State Board of Control".

(b) State Board of Control:

(1) It is the duty of the Board of Control to see that children placed in the State Home for Dependent and Neglected Children receive proper care, treatment, and education. 1/

(2) The Board of Control must see that the time of the children is properly distributed between the school of letters and the industrial and domestic pursuits, according to what is deemed for their best interests and according to the facilities at hand. 2/

(3) Any child above the age of 10 years and not adopted, but who goes out from the Home either under the custody of some adult or as a self-supporting person, must continue under the supervision and guidance of the Board, and the Board must require that the person or persons under whose care the child is placed or the child himself, write biweekly letters to the Board for the first 6 months and monthly thereafter. 3/

II. Composition and Appointment of Governing Body

See "Composition and Appointment of Governing Body" under "State Board of Control".

1. Complete Stat. (1928), Art. 3256.

Commitments: Whenever any child under the age of 16 years is adjudged dependent or neglected, and the Home will be advantageous to the future welfare and best interests of the child, such a child may be committed to the Home. The Home is not open to feeble-minded, epileptic, or insane children, or to any child afflicted with any sort of a communicable disease. Ibid, Art. 3257.

The Home is an institution for care, education, and training; and no child may be dismissed in its minority until some suitable home has been found for it, or it has become able to be self-supporting, and then only upon the written recommendation of the Superintendent to the Board. Ibid, Art. 3259.

The juvenile courts of the State determine and commit eligible children to the Home. It is the duty of the juvenile courts to investigate such children, and, if deemed eligible and for their benefit, to commit them to the Home. Ibid, Art. 3258.

2. Complete Stat. (1928), Art. 3256.

3. Ibid, Art. 3259.

III. Reports

The Board of Control receives all reports from persons to whom a child is loaned, or who have adopted a child previously under its control. 4/

The Superintendent reports semi-annually to the Board and to the Governor. 5/

See "Reports" under "State Board of Control".

IV. Executive

The Superintendent, who is employed by the State Board of Control for a 2-year term at a salary fixed by the Board, must be a person having at least 5 years actual experience immediately preceding his appointment in the work or a profession similar to that in this institution. He is subject to removal by the Board. 6/

V. Staff

A physician is appointed by the Board. The Superintendent has the power to select and appoint all necessary employees for the efficient and proper administration of the benefits of the Home. The salaries of the physician as well as the subordinate employees are fixed by the Board. 7/

VI. Financial Provisions

The State Home for Dependent and Neglected Children is financed by appropriations from the general revenue fund of the State. 8/

Amount of Appropriation:

The sum of \$227,210 is appropriated to the Home for the biennium beginning September 1, 1935 and ending August 31, 1937. 9/

Limitation of Funds: 9/

Salaries\$ 61,060
Maintenance and support	149,050
Improvements and repairs	<u>17,100</u>
Total\$227,210

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- 4. Complete Stat. (1928), Art. 3259.
 - 5. Ibid, Art. 3178.
 - 6. Ibid, Art. 3178, 3255 and Laws (1919), Ch. 167, Sec. 11.
 - 7. Complete Stat. (1928), Art. 3255.
 - 8. Ibid, Art. 3179.
 - 9. Laws (1935), Ch. 352.

SUPERINTENDENT OF
STATE JUVENILE TRAINING SCHOOL

(Statutory Body) 1/

I. General Powers and Duties

(a) Superintendent:

(1) The School must provide for and maintain suitable instruction and training of the inmates, which must include a reasonable amount of instruction in the school of letters and the industrial branch each year, and definite instruction and training in some useful occupation. They must be given such moral training and discipline as they are capable of receiving. 2/

(2) When the Superintendent is satisfied that any inmate has acquired sufficient self-control, moral habits and industrial efficiency, and suitable employment under a responsible and moral person, he may with the approval of the Board of Control, grant him "leave of probation". 3/

(3) The Superintendent has the power to supervise and investigate through proper agents those persons placed in suitable homes, and the homes into which they are taken. 3/

(4) The Superintendent with the approval of the Board must divide the inmates into classes and must house, feed, and train them in such a manner as he deems best for their development and advancement. 4/

See # 4, "Composition and Appointment of Governing Body" under "State Board of Control".

(b) Board of Control:

(1) The Board must provide for the instruction given the inmates of the School, it must provide religious services at the institution, and in general make the rules and regulations for the conduct of the School. 5/

II. Composition and Appointment of Governing Body

See "Composition and Appointment of Governing Body" under "State Board of Control".

1. The Juvenile Training School receives all white male persons under the age of 17 years who are committed as delinquent children. Vernon's Ann. Stat. (1925), Art. 5125.

2. Vernon's Ann. Stat. (1925), Art. 5119.

3. Ibid, Art. 5126.

4. Ibid, Art. 5129.

5. Ibid, Art. 5122.

III. Reports

The Superintendent must report to the Board and to the Governor twice each year. 6/

See "Reports" under "State Board of Control".

IV. Executive

The Board of Control elects a Superintendent for the State Juvenile Training School. 7/ He must be a man of high moral character, education, and training, and have had experience in handling wayward boys for a period of at least 5 years. He serves for a term of 2 years at a salary fixed by the Board of Control, and may be removed by it for good cause. 8/ His salary for the 2 year period ending August 31, 1936 and August 31, 1937 respectively, is \$2,100 for each of the above years. 9/

V. Staff

Where not otherwise provided by law, the Superintendent has the power to appoint subordinates, fix their salaries, and to remove them from office for good cause, with the consent of the Board. 10/

VI. Financial ProvisionsAmount of Appropriation:

The sum of \$353,920 is appropriated from the general revenue fund 11/ of the State for the State Juvenile Training School, for the period September 1, 1935 to August 31, 1937. 9/

The sum of \$8,000 is appropriated for the period ending August 31, 1935 for maintenance and support to make up any deficit. 12/

Limitation of Funds:

Salaries.\$105,120
Maintenance and support	233,300
Improvements.	<u>15,500</u>
Total\$353,920 <u>9/</u>

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6. Vernon's Ann. Stat. (1925), Art. 3178.
 7. Complete Stat. (1928), Art. 691.
 8. Vernon's Ann. Stat. (1925), Art. 5120.
 9. Laws (1935), Ch. 352.
 10. Vernon's Ann. Stat. (1925), Art. 3176.
 11. Ibid, Art. 3183.
 12. Laws (1935), Ch. 294.

SUPERINTENDENT OF AUSTIN STATE SCHOOL

(Statutory Body)

I. General Powers and Duties

(a) Superintendent:

(1) All persons committed or admitted to the Austin State School must remain in its custody as permanent wards of the State until released by the management of the School. The Superintendent and the Board may, in their discretion and subject to revocation at any time, parole any person in the custody of parent or guardian for an indefinite period. Notice of all paroles of longer duration than 30 days must be sent by the Superintendent, on the date of the parole, to the committing court. 1/

(2) The Superintendent is responsible to the Board for the details of the management of the School, and must exercise the power conferred upon him by law with the approval and consent of Board of Control. 1/

(3) When any person in this institution is found to be epileptic or insane, he must be transferred at once to either the Abilene State Hospital for the Epileptics or to the State Hospital for the insane in the district in which the person resides. 2/

See #4 "General Powers and Duties" under "State Board of Control".

1. Vernon's Ann. Stat. (1925), Art. 3235, 3236.

The School is for the institutional care of feeble-minded persons. A feeble-minded child is one of such feeble mental or moral powers as to be unable to profit by the ordinary methods of education as employed in common schools. A feeble-minded adult is one who is unable under ordinary circumstances to protect and support himself as a law abiding citizen because of lack of mental power. Ibid, Art. 3233.

Any resident citizen having knowledge of a person in his county, who appears to be feeble-minded may file with the county clerk a sworn complaint which may be made upon information and belief, setting forth that such person is feeble-minded. Ibid, Art. 3868.

If the alleged feeble-minded person be a minor and it appears that one or both of the parents, or guardian if there be no parents, reside in the county, the clerk of the county court, must immediately issue citation. This citation must include a brief statement of the complaint, which must be served on the parents or guardian of a minor child or upon the alleged feeble-minded person if above the age of 21. Ibid, Art. 3869.

The county courts have original jurisdiction in all cases coming within this title, and must at all times be deemed in session for the disposition of the same. Upon the hearing of such a case, the feeble-minded person must be brought before the court, and if he is found to be feeble-minded, the court must enter its order so adjudging him, and that he be committed to the custody of the Austin State School. Ibid, Art. 3871.

2. Vernon's Ann. Stat. (1925), Art. 3226.

I. General Powers and Duties (Cont'd)(b) Board of Control:

The Board may provide accommodations for only such number of inmates from year to year as can be advantageously cared for with the appropriation granted for that year, giving preference first to girls and women of child bearing age, and to those of both sexes who are most likely to profit by the special education and training. 3/

II. Composition and Appointment of Governing Body

See "Composition and Appointment of Governing Body" under "State Board of Control".

III. Reports

The Superintendent must report to the Board and to the Governor twice each year. 4/

See "Reports" under "State Board of Control".

IV. Executive

The Board elects and employs a Superintendent for a term of 2 years and may remove him. The Superintendent must be a man of education with training and experience in the work of institutions of this kind. He is responsible to the Board for all his actions. 5/ His salary is fixed by the Board, but by the appropriation bill of 1935 for each of the years ending August 31, 1936 and August 31, 1937, his salary is \$2,400 for each of the 2 years. 6/

V. Staff

Unless otherwise provided by law, the Superintendent appoints subordinates, fixes their salaries, and removes them from office for good cause, with the consent of the Board. 7/

VI. Financial ProvisionsAmount of Appropriation:

The sum of \$664,493 is appropriated out of the State Treasury for the Austin State School for the period September 1, 1935 to August 31, 1937. 6/

Limitation of Funds:

Salaries	\$ 211,193
Maintenance and support.	363,300
Improvement and repairs.	90,000
Total	\$ 664,493 <u>6/</u>

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3. Vernon's Ann. Stat. (1925), Art. 3235.
 4. Ibid, Art. 3178.
 5. Ibid, Art. 3234.
 6. Laws (1935), Ch. 352.
 7. Vernon's Ann. Stat. (1925), Art. 3176.

SUPERINTENDENTS OF WICHITA FALLS, TERRELL,
RUSK, SAN ANTONIO, AND AUSTIN STATE HOSPITALS 1/
AND THE GALVESTON STATE PSYCHOPATHIC HOSPITAL 2/

(Statutory Bodies)

I. General Powers and Duties

(a) Superintendents:

(1) The Superintendent of any of the State hospitals for the care of the insane and mentally ill persons may, when requested by a physician or by a health officer, receive and care for as a patient in such institution, for a period not exceeding 10 days, any person needing immediate care and treatment because of mental derangement other than delirium tremens and drunkenness. 3/

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1. The Wichita Falls, Terrell, Rusk, San Antonio, and Austin State Hospitals are insane hospitals and asylums for the care and treatment of the insane, epileptic, and feeble-minded. Laws (1925), Ch. 174, Sec. 1.
 2. The Galveston State Hospital is a hospital for the treatment of nervous and mental disease both in the hospital and out patient clinic, and is available as part of the teaching facilities in mental medicine for the State Medical College.
 3. Vernon's Ann. Stat. (1925), Art. 3193g.

Commitments: A person alleged to be insane, and who is not held on a criminal charge, may be committed to and confined in an institution for the custody and treatment of the insane and of other persons suffering from mental illnesses upon an order made by a county judge of the county in which the alleged insane person resides or may be, adjudging such person to be insane, upon a certificate of insanity made by 2 properly qualified and licensed physicians, accompanied by a verified petition therefor, or upon certificate and petition and after a hearing to determine the question. An insane person must be committed only to an institution for the treatment of insane and other persons suffering from mental illnesses, or to the care and custody of a relative; provided, that any person or someone for him may demand a jury trial as to his mental state. Ibid, Art. 3193.

The county courts, upon petition by a sheriff or any private citizen, must ascertain whether a person is insane or not. The patient must then be examined by at least 2 practicing physicians, and upon the result of this examination and the decision of the county judge, the person is then either committed to the hospital as insane or allowed his freedom. Ibid, Art. 3193a.

Transfers: When a prisoner confined in the State penitentiary becomes insane, he must be treated by the prison physician and observed by the physician and the warden of the penitentiary; and when, in the judgment of the physician and the warden, the convict is insane and should be transferred to one of the State hospitals for treatment of the insane, then either the warden or physician must go before the county judge of Walker County and make an affidavit to the facts. Upon trial, if the convict is found insane, the county judge must issue a warrant for transfer of the convict to one of the State hospitals for treatment of insanity. Vernon's Ann. Stat. (1935), Pocket Part, Art. 3186a.

I. General Powers and Duties (Cont'd)(a) Superintendents: (Cont'd)

(2) The Superintendent or head physician of each institution must cause to be kept in a book, records of all cases wherein restraint is used, which are open to inspection at all times by the director of mental hygiene, by the Board of Control, and other persons who have control of the institutions. 4/

See No. 4, "General Powers and Duties" under "State Board of Control".

(b) State Board of Control:

(1) The Board of Control must divide the State into hospital districts, and it may change the districts from time to time. The Board must designate the State hospitals to which the insane from each district are admitted, and it may transfer patients from one institution to another. All such persons within any of these districts, must be committed to the State hospital designated for that district. 5/

(2) It is the duty of the Board to admit patients to these State hospitals after certain requirements have been fulfilled, and after proper commitments have been made by the county courts. The Board, directly or through an authorized agent or agents, may make contracts fixing the price for the support of patients in any State hospital. The Board is authorized to demand investigation to determine whether or not a patient is possessed of or entitled to property and whether or not some other person is legally liable for his support and able to pay for same. 6/

(3) No patient in a State hospital may be discharged therefrom or permitted to leave on a temporary visit without suitable clothing; and the Board may furnish said clothing, and such an amount of money, not exceeding \$20, as it may consider necessary. 7/

II. Composition and Appointment of Governing Body

See "Composition and Appointment of Governing Body" under "State Board of Control".

III. Reports

The Superintendent of each institution must report semi-annually to the Governor and to the State Board of Control. 8/

See "Reports" under "State Board of Control".

4. Vernon's Ann. Stat. (1925), Art. 3193m.

5. Ibid, Art. 3188.

6. Ibid, Art. 3193a; Complete Stat. (1928), Art. 691.

7. Vernon's Ann. Stat. (1925), Art. 3193j.

8. Ibid, Art. 3178.

IV. Executive

The Superintendents of the Wichita Falls, Terrell, Rusk, San Antonio, and Austin State Hospitals are each elected and appointed by the Board of Control for a 2-year term, subject to removal by the Board for good cause. Their salaries are fixed by the Board, and for the 2 years ending August 31, 1936 and August 31, 1937 there is appropriated an annual salary of \$2,400 for each Superintendent, plus maintenance and expenses. Each Superintendent must be a married man, a skilled physician, and experienced in the treatment of insanity for at least 5 years. Each must reside at the hospital with his family. 9/

The Superintendent of the Galveston Psychopathic Hospital is appointed also by the Board, for an indefinite time, his continuance in service being determined by the character of administration rendered by the hospital. The 1935 appropriation provides for the payment of a \$2,400 salary, and living expenses, to the Superintendent of the Galveston Psychopathic Hospital for the 2 years ending August 31, 1936 and August 31, 1937. The Superintendent must be a well qualified physician thoroughly trained in psychiatry, and experienced in hospital management, for a period of at least 5 years. He must reside at the hospital. 10/

V. Staff

Where not otherwise provided by law, the Superintendent of each of these hospitals has the power to appoint subordinate officers, teachers, attendants, and other employees, and to fix their salaries. He is authorized to fix their terms of office and to remove them for good cause, with the consent and approval of the Board. 11/

VI. Financial Provisions

The State hospitals are financed by direct appropriations from the general revenue fund of the State. 12/

Amount of Appropriation:

To these respective State hospitals there is appropriated the grand total sum of \$5,913,190 for the biennium beginning September 1, 1935 and ending August 31, 1937. 13/

Limitation of Funds: 13/

Wichita Falls State Hospital:	
Salaries	\$ 287,540
Maintenance and support	516,900
Improvements and repairs	171,300
Total	\$ 975,740

9. Complete Stat. (1928), Art. 691; and Vernon's Ann. Stat. (1925), Art. 3184 and Laws (1935), Ch. 352.
 10. Vernon's Ann. Stat. (1925), Art. 3190 and Laws (1935), Ch. 352.
 11. Vernon's Ann. Stat. (1925), Art. 3176.
 12. Vernon's Ann. Stat. (1925), Art. 3183.
 13. Laws (1935), Ch. 352.

VI. Financial Provisions (Cont'd)Limitation of Funds: (Cont'd)

Terrell State Hospital:

Salaries	\$ 314,065
Maintenance and support	639,800
Improvement and repairs	<u>299,700</u>
Total	\$1,253,565

Rusk State Hospital:

Salaries	\$ 299,812
Maintenance and support	558,150
Improvement and repairs	<u>157,000</u>
Total	\$1,014,962

San Antonio State Hospital:

Salaries	\$ 370,982
Maintenance and support	587,400
Improvement and repairs	<u>183,000</u>
Total	\$1,141,382

Austin State Hospital:

Salaries	\$ 314,540
Maintenance and support	616,600
Improvement and repairs	<u>285,500</u>
Total	\$1,216,640

Galveston State Psychopathic Hospital:

Salaries	\$ 58,051
Maintenance and support	115,600
Improvement and repairs	<u>137,250</u>
Total	\$ 310,901

Grand Total	\$5,913,190
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SUPERINTENDENT OF
ABILENE STATE HOSPITAL

(Statutory Body) 1/

I. General Powers and Duties

(a) Superintendent:

(1) The object of the Abilene State Hospital being to secure the humane, scientific, and economical treatment of epileptics, it is the duty of the Superintendent and of the State Board of Control to prepare and adopt by-laws, rules, and regulations for the government of the Hospital, prescribing the duties of all officers and employees, and to enforce the necessary discipline and restraint of all patients, in order to fulfill this design. 2/

(2) The Superintendent must admit into the Hospital all persons committed to it by any county judge, such persons having been examined by a reputable practising physician and showing by certificates that they are afflicted with epilepsy. 3/

(3) When there is room in the Hospital, the Superintendent must receive all epileptics, and, when application is made for more patients than can be admitted, he must give preference to indigent public patients over non-indigent public persons; and he must at all times give preference to both of the classes mentioned over private patients. 4/

1. This institution was created in 1899 as the State Epileptic Colony, but in 1925 its name was changed to the Abilene State Hospital. Laws (1899), p. 4 and Laws (1925), Ch. 174.

2. Vernon's Civ. Stat. (1914), Art. 212a.

Admissions: All persons afflicted with epilepsy who have been bona fide residents of this State for one year preceding the filing of application with the county judge are eligible for admission into the Abilene State Hospital, with the following exceptions: Idiots and imbeciles who are afflicted with epilepsy, and those who are infirm and bedridden or suffering from contagious or infectious disease. Complete Stat. (1928), Art. 3224.

The county judge must certify that the physician making a certificate stating that a person is epileptic is a reputable physician actively engaged in the practice of his profession. If it be made to appear to the county judge that such epileptic is entitled to admission into the Hospital, he must forward an application to the Superintendent of the Hospital for the admission of the epileptic. The county judge must see that each patient admitted to the Hospital is supplied with 3 suits of substantial clothing and other effects. Ibid, Art. 3230.

Patients admitted to this Hospital are classed according to their financial ability to pay the expenses of maintenance as (1) indigent patients, (2) non-indigent patients, and (3) private patients. The difference between the first and second class is that the persons in the first class have no persons legally responsible for them and they are a total charge upon the public. This class is supported entirely by the State. Ibid, Art. 3224.

Transfers: Patients may be transferred from the various State hospitals for the insane to the Abilene State Hospital when such patients are found to be afflicted with epilepsy. Ibid, Art. 3226.

3. Complete Stat. (1928), Art. 3229.

4. Ibid, Art. 3226, 3225.

I. General Powers and Duties (Cont'd)(a) Superintendent: (Cont'd)

See #4, "General Powers and Duties" under "State Board of Control".

(b) State Board of Control:

The general control, management, and direction of the affairs, property, and business of the Abilene State Hospital is vested in the State Board of Control. 5/

See "General Powers and Duties" under "State Board of Control".

II. Composition and Appointment of Governing Body

See "Composition and Appointment of Governing Body" under "State Board of Control".

III. Reports

The Superintendent reports semi-annually to the Board of Control and to the Governor. 6/

See "Reports" under "State Board of Control".

IV. Executive

The Superintendent, who is elected and appointed by the Board of Control for a 2-year term, subject to removal by the Board, must have had special advantages and practical experience in the management of persons committed to his charge. There is appropriated for each of the years ending August 31, 1936 and August 31, 1937, the sum of \$2,400 for his salary. 7/

V. Staff

The Superintendent is authorized to employ and appoint, where there is no legislative enactment, all subordinates deemed necessary by him for the proper running of the institution, to fix their salaries and terms of office, and to remove them for good cause. There is appropriated for each of the years ending August 31, 1936 and August 31, 1937, the sum of \$5,010 for 3 physicians and the sum of \$1,880 for an assistant superintendent. 8/

VI. Financial Provisions

The Abilene State Hospital is financed by appropriations from the general revenue fund of the State. 9/

5. Complete Stat. (1928), Art. 3174

6. Ibid, Art. 3178.

7. Ibid, Art. 691 and Laws (1935), Ch. 352.

8. Complete Stat. (1928), Art. 3176 and Laws (1935), Ch. 352.

9. Complete Stat. (1928), Art. 3183.

VI. Financial Provisions (Cont'd)

Amount of Appropriation:

The sum of \$588,120 is appropriated to the Hospital for the biennium beginning September 1, 1935 and ending August 31, 1937. 10/

Limitation of Funds: 10/

Salaries	\$ 193,920
Maintenance and support.	331,200
Improvements and repairs	<u>63,000</u>
Total	\$ 588,120

10. Laws (1935), Ch. 352.

SUPERINTENDENT OF
STATE TUBERCULOSIS SANATORIUM

(Statutory Body)

I. General Powers and Duties

(a) Superintendent:

See #4, "General Powers and Duties" under "State Board of Control".

(b) State Board of Control:

The State Board of Control has the general control, management, and direction of the affairs, property, and business of the State Tuberculosis Sanatorium; and it must prepare and adopt by-laws, rules, and regulations for the government of the entire colonies, prescribing duties of all officers and employees, and for enforcing the necessary discipline and restraint of all patients. 1/

1. Complete Stat. (1928), Art. 3174, 3239.

Admissions: Persons afflicted with tuberculosis, who are citizens of the State, may be admitted as patients to the State Tuberculosis Sanatorium, and such patients may be classified as (1) indigent public patients, and (2) non-indigent public patients. Those of the first class are tubercular persons who possess no property of any kind nor have anyone legally responsible for their support and who are unable to reimburse the State. This class is supported at the State's expense. Those of the second class are those who have some property out of which the State may be reimbursed, or who have someone legally responsible for their support. This class is originally supported by the State, but the State may be reimbursed in an equitable amount or a total amount in proportion to the financial ability of such a person. Ibid, Art. 3240, 3241.

No patient in any State colony may be discriminated against by virtue of the fact that he is an indigent, non-indigent, or private patient, but they must all be treated alike, given equal facilities, equal attention, and equal treatment. Ibid, Art. 3247.

The State Health officer receives all applications for admittance to the Sanatorium, indexes alphabetically, and files the same in his office for a permanent record. If the county judge determines not to make application for any person, then such person may make application directly to the State Health officer, and, if in his opinion, the patient is entitled to admission, then he must order him to be so admitted. The expense of clothing and transportation of public indigent patients must be paid by the county from which the patient is sent. Ibid, Art. 3245, 3248.

It is the duty of the county judge to make proper certificate of the examining physician. If the judge is not satisfied as to the showing made in the application and certificate, or either, he may subpoena witnesses and examine them under oath, and if it appears to the judge that the applicant is entitled to admission, he must forward the application to the State Health officer, such application to denote the class of the patient. Ibid, Art. 3243, 3244.

II. Composition and Appointment of Governing Body

See "Composition and Appointment of Governing Body" under "State Board of Control".

III. Reports

The Superintendent reports semi-annually to the Governor and to the State Board of Control. 2/

See "Reports" under "State Board of Control".

IV. Executive

The Superintendent, who must be a person having had special advantages and practical experience in the management of the class of persons admitted to his charge, is elected by the Board of Control to serve for a 2-year term, subject to removal for good cause by the Board. The Board fixes the salary of the Superintendent, and for each of the years ending August 31, 1936 and August 31, 1937 the sum of \$2,400 is appropriated for his salary. 3/

V. Staff

A regularly licensed physician for each of the colonies of the State Tuberculosis Sanatorium is appointed by the Board of Control to serve for a 2-year term, subject to removal only for just cause determined by the Board. Each physician so appointed is superintendent of the colony under his control, and he has the power to remove at will any person employed in the colony over which he has authority. 4/ The salaries of the physicians are determined by the Board, and for each of the years ending August 31, 1936 and August 31, 1937, the sum of \$10,020 is appropriated for their salaries at a basic salary of \$1,670 each, none to exceed \$1,750 per year. 5/

The necessary cooks, waiters, yard men, nurses, etc., for the operation and maintenance of the colonies are supplied by the Board. 4/

VI. Financial Provisions

The State Legislature must, from time to time, make suitable provisions in the appropriation bill or otherwise for the proper support and maintenance of the State Tuberculosis Sanatorium. 6/

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2. Complete Stat. (1928), Art. 3178.
 3. Ibid, Art. 691; Laws (1935), Ch. 352.
 4. Complete Stat. (1928), Art. 3239.
 5. Laws (1935), Ch. 352.
 6. Complete Stat. (1928), Art. 3183.

VI. Financial Provisions (Cont'd)Amount of Appropriation:

The sum of \$954,776 is appropriated to this institution out of the State Treasury for the biennium beginning September 1, 1935 and ending August 31, 1937. 7/

<u>Limitation of Funds: 7/</u>	<u>Biennial Expenditures</u>
Salaries	\$ 228,476
Maintenance and support.	536,300
Improvements and repairs	190,000
Total	\$ 954,776

7. Laws (1935), Ch. 352.

SUPERINTENDENT OF

STATE TUBERCULOSIS SANATORIUM FOR NEGROES

(Statutory Body) 1/

I. General Powers and Duties

(a) Superintendent:

(1) The Superintendent of the State Tuberculosis Sanatorium for Negroes must determine upon application the persons entitled to admission therein, as now provided by the law for the admission of persons to the State Tuberculosis Sanatorium. 2/

(2) The Superintendent must keep on file an index of all applications of all patients, and patients are admitted according to their file number, reserving at all times not less than one-half the accommodations afforded at the Sanatorium for indigent patients, one-fourth for non-indigent patients, and one-fourth for private or pay patients, subject, however, to the control and discretion of the Superintendent. And the Superintendent must file with the State Health Officer such copies of applications as are necessary to meet all provisions of this Act. 3/

See #4, "General Powers and Duties" under "State Board of Control".

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1. Acts (1935), Ch. 131, creates and provides for the establishment and maintenance by the State of a tuberculosis sanatorium for negroes, to be known as the State Tuberculosis Sanatorium for Negroes, such Act to become effective 90 days after May 11, 1935. Vernon's Ann. Stat. (1935), Pocket Part, Art. 3254a.
 2. Vernon's Ann. Stat. (1935), Pocket Part, Art. 3254a, Sec. 9.

Admission: Only negroes afflicted with tuberculosis who have been citizens of this State and of the county from which they come, at the time of filing application with the county judge, as hereinafter provided, may be admitted to the Sanatorium. Ibid, Art. 3254a, Sec. 11.

Persons admitted to the Sanatorium are of 3 classes, namely: (1) indigent public patients, who are supported entirely by the State, (2) non-indigent public patients, who possess some property out of which the State may be reimbursed, or who have someone legally liable for their support, and (3) private patients, who pay their own expenses for board and care. Ibid, Art. 3254a, Sec. 13.

It is the duty of the county judge to see that each patient admitted to the Sanatorium is supplied with suitable clothing as prescribed by the State Health Officer; and the expenses of the clothing and transportation of an indigent public patient must be paid by the county from which the patient is sent. Ibid, Art. 3254a, Sec. 17.

3. Vernon's Ann. Stat. (1935), Pocket Part, Art. 3254a, Sec. 16.

I. General Powers and Duties (Cont'd)(b) State Board of Control:

(1) Upon the completion and acceptance of the site by the Board created for that purpose, the Sanatorium must be operated, managed, and controlled in the same manner as other eleemosynary institutions. 4/ The rules and regulations for the operation, government, control, and management of the Sanatorium, its officers, employees, and patients must be approved and promulgated by the Board of Control, as set forth in this Act. 5/

(2) No patient in this Sanatorium may be discriminated against by virtue of the fact that he is an indigent, non-indigent, or private patient, but all patients must be treated alike, given equal facilities, equal attention and equal treatment, and no patient is permitted to give to any officer, servant, agent, or employee of the Sanatorium any tip, pay, or reward of any kind whatever, and if such patient does so, and it is discovered, it is a cause for his expulsion from the Sanatorium and the discharge of any officer, servant, agent, or employee accepting the same; and the Board of Control must see that this provision is rigidly and drastically enforced. 6/

II. Composition and Appointment of Governing Body

See "Composition and Appointment of Governing Body" under "State Board of Control".

III. Reports

The Superintendent reports semi-annually to the Board of Control and to the Governor. 7/

See "Reports" under "State Board of Control".

IV. Executive

The Superintendent is appointed by the Board of Control, and he must be permitted to hold office during the term of his good behavior, subject to removal only for cause, to be determined by the Board. 8/

V. Staff

The medical director, officers, and such servants, employees, and assistants as are necessary, and as may be provided for by appropriations by the Legislature, are appointed by the Board, and each must be permitted to hold office during the term of his good behavior, subject to removal only for cause, to be determined by the Board. 8/

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4. Vernon's Ann. Stat. (1935), Pocket Part, Art. 3254a, Sec. 8.
 5. Ibid, Sec. 18.
 6. Ibid, Sec. 15.
 7. Vernon's Ann. Stat. (1925), Art. 3178.
 8. Vernon's Ann. Stat. (1935), Pocket Part, Art. 3254a, Sec. 6, 19.

VI. Financial Provisions

Provision must be made by the Legislature for the operation and maintenance of the Sanatorium for Negroes by appropriation. 9/

Amount of Appropriation and Limitation of Funds:

There is appropriated out of any funds in the State Treasury not otherwise appropriated the sum of \$200,000 to purchase the site and to construct and equip the Sanatorium provided in this Act, out of which may also be paid the necessary traveling and other expenses of the board which locates and constructs the Sanatorium. 10/

9. Vernon's Ann. Stat. (1935), Art, 3254a, Sec. 10.
10. Ibid, Sec. 7.

SUPERINTENDENT OF
STATE ORPHANS' HOME
(Statutory Body)

I. General Powers and Duties

(a) Superintendent:

(1) The Superintendent must keep a carefully prepared list containing the name and age of each child, as well as all other data concerning the history of the child as the Board may prescribe. The lists must be recorded in a well bound book for the purpose, subject to the inspection of all persons who may desire to examine its contents. 1/

(2) The Superintendent must annually deliver to the proper authorities, a list of all children within the scholastic age, and see that their pro rata of the public free school fund is set aside to their credit, and that they are provided with proper educational facilities. 1/

(3) The Superintendent must answer promptly all inquiries, by mail or otherwise, concerning the orphans under his charge, and promptly inform the Board when an opportunity is presented to secure a good and permanent home for any child under his charge. 1/

See #4, "Composition and Appointment of Governing Body" under "State Board of Control".

(b) Board of Control:

(1) All children under the age of 14 may be admitted subject only to such restrictions as the Board may deem requisite to the welfare of the Home. 2/

(2) No person may be permitted to remove a child from the Home except under such lawful rules and regulations as the Board may adopt. In no case may a child be removed from the Home by any person other than the natural guardian of the child, or the duly qualified guardian of the person of the child, or the parent. 3/

1. Vernon's Ann. Stat. (1925), Art. 3208.

It is the duty of the Chief of the Division of Child Welfare to visit and study conditions in the State Orphans' Home, and to make recommendations as to the policy of management of this institution and outline a program for this institution so that the type of child received in it may receive the best possible training in contemplation of their earliest discharge from the institution. Complete Stat. (1928 Supp.), Art. 695a, Sec. 10.

2. Vernon's Ann. Stat. (1925), Art. 3211.

3. Ibid, Art. 3212.

II. Composition and Appointment of Governing Body

See "Composition and Appointment of Governing Body" under "State Board of Control".

III. Reports

The Superintendent must report to the Board and to the Governor twice each year. 4/

See "Reports" under "State Board of Control".

IV. Executive

The Board elects a Superintendent, who must have had special advantages and practical experience in the management of the class of persons committed to his charge. His term of office is 2 years, subject to removal by the Board for good cause. 5/ The salary of the Superintendent is fixed by the Board, but by the Appropriation Bill of 1935, for each of the 2 years ending August 31, 1936, and August 31, 1937, the Superintendent receives \$2,100. 5/

V. Staff

The Board elects an industrial manager for the Home whose duties and salary are prescribed by the Board, subject to legislative appropriation not to exceed \$1,500 per year. 6/ A matron for the Home is chosen by the Superintendent with the consent of the Board whose salary may not exceed \$45 per month. 7/ By the Appropriation Bill, for each of the years ending August 31, 1936, and August 31, 1937, for the matron there is appropriated a salary of \$780. 5/

VI. Financial Provisions

Amount of Appropriation:

There is appropriated the sum of \$466,766 from the general fund of the State, for the Orphans' Home, for the period September 1, 1935, to August 31, 1937. 5/

Limitation of Funds:

Salaries	\$108,816
Maintenance and support	297,450
Improvements and repairs	60,500
Total	\$466,766 5/

4. Vernon's Ann. Stat. (1925), Art. 3178.
5. Laws (1935), Ch. 352.
6. Vernon's Ann. Stat. (1925), Art. 3209.
7. Ibid, Art. 3210.

SUPERINTENDENT OF GIRLS' TRAINING SCHOOL

(Statutory Body)

I. General Powers and Duties(a) Superintendent:

(1) The Superintendent with the approval of the Board of Control makes all necessary rules and regulations for the Government of the Training School, and must provide that the time of the pupils is properly distributed between the school of letters and the industrial and domestic pursuits, according to the needs of the pupils and the facilities at hand. Provision must be made for giving diplomas or certificates of proficiency for graduates from the nurses' training school or any industrial school that may be established by the Board. 1/

(2) Any girl who is committed to the School and afflicted with a venereal, tubercular or any other communicable disease must be assigned to a distinct and separate building until cured. 2/

(3) No girl may be discharged or paroled until some suitable home has been found for her and only then upon the written recommendation of the Superintendent to the Board, or unless she has become married with the consent of the Board and Superintendent. 3/

(4) Any girl who is pardoned by the Governor must be under the supervision and guidance of the Superintendent, who must require that she write semi-monthly letters to the Superintendent or matron for the first 6 months and monthly letters thereafter. 3/

See No. 4, "Composition and Appointment of Governing Body" under "State Board of Control".

1. Vernon's Ann. Stat. (1925), Art. 5134.

2. Ibid, Art. 5135.

Commitments: When any girl between the ages of 7 and 18 years of age must be tried or brought before any juvenile court upon indictment or information or before the district court on petition of any institution of a similar purpose or character, charged with being a dependent or delinquent child as these terms are defined by the laws of this State, the Court may, if in the opinion of the judge, the Girls' Training School is the proper place for her, commit her to the School. No girl may be admitted who is feeble-minded, epileptic, or insane. No girl may be admitted to the institution until she has been examined by the School physician, and the physician has issued a certificate showing her exact state or condition. Ibid, Art. 5135.

The court committing any girl to the School, in addition to the commitment, must annex a carefully prepared transcript of the trial to aid the officials of the institution in classifying the girl. Ibid, Art. 5136.

3. Vernon's Ann. Stat. (1926), Art. 5137.

The Governor has power to issue a pardon or commute the sentence of any inmate. Ibid, Art. 5137.

General Powers and Duties (Cont'd)

(b) Board of Control:

(1) The Girls' Training School for dependent and delinquent girls is under the control and management of the Board of Control, which must provide wholesome and proper quarters and exercise and diversion, and must make provision for training in all the useful arts and sciences to which women are adapted, to prepare them for future womanhood and independence, and must provide instructions in nursing, sanitation and hygiene. 4/

(2) The Board, Superintendent, or any employee of the School, may visit the place where any former inmate of the School is. If, in the judgment of the Board, it is to the best interests of the girl that she return to the School, the Board is empowered to have her returned. 5/

II. Composition and Appointment of Governing Body

See "Composition and Appointment of Governing Body" under "State Board of Control".

III. Reports

The Superintendent must report to the Board and to the Governor twice each year. 6/

See "Reports" under "State Board of Control".

IV. Executive

The Board employs as Superintendent of the School a woman of previous experience and training in a similar institution. The Board has the power to fix her salary and to remove her for good cause, and the decision of the Board in such matter must be final. 7/ Her term of office is 2 years. 8/ While the Board may fix her salary according to statute, by the 1935 Appropriation Bill, the Superintendent received annually for each of the years ending August 31, 1936, and August 31, 1937, the sum of \$1,950. 9/

V. Staff

Unless otherwise provided by law, the Superintendent appoints subordinates, fixes their salaries, and removes them from office for good cause, with consent of the Board. 10/

4. Vernon's Ann. Stat. (1925), Art. 5132.

5. Ibid, Art. 5137.

It is the duty of the person having the girl in custody to answer any inquiries of any visitor or visiting committee regarding the conduct, employment, or treatment of the girl. Ibid, Art. 5137.

6. Vernon's Ann. Stat. (1925), Art. 3178.

7. Ibid, Art. 5133.

8. Complete Stat. (1928), Art. 691.

9. Laws (1935), Ch. 352.

10. Vernon's Ann. Stat. (1925), Art. 3176.

VI. Financial ProvisionsAmount of Appropriation:

The sum of \$171,452 is appropriated from the general revenue fund of the State 11/, for the period September 1, 1935 to August 31, 1937. 12/

Limitation of Funds:

Salaries	\$	67,552
Maintenance and support.		91,300
Improvements and repairs		<u>12,600</u>
Total	\$	<u>\$171,452</u> <u>13/</u>

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11. Vernon's Ann. Stat. (1925), Art. 3176.
 12. Ibid, Art. 5133.
 13. Laws (1935), Ch. 352.

SUPERINTENDENT OF
COLORED GIRLS' TRAINING SCHOOL

(Statutory Body) 1/

I. General Powers and Duties

(a) Superintendent:

(1) The Superintendent of the Colored Girls' Training School, with the assistance of the Advisory Board, in an advisory capacity only, with the approval of the Board of Control, makes all necessary rules and regulations for the government and management of the School, and must provide that the time of the pupils is properly distributed between academic subjects and industrial and domestic subjects and employment according to the needs of the various pupils and the facilities at hand. 2/

(2) Any girl properly paroled is under the supervision and guidance of the Superintendent for the remainder of the time for which she is committed, and the Superintendent must require biweekly letters for the first 6 months and monthly thereafter from the paroled girl. 3/

See #4, "General Powers and Duties" under "State Board of Control".

(b) State Board of Control:

(1) The State Board of Control is authorized and directed to locate and establish in this State some suitable place for a school upon the cottage plan for the care, education, and training of dependent and delinquent negro girls, provided such location is approved by the Governor. 4/

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1. The Colored Girls' Training School is authorized by law but no appropriation has been made to establish the school. Letter of March 24, 1936, Claude D. Teer, chairman of the State Board of Control, to Howard B. Myers, director of Division of Social Research, W.P.A.
 2. Vernon's Ann. Stat. (1935), Pocket Part, Art. 3259a, Sec. 9.
 3. Ibid, Sec. 7.

Commitments: Any colored girl between the ages of 7 and 18 years may be adjudicated to be a dependent or delinquent child. In such proceeding the charge may be that the child is a dependent or delinquent child as evidenced by her conduct, and enough of the facts must be alleged and proved to substantiate the charge. The court may, if it is the opinion of the judge that the school is a suitable place for the girl complained against, commit the defendant to the school for any period not to exceed the balance of her minority. No girl may be committed who is feeble-minded, epileptic, or insane. Any girl committed to the school suffering from any communicable disease must be kept separate until cured. Ibid, Art. 3259a, Sec. 5.

It is the duty of the court committing any girl to the school, in addition to the commitment, to annex thereto a carefully prepared transcript of the trial to aid officials of the school to better understand and classify her. Ibid, Art. 3259a, Sec. 6.

4. Vernon's Ann. Stat. (1935), Pocket Part, Art. 3259a, Sec. 1.

I. General Powers and Duties (Cont'd)

(b) State Board of Control: (Cont'd)

(2) It is the purpose of this Home and School to provide an institution of training and care of colored girls who, by their own misconduct or by their unfavorable surroundings, have become dependent or delinquent and need care and attention not otherwise provided; and in the accomplishment of the purposes of this Act, the Board of Control must provide adequate and proper quarters and exercise and diversion, and it must make provision for the training of the girls in such of the useful arts and sciences to which women are adapted in order to prepare them for future usefulness and economic independence. Among other things, in connection with the School, a provision must be made for the moral and religious training of the girls. 5/

(3) No girl may be dismissed or paroled from the School until some suitable home has been found for her, and then only upon the written recommendation of the Superintendent to the Board of Control, or unless she has married with the consent of the Superintendent and the Board; provided, that no provision of this Act is construed to interfere with the power of the Governor in the exercise of executive clemency to any such girl when, in his judgment, it may be best. The State Board has the power to parole subject to the limitations of this Act. 6/

(4) The Board of Advisors herein provided for, the Superintendent, any member of the Board of Control, or other persons designated by the Board, may visit the place where the girl is living or employed, and it is the duty of the person having the girl in charge to answer all questions asked by such visitors concerning the conduct, employment, and training of the girl. 7/

II. Composition and Appointment of Governing Body

See "Composition and Appointment of Governing Body" under "State Board of Control".

An Advisory Board, consisting of 5 women members nominated by the Board of Control and confirmed by the Governor, is provided to act in an advisory capacity, but not to have power to manage or control the institution. The Advisory Board must meet semi-annually with the Board of Control for the purpose of considering all matters pertaining to the policies and general welfare of the School. Members receive no compensation for their work, but receive actual expenses incurred while in the discharge of business for the School. 8/

III. Reports

The Superintendent reports semi-annually to the Governor and the State Board of Control. 9/

See "Reports" under "State Board of Control".

5. Vernon's Ann. Stat. (1935), Pocket Part, Art. 3259a, Sec. 2.

6. Ibid, Sec. 7.

7. Ibid, Sec. 8.

8. Ibid, Sec. 4, 10.

9. Vernon's Ann. Stat. (1925), Art. 3178.

IV. Executive

The Superintendent, a colored woman of previous experience and training, is employed by the Board of Control to serve for a 2-year term, subject to removal by the Board, at a salary fixed by the Board. 10/

V. Staff

In the absence of legislative enactment, the Superintendent is empowered to appoint and employ all subordinates, teachers, attendants, and other employees and to remove same for good cause, with the consent of the Board. Salaries are fixed by the Board. 11/

VI. Financial Provisions

The State Legislature must, from time to time, make suitable provision in the general appropriation bill for the proper maintenance and operation of the School. 12/

Amount of Appropriation and Limitation of Funds:

No provision.

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10. Vernon's Ann. Stat. (1935), Pocket Part, Art. 3259a, Sec. 4, and Complete Stat. (1928), Art. 691.
 11. Vernon's Ann. Stat. (1925), Art. 3176, and Vernon's Ann. Stat. (1935), Pocket Part, Art. 3259a, Sec. 4.
 12. Vernon's Ann. Stat. (1925), Art. 3183.

SUPERINTENDENT OF STATE SCHOOL FOR BLIND

(Statutory Body)

I. General Powers and Duties

(a) Superintendent:

Application for the maintenance, care, and education of all blind children must be made by the parent or guardian of such child or children to the Superintendent of the School for Blind under such rules as he may prescribe. 1/

See #4, "General Powers and Duties" under "State Board of Control".

(b) State Board of Control:

The Board of Control, directly or through an authorized agent or agents, may make contracts fixing the price for the support, maintenance, and treatment of children in the School for the Blind, at a sum fixed by the Board, not to exceed the actual cost of supporting the child, or for so much thereof as the estate of the child or as any person legally liable for its support may be able to pay or agree to pay, and binding the persons making such contracts to payment thereunder. The costs of educating such children, however, are not included in arriving at the costs. 2/

II. Composition and Appointment of Governing Body

See "Composition and Appointment of Governing Body" under "State Board of Control".

An advisory board of trustees of the School for the Blind is composed of the Governor, the Lieutenant Governor, and the Attorney General, of which Board the Governor is chairman and the Superintendent of the School is secretary. 3/

III. Reports

The Superintendent reports to the Governor and to the Board of Control semi-annually. 4/

See "Reports" under "State Board of Control".

1. Complete Stat. (1928), Art. 3202.

2. Complete Stat. (1928 Supp.), Art. 3202a.

The county judge of the county from which the child is received into the institution or the county having jurisdiction over the estate of the child may, from time to time, upon request of the Board, cite the guardian of the child or other person legally liable for its support to appear in a court having jurisdiction of the matter and then and there show cause why the State should not be paid or have judgment for the amount due it for the maintenance and support of the child. Ibid.

3. Complete Stat. (1928), Art. 3206.

4. Ibid, Art. 3178.

IV. Executive

The Superintendent, who is elected and appointed by the Board of Control for a 2-year term, subject to removal by the Board, must be a person having had special advantages and practical experience in the management of the class of persons committed to his charge. There is appropriated for each of the years ending August 31, 1936 and August 31, 1937, for his salary, which is fixed by the Board, the sum of \$2,100. 5/

V. Staff

The Superintendent has power, where not otherwise provided by law, to appoint all subordinate officers, teachers, attendants, and other employees, to fix their salaries, and to remove them from office for good cause, with the consent of the Board. 6/

An oculist, who must be married and who must attend regularly at the asylum and administer treatment to all cases of curable blindness, is appointed by the Board for a 2-year term, subject to removal by the Board for good cause. There is appropriated for his annual salary for each of the years ending August 31, 1936 and August 31, 1937, the sum of \$1,100. 7/

VI. Financial Provisions

The State School for the Blind is financed by appropriations out of the State Treasury. 8/

Amount of Appropriation:

The sum of \$216,674 is appropriated to this institution for the biennium beginning September 1, 1935 and ending August 31, 1937. 8/

Limitation of Funds: 8/

Salaries.	\$107,174
Maintenance and support	102,500
Improvements and repairs.	<u>7,000</u>
Total.	\$216,674

5. Complete Stat. (1928), Art. 3176; Laws (1935), Ch. 352.
6. Complete Stat. (1925), Art. 3207.
7. Ibid, Art. 3207; Laws (1935), Ch. 352.
8. Laws (1935), Ch. 352.

SUPERINTENDENT OF STATE SCHOOL FOR DEAF

(Statutory Body)

I. General Powers and Duties(a) Superintendent:

(1) Application for the maintenance, care, and education of all deaf and dumb children must be made by the parent or guardian of such child or children to the Superintendent of the School for Deaf under such rules as he may prescribe. 1/

(2) The Superintendent designates a certain number of pupils at the deaf and dumb asylum who each year receive instruction in the art of printing in all its branches; and the studies of such pupils must be so arranged as not to interfere with such instruction and the execution of any public printing arranged by them for the State. 2/

See #4, "General Powers and Duties" under "State Board of Control".

(b) State Board of Control:

The Board of Control, directly or through authorized agents, may make contracts fixing the price of support, maintenance, and treatment of children in the School for the Deaf, at a sum fixed by the Board, not to exceed the actual cost of supporting the child, or for such part thereof as the estate of the child or as any person legally liable for the support of the child may be able to pay, and binding the persons making such contracts to payment thereunder. 3/

II. Composition and Appointment of Governing Body

See "Composition and Appointment of Governing Body" under "State Board of Control".

1. Vernon's Ann. Stat. (1925), Art. 3202.

2. Ibid, Art. 3203.

Any public printing for the State may be executed at the deaf and dumb asylum without regard to any contract with an individual to do the printing thereof. Ibid, Art. 3204.

3. Vernon's Ann. Stat. (1935), Pocket Part, Art. 3202a.

The county judge of the county from which the child is received into the institution or the county having jurisdiction over the estate of the child may, from time to time, upon request of the State Board of Control, cite the guardian of the child, or other persons legally liable for the support of the child, to appear in court, and show cause why the State should not be paid or have judgment for the amount due it for the support of the child. Ibid.

III. Reports

The Superintendent reports to the Governor and to the Board of Control semi-annually. 4/

IV. Executive

The Superintendent is appointed by the Board of Control for a 2-year term, subject to removal by the Board for good cause. He must have had special advantages and practical experience in the management of the class of persons committed to his charge for at least a period of 5 years. For each of the years ending August 31, 1935 and August 31, 1937 there is appropriated for his salary the sum of \$2,100. 5/

V. Staff

The Superintendent has power, where not otherwise provided by law, to appoint the subordinate officers, teachers, attendants, and other employees, and to fix their salaries. He has the power to remove for good cause, with the consent of the Board, any officer, teacher, or employee. 6/

The Board of Control must employ a competent practical printer as instructor at the asylum in the art of printing; and the person so employed must also discharge other duties as the Board may require. His compensation must not exceed \$1,000 annually, and he may be discharged at any time by the Board for good cause. 4/

VI. Financial Provisions

The School for the Deaf is financed by appropriations out of the State Treasury. 7/

Amount of Appropriation:

The sum of \$448,124 is appropriated to this institution for the biennium beginning September 1, 1935 and ending August 31, 1937. 7/

Limitation of Funds: 7/

Salaries.	\$207,964
Maintenance and support	182,160
Improvements and repairs.	58,000
Total.	\$448,124

4. Vernon's Ann. Stat. (1925), Art. 3178.
5. Complete Stat. (1928), Art. 691; Laws (1935), Ch. 352.
6. Vernon's Ann. Stat. (1925), Art. 3176.
7. Laws (1935), Ch. 352.

SUPERINTENDENT OF DEAF, DUMB AND BLIND ASYLUM
(INSTITUTE) FOR COLORED YOUTHS AND COLORED ORPHANS'

(Statutory Body) 1/

I. General Powers and Duties

(a) Superintendents:

See No. 4, "General Powers and Duties" under "State Board of Control".

(b) State Board of Control

(1) The admission of all deaf, dumb, and blind applicants to the Deaf, Dumb, and Blind Asylum for Colored Youths and Colored Orphans, their treatment, instruction, and continuance therein, all questions relating to their dismissal or removal or voluntary departure for this asylum or employment therein are governed by the rules and regulations of the State asylums for white youths for the deaf, dumb, and blind; and the Board of Control has the authority to make necessary rules and regulations for the admittance, treatment, instruction, and discharge of other applicants for admission to this asylum. 2/

1. Colored Orphans' Home: In 1930 authority was given the State Board of Control to accept the donation by the Dickson Colored Orphanage Incorporated of certain property near Gilmer, Texas for the establishment of an orphanage asylum for colored children, provided that such acceptance does not bind the State to pay any indebtedness on the property. As soon as all the negro children are removed from the Dickson Colored Orphanage by the Board of Control, as provided in this Act, the Board is authorized, and it is its duty, to sell the Dickson Orphanage property for the best price that can be obtained and to use the proceeds for the support and maintenance of the Deaf, Dumb, and Blind Asylum for Colored Youths and Colored Orphans at Austin. Vernon's Ann. Stat. (1935), Pocket Part, Art. 3221, Sec. 1-7. The sum of \$49,480 is appropriated to the Colored Orphans' Home near Gilmer, out of the State Treasury, for the biennium beginning September 1, 1935 and ending August 31, 1937, and for this same period the Superintendent of the Home receives an annual salary of \$1,500. Laws (1935), Ch. 352.

2. Vernon's Ann. Stat. (1935), Pocket Part, Art. 3221, Sec. 1.
Application for the maintenance, care, and education of all deaf, dumb, and blind children must be made by the parent or guardian of such child or children to the Superintendent of the institution under such rules as may be prescribed. Vernon's Ann. Stat. (1925), Art. 3202.

I. General Powers and Duties (Cont'd)

(b) State Board of Control: (Cont'd)

(2) The Board is authorized to accept and care for, support and maintain, orphan negro children in this asylum. 3/

(3) The Board has the authority to move any and all children from the Dickson Colored Orphanage (State Colored Orphans' Home) and to place them in this institution. 3/

(4) The State Board of Control, directly or through authorized agent or agents, may make contracts fixing the price for the support, maintenance, and treatment of children in the asylum at a sum fixed by the Board, not to exceed the actual cost of supporting such child, or for each part thereof as the estate of the child or person legally responsible for its support may be able to pay. The Board is authorized to demand investigation to determine whether or not a child is possessed of, or entitled to, property and whether or not some other person is legally responsible for its support. 4/

II. Composition and Appointment of Governing Body

See "Composition and Appointment of Governing Body" under "State Board of Control".

III. Reports

The Superintendent reports semi-annually to the Board of Control and to the Governor. 5/

See "Reports" under "State Board of Control".

IV. Executive

The Superintendent of the Deaf, Dumb, and Blind Asylum, who must be a man of mature years and experienced and familiar with the duties required, is appointed by the Board of Control for a 2-year term, subject to removal by the Board for good cause. His salary is fixed by the Board, and there is appropriated for each of the years ending August 31, 1936 and August 31, 1937, the sum of \$1,800 for same. The salary of the Superintendent of the State Colored Orphans' Home is \$1,500 annually for a similar period. 6/

3. Vernon's Ann. Stat. (1935), Pocket Part, Art. 3221, Sec. 2.

4. Vernon's Ann. Stat. (1935), Pocket Part, Art. 3221, Sec. 2.

The county judge of the county from which the child is received in such institution, or the county having jurisdiction over the estate of the child, may, from time to time, upon request of the Board, cite the guardian of the child, or other persons held legally liable for its support, to appear in court, and there show cause why the State should not be paid or have judgment for the amount due it for the support and maintenance of the child. Ibid, Art. 3202a.

5. Vernon's Ann. Stat. (1925), Art. 3178.

6. Ibid, (1935), Pocket Part, Art. 3221, Sec. 2; Complete Stat. (1928), Art. 693, Sec. 2; Laws (1935), Ch. 352.

V. Staff

The Board of Control appoints and removes all officers or assistants, determines their duties, and fixes their compensations. 7/

VI. Financial Provisions

The Deaf, Dumb, and Blind Asylum for Colored Youths and Colored Orphans is financed by appropriations out of the State Treasury. 8/

Amount of Appropriation:

The sum of \$197,475 is appropriated to the Deaf, Dumb, and Blind Institute for Colored Youths for the biennium beginning September 1, 1935 and ending August 31, 1937. 8/

Limitation of Funds: 8/

Deaf, Dumb, and Blind Institute for Colored Youths:

Salaries	\$ 64,375
Maintenance and support	89,100
Improvements and repairs	<u>44,000</u>
Total	\$197,475

7. Vernon's Ann. Stat. (1935), Pocket Part, Art. 3221, Sec. 1.

8. Laws (1935), Ch. 352.

SUPERINTENDENT OF THE CONFEDERATE HOME

(Statutory Body)

I. General Powers and Duties

(a) Superintendent:

(1) The Superintendent supervises the affairs of the Confederate Home, keeps the accounts, and has the general management, under the direction of the Board of Control. 1/

(2) The Superintendent must keep a record of the name and age of each inmate, date of admission to the Home, the company and regiment or other command or capacity in which the military service of such inmate was performed, the State from which he entered service, and such other data as the Board may prescribe. 1/

See #4, "General Powers and Duties" under "State Board of Control".

(b) State Board of Control:

(1) The Board of Control must be governed in its regulations of the affairs of the Confederate Home by the laws relative to the deaf, dumb, and blind institutions of the State so far as the same may be applicable, and it must make rules and regulations as may be necessary for the internal government, discipline, and management of the Home, and it has the power to enforce compliance with such rules and regulations by discharging from the Home, when in its judgment it is necessary, any inmate who may violate such rules and regulations. 2/

1. Vernon's Ann. Stat. (1925), Art. 3214.

Applications: All applications for admission to the Confederate Home must show on the oath of the applicant, his name, age, residence, and the company, regiment, and army in which he served. He must also show that he is disabled and indigent and is not receiving a pension from any source, and that he is now a bona fide citizen of Texas. And further, if he did not serve in a Texas command, he must show that he was a bona fide resident of Texas on January 1, 1895. Proof of the honorable service of applicant, as stated by himself, must be made by affidavit of 2 reputable persons, or by his written discharge duly authenticated with sufficient proof of identity, or such other proof in a manner and form as may be entirely satisfactory to the Board. The application must also be accompanied by a certificate of a regular practicing physician that the applicant is unable to support himself, giving the character of the disability, and that the applicant is not a lunatic, and is not afflicted with any contagious or infectious disease. Ibid, Art. 3216.

Transfers: Inmates of the Confederate Woman's Home who are wives of Confederate veterans may be transferred to this Home. Vernon's Ann. Stat. (1935), Pocket Part, Art. 3217.

See "Transfers" under footnote #1, "Confederate Woman's Home".

2. Vernon's Ann. Stat. (1925), Art. 3213.

I. General Powers and Duties (Cont'd)

(b) State Board of Control: (Cont'd)

(2) The Board must make such examination, from time to time, as it may deem necessary, as to the qualifications and record as a soldier in the Confederate Army or Navy of any inmate, and discharge at once any inmate who procured admission to the Home by fraud or misrepresentation. 3/

(3) The Board must, every 3 months, cause to be examined by a board of physicians consisting of the Home physician and 2 others not connected with the Home, any inmate who may be designated by the Superintendent and the Home physician or by any member of the Board, as to the physical condition of the inmate, and if it be shown from the report of the examination that any inmate has sufficiently recovered from his disabilities to be able to earn a living, such inmate must be given an honorable discharge from the Home, with transportation to the place from which he entered the Home. 3/

(4) All applications for admission to the Home must be passed upon by the Board. 4/

II. Composition and Appointment of Governing Body

See "Composition and Appointment of Governing Body" under "State Board of Control".

III. Reports

The Superintendent reports semi-annually to the Governor and to the Board of Control. 5/

See "Reports" under "State Board of Control".

IV. Executive

The Superintendent, who must be an ex-Confederate soldier or the son of an ex-Confederate soldier, is appointed by the Board of Control. There is appropriated out of the State Treasury the sum of \$1,950 for each of the years ending August 31, 1936 and August 31, 1937, for his salary. 6/

3. Vernon's Ann. Stat. (1925), Art. 3213.

4. Ibid, Art. 3216.

5. Ibid, Art. 3178.

6. Ibid, Art. 3214; Laws (1935), Ch. 352.

V. Staff

The Superintendent of the Home is authorized to employ one secretary who must keep the books of the institution and discharge such other duties as may be required of him by the Superintendent. The secretary is furnished board and lodging, similar to other employees of the Home. He receives \$660 for each of the years ending August 31, 1936 and August 31, 1937. 7/

The 2 physicians assisting the Home physician in examining applicants and inmates of the Home are selected by the Board and they are paid \$2.50 for each examination so made. 8/ The sum of \$1,200 is appropriated out of the State Treasury for each of the years ending August 31, 1936 and August 31, 1937 for the salary of a physician (part time), with board and laundry. 9/

VI. Financial Provisions

The Confederate Home is financed by appropriations out of the State Treasury. 9/

Amount of Appropriation:

The sum of \$173,446 is appropriated to the Home for the biennium beginning September 1, 1935 and ending August 31, 1937. 9/

Limitation of Funds: 9/

Salaries.	\$ 68,996
Maintenance and support	97,400
Improvements and repairs.	<u>7,050</u>
Total.\$173,446

7. Vernon's Ann. Stat. (1925), Art. 3215; Laws (1935), Ch. 352.
8. Vernon's Ann. Stat. (1925), Art. 3215.
9. Laws (1935), Ch. 352.

SUPERINTENDENT OF CONFEDERATE WOMAN'S HOME

(Statutory Body)

I. General Powers and Duties(a) Superintendent:

See No. 4 "General Powers and Duties" under State Board of Control".

(b) State Board of Control:

The Board of Control must make suitable rules and regulations for the admission of women to the benefits of the Confederate Woman's Home and for the internal government and management of the Home. 1/

II. Composition and Appointment of Governing Body

See "Composition and Appointment of Governing Body" under "State Board of Control".

III. Reports

The Superintendent reports semi-annually to the Governor and to the Board of Control. 2/

IV. Executive

The Superintendent, who must be the widow or daughter of a Confederate soldier, is appointed by the Board of Control, with the approval of the Governor, to hold office for a term of 2 years, subject to removal for good cause by the Board. She must reside in the Home, and she receives free board and lodging. The sum of \$1,950 is appropriated out of the State Treasury for her salary for each of the years ending August 31, 1936 and August 31, 1937. 3/

1. Vernon's Ann. Stat. (1925), Art. 3219.

Admission: The Confederate Woman's Home is for the indigent wives and widows, over 60 years of age, of discharged ex-Confederate soldiers and sailors who entered the Confederate service from Texas, or who came to the State prior to January 1, 1880, and whose disability is the proximate result of actual service in the Confederate Army for at least 3 months, and also for women who aided the Confederacy. Ibid, Art. 3219.

Transfers: Any woman who is the wife of a Confederate soldier, and who is an inmate of the Confederate Woman's Home, and whose husband is an inmate of the Confederate Home, and who became the wife of such soldier prior to his admission to the Confederate Home, may on her request be transferred from the Confederate Woman's Home to the Confederate Home and may remain there as an inmate of the Home with her husband as long as he may remain an inmate of the Confederate Home. Whenever her husband for some cause leaves this Home she must be transferred back to the Confederate Woman's Home. Ibid, Art. 3217.

2. Vernon's Ann. Stat. (1925), Art. 3178.

3. Ibid, Art. 3219, 3220; Laws (1935), Ch. 352.

V. Staff

The Board of Control provides such attendants and nurses as may be deemed necessary in the management of the Home, and fixes their compensation. 4/

VI. Financial Provisions

The Confederate Woman's Home is financed by appropriations out of the State Treasury. 5/

Amount of Appropriation:

The sum of \$91,564 is appropriated to this institution for the biennium beginning September 1, 1935 and ending August 31, 1937. 5/

Limitation of Funds: 5/

Salaries	\$ 37,264
Maintenance and support.	50,800
Improvements and repairs	<u>3,500</u>
Total	\$ 91,564

4. Vernon's Ann. Stat. (1925), Art. 3219.
5. Laws (1935), Ch. 352.

SUPERINTENDENT OF DALLAS STATE HOSPITAL

(Statutory Body) 1/

I. General Powers and Duties

(a) Re: Dallas State Psychopathic Hospital

See "General Powers and Duties" of Insane Hospitals (Galveston State Psychopathic Hospital). 2/

(b) Re: State Cancer and Pellagra Hospital

(1) The Commission for the State Cancer and Pellagra Hospital must accept title to the land selected by it for the Hospital in the name of the State, for the use and benefit of the State, upon approval of the title by the Attorney General; and the Commission must advertise for plans and specifications for the Hospital. When the plans are accepted, the State Board of Control must contract for the construction and equipment of the Hospital; providing, that the total cost of lands and buildings and equipment does not exceed \$200,000, and that when so completed the Hospital will have a capacity of 200 patients. 3/

(2) It is the duty of the Commission of the Cancer and Pellagra Hospital to prepare and adopt by-laws, rules, and regulations for the government of the entire Hospital, prescribing the duties of all officers and employees, and for enforcing the necessary discipline and restraint of all patients. 4/

(3) Any inmate of any of the eleemosynary or penal institutions of the State requiring treatment for cancer or pellagra must be admitted to those institutions under rules and regulations prescribed by the Commission. 5/

1. The Dallas State Hospital, which has not been established, consists of the Dallas State Psychopathic Hospital and the State Cancer and Pellagra Hospital consolidated. There may be only one superintendent for the consolidated hospitals. Vernon's Ann. Stat. (1935), Pocket Part, Art. 3192a. However, neither the State Psychopathic Hospital at Dallas nor the State Cancer and Pellagra Hospital have ever been established. Letter of March 24, 1936, Claude D. Teer, Chairman of the State Board of Control, to Howard B. Myers, Director of the Division of Social Research, W.P.A.

2. The Dallas State Psychopathic Hospital and the Galveston State Psychopathic Hospital were provided for by the same legislative Act. Their original provisions were similar. Laws (1925), Ch. 174.

3. Vernon's Ann. Stat. (1935), Pocket Part, Art. 3263a, Sec. 2, 4.

4. Ibid, Sec. 13.

5. Ibid, Sec. 10.

Admission: Any person afflicted with cancer or pellagra, who has been a citizen of the State and of the county from which he or she comes at the time of filing an application, may be admitted into this Institution. Ibid, Sec. 5.

Persons admitted to the Cancer and Pellagra Hospital are of 3 classes, namely: (1) Indigent public patients, who are supported entirely by the (Footnote Forwarded)

II. Composition and Appointment of Governing Body

(a) Re: Dallas State Psychopathic Hospital

See "Composition and Appointment of Governing Body" under "State Board of Control". 6/

(b) Re: State Cancer and Pellagra Hospital

The Governor, with the State Health Officer, the Chairman of the Board of Control, and the Attorney General, constitute the Commission for the Cancer and Pellagra Hospital. The Governor and Commission must meet once every 6 months unless called more often by the Chairman. 7/

(Footnote #5 - Continued)

State, (2) non-indigent public patients, who possess some property out of which the State may be reimbursed, or who have someone legally liable for their support, and (3) private patients, who pay their own expenses for board and care, and who are admitted under such rules and regulations as the Commission may prescribe, not in conflict with this Act. Ibid, Sec. 6.

The parent, guardian or friend of any patient seeking admission may make application in writing and under oath to the county judge of the county wherein the patient resides, for admission of the patient into the Cancer and Pellagra Hospital. The application must be accompanied by a certificate from a qualified physician. If the judge is not satisfied as to the showing made in the application and certificate, or either, he may subpoena witnesses and examine them under oath, and if it appears to the judge that the applicant is entitled to admission, he must forward the application to the State Health Officer, such application to denote the class of the patient. Ibid, Sec. 7, 8, 9.

No patient may be discriminated against by virtue of the fact that he is an indigent, non-indigent, or private patient, but they must all be treated alike, given equal facilities, equal attention, and equal treatment. Ibid, Sec. 10.

The State Health Officer receives all applications for admission and indexes them alphabetically, and patients are admitted according to their file number, reserving at all times one-half the accommodations for indigent cases, and one-fourth for each of the other 2 classes, subject to the control and discretion of the Commission. Ibid, Sec. 11.

The expense of clothing and transportation of public patients must be paid by the county from which the patient is sent. Ibid, Sec. 12. 6. No provisions are made regarding the effect the consolidation of the 2 hospitals has on the composition and appointment of the governing body of the Dallas State Hospital. See footnote No. 1.

7. Vernon's Ann. Stat. (1935), Pocket Part, Art. 3263a, Sec. 2, 4.

III. Reports

- (a) Re: Dallas State Psychopathic Hospital

See "Reports" of Insane Hospitals (Galveston State Psychopathic Hospital).

- (b) Re: State Cancer and Pellagra Hospital

No provision.

IV. Executive

- (a) Re: Dallas State Psychopathic Hospital

See "Executive" of Insane Hospitals (Galveston State Psychopathic Hospital).

- (b) Re: State Cancer and Pellagra Hospital

The Superintendent, a regularly licensed physician, is appointed by the Commission to serve at a salary to be fixed by the Legislature, not to exceed the sum of \$4,000 per year, with provisions for himself and family. 8/

V. Staff

- (a) Re: Dallas State Psychopathic Hospital

See "Staff" of Insane Hospitals (Galveston State Psychopathic Hospital).

- (b) Re: State Cancer and Pellagra Hospital

The Superintendent must appoint assistant physicians, well qualified in surgery, dermatology, pathology, and radiology, subject to approval of the Commissioners. Salaries are fixed by the Legislature at a sum not to exceed \$3,600 per year, with provisions for board and laundry for such physicians and their families. 8/

The Commission must also supply the Hospital with the necessary cooks, waiters, yardmen, nurses, etc., for the operation and maintenance of the Hospital. The Superintendent has the power to remove at will, and without assigning any cause whatever, any person employed in the Hospital. 8/

8. Vernon's Ann. Stat. (1935), Pocket Part, Art. 3263a, Sec. 13.

VI. Financial Provisions

(a) Re: Dallas State Psychopathic Hospital

See "Financial Provisions" of Insane Hospitals (Galveston State Psychopathic Hospital).

(b) Re: State Cancer and Pellagra Hospital

The support and maintenance of the State Cancer and Pellagra Hospital must be made by appropriation for that purpose. 9/

Amount of Appropriation and Limitation of Funds:

No provision.

9. Vernon's Ann. Stat. (1935), Pocket Part, Art. 3263a, Sec. 3.

STATE PRISON BOARD AND MANAGER OF PRISON SYSTEM

(Statutory Body)

I. General Powers and Duties(a) Prison Board:

(1) The Prison Board holds regular meetings on the first Monday in January, March, May, July, September, and November of each year, for the transaction of all official business. 1/

(2) The Prison Board, together with the Manager, is vested with the exclusive management and control of the prison system. They are responsible for the management of the affairs of the prison system, and for the proper care, treatment, feeding, clothing, and management of the prisoners confined therein. 2/

(3) It is the policy of this State to manage and conduct the prison system in a manner consistent with the operation of a modern prison. Those convicted of violating the law and sentenced to a term in the State Penitentiary, must have humane treatment, and be given opportunity, encouragement, and training in the matter of reformation. All prisoners must be worked within the prison walls, and upon farms owned or leased by the State; and in no event may the labor of a prisoner be sold to any contractor, or lessee to work on farms, or elsewhere. 3/

(4) The Board has power to authorize the Manager to sell and dispose of all products of all farms and industries connected with the prison system. All personal and movable property may be sold at such prices, and on such terms as may seem advantageous to the interests of the prison system. 4/

(5) The Board delegates to the Manager authority to manage the affairs of the prison system, subject to its control and supervision. 5/

1. Vernon's Ann. Stat. (1935), Pocket Part, Art. 6166d.

The prison system of this State includes the State Penitentiary at Huntsville, which is designated as the headquarters of the prison system, also other penitentiaries as may be established, all farms or camps where State prisoners may be kept or worked, together with all property of every character belonging or connected therewith. Vernon's Ann. Stat. (1925), Art. 6166.

2. Vernon's Ann. Stat. (1935), Pocket Part, Art. 6166g.

3. Ibid, Art. 6166a.

4. Ibid, Art. 6166o.

5. Ibid, Art. 6166j.

I. General Powers and Duties (Cont'd)

(b) Manager of Prison System:

(1) The Manager must make suitable provision and regulations for the safe and speedy transportation of prisoners from counties where sentenced to the State Penitentiary. Such transportation must be on State account, and the prisoners must first be carried to the receiving station, as designated by the Prison Board, where the character of labor which each prisoner may reasonably perform can be determined. 6/

(2) The Manager must prescribe reasonable rules and regulations governing the humane treatment, training, and discipline of prisoners. He also must make provision for the separation and classification of prisoners, according to sex, age, color, health, corrigibility, and character of offense, upon which the conviction of the prisoner was secured. 7/

(3) All female prisoners must be kept apart from the male prisoners. Where practicable, the Manager must keep the female prisoners upon a separate farm, or at a separate prison from the male prisoners, and provide reasonable rules and regulations for the government of same. 8/

(4) In order to encourage prison discipline, a distinction may be made in the treatment of prisoners, who are orderly, industrious and obedient, so that comforts and privileges may be extended according to their deserts. The reward for good behavior bestowed upon prisoners consists of such relaxation of strict prison rules and extension of social privileges as may be consistent with proper discipline. Commutation of time for good conduct may be granted by the Manager. For extra meritorious conduct on the part of any prisoner, he may be recommended to the favorable consideration of the Governor for increased commutation or pardon. 9/

(5) Prisoners must be kept at work under such rules and regulations as may be adopted by the Manager with the Board's approval; provided that no prisoner is required to work for more than 10 hours per day, except on work necessary and essential to efficient organization. No greater amount of labor may be required of any prisoner than his physical health and strength will reasonably permit. 10/

(6) The Manager, or other person in charge of prisoners, upon the death of any prisoner under his control and care, must at once notify the nearest Justice of Peace of the county in which the prisoner died, of the death of the prisoner. It is the duty of the Justice of the Peace, when so notified, to go in person, and make personal examination of the body of the prisoner, and inquire into the cause of the death. He must then furnish a copy of such inquest to the Manager, a copy to the district Judge of the county in which the prisoner died. 11/

6. Vernon's Ann. Stat. (1935), Pocket Part, Art. 6166r.

7. Ibid, Art. 6166j.

10. Ibid, Art. 6166x.

8. Ibid, Art. 6166u.

11. Ibid, Art. 6166z.

9. Ibid, Art. 6166b.

II. Composition and Appointment of Governing Body

The Prison Board is composed of 9 members, who are appointed by the Governor with the advice and consent of the Senate. The members serve 6-year rotating terms, so that the terms of 3 members will expire every 2 years. 12/

The Board elects a chairman and a vice-chairman from among its members, and provides for the appointment of such committees as may be expedient to the accomplishment of its duties. 13/

The members of the Prison Board draw no salaries, but each member of the Board is entitled to \$10 per day and necessary expenses when engaged in the discharge of his official duties. 14/

III. Reports

The Prison Board requires the Manager to make complete reports of the fiscal affairs of the prison system, and of the general conditions with relation thereto, at each regular meeting of the Board. 15/

On the first day of January of each year, the Board must demand a complete inventory of all property of every description belonging to the prison system. The inventory must further include a statement of the fiscal affairs of the system as of January 1st. 15/

IV. Executive

The Board employs a general manager of the prison system, who must possess qualifications and training which fit him to manage the affairs of a modern penal institution. 16/

The Manager receives a salary which does not exceed \$8,000 per year. He is furnished with a dwelling house by the State, and all necessary traveling expenses, when traveling on business for the prison system. 16/ For each of the years ending August 31, 1936, and August 31, 1937, his salary is \$6,500. 17/

The Board has the power to remove the Manager after due notice to him of its intention, and after an opportunity has been given him to be heard. 18/

12. Vernon's Ann. Stat. (1934), Pocket Part, Art. 6166b.

13. Ibid, Art. 6166e.

14. Ibid, Art. 6166c.

If any member of the Board is guilty of malfeasance, misfeasance, or non-feasance, or becomes incapable or unfit to discharge his official duties, such member may be removed from office by the Governor, or by suit brought by the Attorney General for his dismissal. Ibid, Art. 6166f.

15. Vernon's Ann. Stat. (1935), Pocket Part, Art. 6166h.

16. Ibid, Art. 6166j.

17. Laws (1935), Ch. 364.

18. Vernon's Ann. Stat. (1935), Pocket Part, Art. 6166k.

V. Staff

The Manager employs and discharges, with the approval of the Board, such persons as may be necessary for the efficient conduct of the prison system. 19/

A permanent auditor for the prison system is appointed by the Attorney General, Treasurer and Comptroller, who holds office for a term of 2 years, subject to discharge at any time. It is the duty of such auditor to audit all accounts, vouchers, payrolls, and other business transactions of the prison system. 20/

The auditor is paid an annual salary, during his term of office, not to exceed \$300 per month and all necessary traveling expenses. 21/ His salary for each of the years ending August 31, 1936 and August 31, 1937 is \$2,700. 21/

VI. Financial Provisions

The prison system is financed by appropriations made by the Legislature, from the general revenue fund of the State. 22/

The State Treasurer must set aside a sufficient amount of money, received by him from the general manager of the prison system as money earned by and belonging to the State prison system to be kept on deposit in Huntsville. The State Treasurer must at all times keep the sum of \$25,000 up to the maximum amount, out of funds above provided, to be known as the Discharged Convicts Revolving Fund. These funds must be used for the prompt payment in cash to all discharged, pardoned, or paroled convicts. 23/

Amount of Appropriation:

The sum of \$2,720,199 is appropriated to the prison system for the period from September 1, 1935 to August 31, 1937. 21/

Limitation of Funds:

Salaries	\$ 1,129,999
Maintenance and support	1,460,200
Repairs and improvements	130,000
Total	\$ 2,720,199

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- 19. Vernon's Ann. Stat. (1935), Pocket Part, Art. 6166j.
 - 20. Ibid, Art. 6166g.
 - 21. Laws (1935), Ch. 364.
 - 22. Vernon's Ann. Stat. (1935), Pocket Part, Art. 6166m.
 - 23. Ibid, Art. 6166m-1.

BOARD OF PARDONS AND PAROLES

(Statutory Body)

I. General Powers and Duties

(a) Board:

(1) The Board of Pardons and Paroles must make a thorough examination of each application which the Governor may refer to it, and report its recommendation to him. It must spend as much time each year as is necessary in looking personally into the condition of any convicts it may desire, or as may be designated by either the Governor, the Prison Board, the Manager of the Prison System, or its physician, giving special attention to cases of those of long service who have no means of getting a proper petition before the Governor, to the end that the Board may have all data that will enable it to judge the condition of those convicts. 1/

(2) All cases must be taken up, considered and voted upon by the Board in the regular order of reference, and by the Governor, except when it appears to the Board there is extraordinary emergency in any case. 1/

(3) The Board is required to keep a record, in which must be entered every case sent by it to the Governor, giving the docket number of the convict, his name, when and where convicted, his sentence, his offense, when received from the Governor, the action taken by the Board, and the date of the action. 1/

(4) When an application for pardon is referred to the Board by the Governor, the Secretary of the Board must immediately, by registered mail, notify the prosecuting officers and the sheriff of the county in which the applicant was convicted, of the filing of the application, so that they, or any interested party, may within 10 days from the receipt of the notice, present in person or in writing to the Board their objection, if any, to the granting of a pardon. 2/

(5) Every person sentenced to an indeterminate sentence, now confined in the penitentiary, who has never been imprisoned before in a penitentiary in this or any other state or nation, when he has served a period of time equal to the minimum sentence imposed upon him, is eligible for parole. A person on a definite sentence may be eligible for parole, if never before sentenced to a State penitentiary, and has served a period of time equal to one-third of his sentence. 3/

(6) Application for parole, when he has become eligible, may be made to the Board by or on behalf of a prisoner, or the Board may consider the parole of a prisoner on its own initiative or at the request of the Governor. 4/

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1. Vernon's Ann. Stat. (1935), Pocket Part, Art. 6203, Sec. 1.
 2. Ibid, Sec. 3.
 3. Ibid, Sec. 6.
 4. Ibid, Sec. 7.

I. General Powers and Duties (Cont'd)

(a) Board: (Cont'd)

(7) The Board must cause to have brought before it all available information regarding the applicant at the meeting of the Board prior to time when applicant has served his required minimum or one-third of his sentence. No prisoner may be recommended for release on parole except by a majority of the members of the Board, or unless the Board is satisfied that he will be suitably employed in self-sustaining employment if so released. 5/

(8) When a prisoner is released on parole the Board must specify in writing the conditions of his parole, and a copy of the conditions must be given to the parolee. A violation of the conditions makes the prisoner liable to arrest and re-imprisonment for the full term of his sentence. The Board must adopt general rules and regulations with regard to conditions of parole and their violation, and may make special rules to govern particular cases, together with other rules and regulations as may be necessary. 6/

(9) The Board must cause complete records to be kept of every prisoner released on parole. These records must contain the fingerprints, aliases and photograph of each prisoner as far as available, and other information referred to in this Act, as well as all reports of parole officers with relation to the prisoner. The Board may make rules concerning the privacy of the records and their use by others than the Board. 7/

(10) The Board at the time it receives information from the Parole Supervisor regarding each prisoner, must obtain and file a copy of the complete criminal record of each prisoner, including any juvenile court records that may exist. 8/

(11) The provisions of this Act may not be construed to prevent or limit the exercise by the Governor of this State of powers of executive clemency vested in him by the Constitution of this State, and the Board of Parole has no power to grant the right of parole to any prisoner, except by and through the Governor in the exercise of such power of executive clemency. 9/

5. Vernon's Ann. Stat. (1935), Pocket Part, Art. 6203, Sec. 7.

6. Ibid, Sec. 9.

7. Ibid, Sec. 16.

The warden or manager, and all officers and employees of each prison, and other public officials and employees, must at all times cooperate with the Board, and furnish to it such information as may be necessary to enable it to give the members of the Board free access to all prisoners confined in the prisons of the State. Ibid, Sec. 17.

8. Vernon's Ann. Stat. (1935), Pocket Part, Art. 6203, Sec. 5.

It is the duty of the District Judge, District Attorney, County Attorney, Clerk of the Court, and of all probation officers and other public officials of this State having information with reference to any prisoners eligible to parole, to send the information to the Board of Pardons and Paroles at its request. Ibid, Sec. 5.

9. Vernon's Ann. Stat. (1935), Pocket Part, Art. 6203, Sec. 5.

I. General Powers and Duties (Cont'd)(b) Supervisor of Paroles:

(1) It is the duty of the Supervisor of Paroles to ascertain and report to the Governor what prisoners serving in the State Penitentiary may profitably, both to themselves and society, be released on parole or furlough, and when and under what conditions. 10/

(2) The Supervisor is also charged with the duty of supervising all prisoners released on parole from the prisons of the State, of making such investigations as may be necessary in connection with them, of determining whether violation of parole condition exists in specific cases, and of deciding the action to be taken, and aiding paroled prisoners to secure employment. 10/

(3) It is also the duty of the Supervisor to study personally the prisoners confined in the prisons of the State eligible for parole, to determine their ultimate fitness to be paroled. 10/

(4) It is the duty of the Supervisor to cause to be obtained, as soon as practicable after each prisoner eligible for parole is received in the prisons of the State, information as complete as may be obtainable at the time with regard to each prisoner. 11/

II. Composition and Appointment of Governing Body

The Board of Pardons and Paroles consists of 3 qualified voters of this State, of high character and broad understanding, who are interested in the reformation and rehabilitation of prisoners. They are appointed by the Governor for 6-year rotating terms. 12/ By the Appropriation Act of 1935 they receive annual salaries of \$2,250 for each of the years of 1936 and 1937. 13/

The Governor designates one member of the Board as chairman, who is presiding officer. 14/

III. Reports

No provision.

10. Vernon's Ann. Stat. (1935), Pocket Part, Art. 6203, Sec. 4.

11. Ibid, Sec. 5.

It is the duty of the District Judge, District Attorney, County Attorney, Clerk of the Court, and of all probation officers and other public officials of this State having information with reference to any prisoners eligible to parole, to send the information to the Board of Pardons and Paroles at its request. Ibid, Sec. 5.

12. Vernon's Ann. Stat. (1935), Pocket Part, Art. 6203, Sec. 1.

13. Laws (1935), Ch. 364.

14. Vernon's Ann. Stat. (1935), Pocket Part, Art. 6203, Sec. 2.

IV. Executive

The Board designates one member of its number to act as Supervisor of Paroles. 15/

V. Staff

No provision.

VI. Financial Provisions

There is appropriated from the general fund of the State the sum of \$24,060 for the period September 1, 1935 to August 31, 1937. 16/

Limitation of Funds:

Board members, 3 @ \$2,250 per year	\$13,500
Stenographers, 2 @ \$105 per month	5,040
Chief Clerk	3,000
Telephone, telegraph, etc.	1,800
Traveling expenses	720
Total	<u>\$24,060</u> <u>16/</u>

15. Vernon's Ann. Stat. (1935), Pocket Part, Art.6203, Sec. 2.
 16. Laws (1935), Ch. 364.

OLD AGE ASSISTANCE COMMISSION

(Statutory Body)

I. General Powers and Duties

(1) The Commission, or any member or employee designated by the Commission, holds hearings in all appeals by applicants for aid, when it has been denied by the local administrative agency, to which application was made. When the hearing is held by less than a majority of the members a transcript of all the testimony taken must be prepared and filed with the Commission. Any order must be signed by a majority of the Commission. 1/

(2) The Commission provides such methods of administration (other than those relating to selection, tenure of office and compensation of personnel) as are found by the United States Social Security Board to be necessary for the efficient operation of the plan of Old Age Assistance. 1/

(3) The Commission has full powers and authority to provide the method of local administration in the various counties and districts as it deems advisable. 2/

(4) The Commission must prescribe the manner in which applicants for old age assistance are investigated, and it receives the written appeals of applicants who have been rejected or are dissatisfied with the orders of the local administration. The Commission then makes a complete examination of the case, and if after such examination, it is decided that the aid or assistance should be allowed or increased, an order must be entered to that effect. A copy must be forwarded to the local administrative agency which originally made the order. There can be no appeal from the final order of the Commission. 3/

(5) The Commission must administer all funds appropriated to the Old Age Assistance Fund, and it must invest the money in the Permanent Old Age Fund only in interest bearing obligations of the United States. 4/

(6) The Commission is authorized to accept on behalf of the Old Age Assistance Fund any gifts, deeds, or bequests of any money or other property. The proceeds of these accrue to the benefit of the Old Age Assistance Fund. 5/

II. Composition and Appointment of Governing Body

The Old Age Assistance Commission is composed of 3 members, appointed by the Governor, with the advice and consent of the Senate. The members of the Commission are public officers, and are appointed for 6-year rotating terms. They take the oath of office required by the Constitution, and give bond to the State for the sum of \$10,000. 6/

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1. Laws (1935 2nd. Spec. Sess.), H. B. 26-XX, Sec. 3e.
 2. Ibid, Sec. 5.
 3. Ibid, Sec. 8.
 4. Ibid, Sec. 10.
 5. Ibid, Sec. 11.
 6. Ibid, Sec. 3a, 3b.

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

The Commission may, if it is deemed necessary, stay in session continuously for a period ending January 1, 1937. For these services the members receive an annual compensation of \$3,600 each, but from that period on they may remain in session not more than 120 days in any one year, and be compensated at a per diem of \$10 for each day in actual meeting. They are entitled to all reasonable expenses necessarily incurred in the discharge of their official duties. 7/

The Commission biennially selects one of the members chairman, and 2 members constitute a quorum. 7/

III. Reports

The Old Age Assistance Commission must make such reports and give such information as the Social Security Board may from time to time require. 8/

IV. Executive

The Old Age Assistance Commission selects and appoints an Executive Director, who must not be less than 35 years of age at date of his appointment. He must have resided in the State for at least 10 years preceding the date of his appointment, and must not have occupied any elective office during the 6 months preceding the date of his appointment. He takes the Constitutional oath of office, and is paid the annual salary of \$5,000. He executes a bond to the State for the sum of \$30,000. 9/

The Executive Director is the chief administrative officer of the Commission, and is responsible for the proper and economical administration of the affairs of the Commission. 10/

V. Staff

The Commission appoints a chief auditor, who is paid the annual salary of \$4,000. He takes the same oath and executes a bond for the same amount as the Executive Director. 9/

The Executive Director, with the consent and approval of a majority of the members of the Commission, has authority to appoint and discharge such assistants, clerks, stenographers, auditors, bookkeepers and clerical assistants, as may be necessary in the administration of the duties imposed upon the Commission. The salaries are fixed by the Executive Director. 10/

7. Laws (1935 2nd. Spec. Sess.), H. B. 26-XX, Sec. 3d.

8. Ibid, Sec. 3e-3.

9. Ibid, Sec. 4a.

10. Ibid, Sec. 4b.

V. Staff (Cont'd)

The Commission provides such personnel as may be found necessary for carrying out the local administration of aid. All employees of any local administrative agency, whether county or district, must have been residents of the particular county or district where employed for a period of at least 4 years preceding their employment. 11/

VI. Financial Provisions

Funds are appropriated to the Old Age Assistance Fund from the Treasury of the State for paying aid and assistance, and for defraying administrative expenses. 12/ The sum appropriated from the general fund must be repaid the State when moneys accruing to the State Assistance Fund are established. 13/

Amount of Appropriation:

The sum of \$25,000,000 is appropriated for Old Age Assistance for the period from August 30, 1935 to September 1, 1937. 12/

The sum of \$145,000 is appropriated for administrative expenses. 13/

Limitation of Funds:

Commission set-up, equipment, furniture, etc.	\$110,000	
Additional expenses.	35,000	
Total	<u>145,000</u>	<u>13/</u>

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11. Laws (1935 2nd. Spec. Sess.), H. B. 26-XX, Sec. 5.
 12. Ibid, Sec. 9b.
 13. Ibid, Sec. 9c.

STATE COMMISSION FOR THE BLIND

(Statutory Body)

I. General Powers and Duties

(1) The State Commission for the Blind must maintain a Bureau of Information, the object of which is to aid the blind whose training is not otherwise provided for, to find employment for the blind, to develop home industries among the blind, and to market their products. 1/

(2) The Commission must, in its discretion, furnish materials, tools, and books for use as a means in rehabilitating such persons, and it may establish workshops and salesrooms. It has authority to use any receipts and earnings that accrue from the operation of industrial schools, salesrooms or workshops, but a detailed statement of receipts or earnings and expenditures must be made monthly to the auditor of the State. 1/

(3) Through the employment of teachers, the Commission may give instruction to adult blind persons in their homes; provided, that it does not undertake the permanent support or maintenance of any blind person. 1/

(4) The Commission may register cases of persons whose eyesight is seriously defective or who are likely to become visually handicapped or blind. It may take such measures, in cooperation with other authorities, as it deems advisable for the prevention of blindness or conservation of eyesight, and, in appropriate cases, for the education of children and for the vocational guidance of adults having seriously defective eyesight. 1/

(5) The Commission is authorized to cooperate with all other agencies which undertake blind assistance. 2/

II. Composition and Appointment of Governing Body

The State Commission for the Blind consists of 3 members, one a graduate of the Texas School for the Blind, and 2 others appointed by the Governor to serve for 3-year rotating terms. Members serve without compensation but they receive their necessary traveling and other expenses actually incurred in the performance of their duties. No paid employee or Board member of any agency carrying on work for the blind is eligible for appointment. The Commission must annually elect from its members a chairman, and a secretary who also acts as treasurer. 3/

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1. Vernon's Ann. Stat. (1935), Pocket Part, Art. 3207a, Sec. 2.
 2. Ibid, Sec. 4.
 3. Ibid, Sec. 1.

III. Reports

The Commission must make a detailed report to the Legislature by January 1, of each biennium in which it convenes, showing all appropriations received and how the money has been expended. The report must also cover activities of the Commission and contain recommendations for the further improvement of the conditions of the blind in the State. 4/

IV. Executive

An executive secretary is appointed and his salary fixed by the Commission. For each of the years beginning September 1, 1935 and ending August 31, 1937, he receives a salary of \$1,854. 5/

V. Staff

The Commission may appoint and fix the salaries of such other workers as may be necessary to make effective the purposes of this Act within the appropriations provided. The sum of \$1,080 annually is provided for the salary of an assistant secretary for the 2 years beginning September 1, 1935 and ending August 31, 1937. 5/

VI. Financial Provisions

The State Commission for the Blind is financed by appropriations out of the State Treasury. 6/

Amount of Appropriation:

The sum of \$18,518 is appropriated to the Commission for the biennium beginning September 1, 1935 and ending August 31, 1937. 6/

Limitation of Funds: 6/

Salaries and traveling expenses	\$ 7,368
Books, stationery, etc.	500
Freight, postage, express, etc.	500
Furniture, equipment, etc.	150
Operation, rehabilitation, and placement fund	<u>\$10,000</u>
Total	\$18,518

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4. Vernon's Ann. Stat. (1935), Pocket Part, Art. 3207a, Sec. 4.
 5. Ibid, Sec. 3; Laws (1935), Ch. 364.
 6. Laws (1935), Ch. 364.

JUVENILE COURT

(Constitutional Body)

I. General Powers and Duties(a) Judge:

(1) The county courts, district courts, and the criminal district courts have original jurisdiction in all proceedings to have a child adjudged delinquent. The Juvenile Court is deemed in session at all times for the purpose of disposing of such cases, and has a juvenile docket. The district court, only, has original jurisdiction in all proceedings, wherein it is sought to have a child adjudged dependent, or neglected, and its findings in such cases are entered in a book kept for that purpose, known as the "Juvenile Record". 1/

(2) Upon the filing of a petition, setting forth facts constituting a child dependent or neglected, the judge must fix the time and day for hearing the case. He must cause a citation to be served upon the parent, or guardian of said child to appear in court, to show cause why the child should not be declared dependent or neglected by the court. 2/

1. Complete Stat. (1928), Art. 2329.

The term "dependent or neglected child" includes any child under the age of 16 years, who is dependent upon the public for support or who is destitute, homeless or abandoned; or who has not proper parental care or guardianship, or who habitually begs or receives alms, or who is found living under immoral circumstances. Ibid, Art. 2330.

Any resident of the county, having knowledge of a child who appears to be a dependent or neglected child, may file with the district clerk of his county a written petition, setting forth the facts constituting the child dependent or neglected. Ibid, Art. 2331.

Counties having a population of not less than 325,700 and not more than 325,900 and containing a city of not less than 260,000 or more than 261,000 are jointly empowered with said city to establish, own, and operate a parental home and school for the training of dependent and delinquent children of that county or city. Ibid, Art. 5138a, Sec. 1.

Upon the establishment of a parental home and school in the counties, the authorities of the city and the county commissioners' court, at a joint meeting, select a Board of Managers consisting of 5 citizens of the county, who serve for a period of 2 years. The Board has authority to receive all funds provided by the city and county for the establishment and maintenance of said home and school, and has general management and control of them. It makes rules and regulations as may seem necessary for carrying out purposes of said home and school. Ibid (1928 Supp.), Art. 5138a, Sec. 4.

The Board of Managers of the home and school have authority to arrange with the Board of Education of the city for instructional work, and it is the duty of the Board of Education to cooperate with the home and school. Ibid (1928), Sec. 6.

All counties in this State may establish detention homes and parental schools for dependent and delinquent juveniles. Ibid, Art. 5138.

The county court appoints guardians of minors to care for their welfare. Ibid, Art. 4102.

2. Complete Stat. (1928), Sec. 2332.

I. General Powers and Duties (Cont'd)(a) Judge: (Cont'd)

(3) Upon the hearing of the case, the child must be brought before the court; whereupon, the court must investigate the facts, and ascertain whether the child is a dependent, and the causes of such dependency. 3/

(4) If the child is found to be dependent or neglected and it is so adjudged, an order may be entered making disposition of such child, as the court sees best for its moral and physical welfare. It may be turned over to the care and custody of a suitable person or any suitable institution in the county or State, organized for the care of dependent children. 4/

(5) The court may change the guardianship of the child if, at any time, it is made to appear to the court such change is to the best interest of the child. The child may be allowed to remain in his own home if it is deemed possible, by direction and supervision of the court, that the cause of dependency can be removed. 5/

(6) In any case of a "delinquent child", the court may continue the hearing from time to time, and may commit the child to the care of a probation officer, or to the care or custody of any other proper person. The court may allow the child to remain in his own home, subject to the visitation of the probation officer or other person designated by the court, or under any other conditions that may seem proper and be imposed by the court. The court may cause the child to be placed in the home of a suitable family, under such conditions as may be imposed by it, or it may commit the child to any institution in the county caring for children, that is willing to receive it, or which may be provided for by the State or county, suitable for the care of such children, or to any State institution for boys or girls, willing to receive such child. In no case may a child, proceeded against under this law, be committed beyond the age of 21 years. The order of the court, committing a child to the care and custody of any person, must prescribe the length of time and conditions of such commitment. 6/

3. Complete Stat. (1928), Art. 2333.

4. Ibid, Art. 2335.

When a child is turned over to any person or institution, the person or institution has the right to the custody of the child, and is at all times responsible for its education and maintenance; subject to the order of the court. Ibid.

In case any child is adjudged to be dependent or neglected, the parents or guardian thereafter have no right over or to the custody, services or earnings of said child, except upon such conditions in the interest of the child as the court may impose, or where upon proper proceedings, such child may be lawfully restored to the parents or guardian. Ibid, Art. 2337.

5. Complete Stat. (1928), Art. 2336.

When the court awards any dependent or neglected child to the care of an individual or institution, the child becomes a ward of and is subject to the guardianship of the institution or individual to whose care it is committed. Any institution or individual has the power to place the child in a suitable family home, where it is subject to visitation and inspection by an agent of the court. The agent may be required to report to the court any information deemed necessary by it. Ibid.

6. Complete Stat. (1928), Art. 2338.

I. General Powers and Duties (Cont'd)

(a) Judge: (Cont'd)

(7) When a child under 16 years of age is brought before any juvenile court upon petition of any person within this State, charged with being a dependent or neglected child, the court may commit the child to the Home for Dependent and Neglected Children, if in the opinion of the judge, it is the proper place for the child during its minority. 7/

(8) If the child is found guilty in the Juvenile Court, the judge must place it on parole and cause its parents or guardian to execute a bond to secure the parole. 8/

(9) Any parent or guardian of any incorrigible boy under the age of 17 years, may present a petition to the judge of the Juvenile Court of the county of his residence, setting forth under oath the age and habits of the boy and asking that he be committed as a delinquent. The court must set the case down for hearing and take testimony. The judge may make an order committing the child to the institution, if in his judgment, the child should be committed. 9/

(b) Juvenile Board:

(1) The judges of the several districts and criminal district courts, together with the county judge, of any county having a population of over 100,000 constitute a Juvenile Board of such county. 10/

(2) If the Board desires to make inquiry as to whether a child should be adjudged dependent, neglected, or delinquent, it has the power to direct one of the probation officers of the Board to file complaint against the child in some court of the county having jurisdiction to hear and determine the complaint. The Board may not have judicial power or function. 11/

(3) The Board hears and considers such facts as may be brought to its attention, concerning the welfare of any child in such county, or under the jurisdiction of any of its courts. If a child has been adjudged to be dependent, neglected, or delinquent by any court of the county, it may make to the court or person having custody of the child, such recommendations in writing as it may think proper as to the care and custody of the child. 12/

7. Complete Stat. (1928), Art. 3257.

8. Ibid, Art. 2898.

Any child within the compulsory school attendance ages who is insubordinate, disorderly, vicious or immoral in conduct, or who persistently violates the reasonable rules and regulations of the school which he attends, or who otherwise persistently misbehaves therein, so as to render himself an incorrigible, must be reported to the attendance officer, who may proceed against such child in the Juvenile Court. Ibid.

9. Complete Stat. (1928), Art. 5143.

10. Ibid, Art. 5139.

11. Ibid, Art. 5140.

12. Ibid, Art. 5141.

I. General Powers and Duties (Cont'd)(c) Juvenile Officers:

Juvenile officers are appointed to make investigation of cases referred to them by the Board. They must be present in court and represent the interest of the juvenile when the case is heard, and furnish to the court and Board any information and assistance as the Board may require, and take charge of the child before and after trial. 13/

II. Composition and Appointment of Governing Body

A judge for each judicial district is elected at the general election for a term of 4-years. He must be at least 25 years of age, and a practicing attorney or judge of a court in the State for 4 years, and a resident of the district in which he is elected for 2 years before his election. He must reside in his district during his term of office. 14/ He receives an annual salary of \$5,000. 15/

A county judge who must be well informed in the law of the State is elected in each county by the qualified voters thereof, at each general election, and holds his office for 2 years. 16/ The salary of the county judge varies from \$2,250 to \$3,500 per year, in accordance with the density of population in his county. 17/

The annual salary of each of the judges of the civil and criminal district courts of such county, as members of the Juvenile Board, is \$1,500 in addition to that paid the other district judges of the State. 18/

III. Reports

No provision.

IV. Executive

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

V. Staff

The Commissioners' Court, together with the county judge may appoint juvenile officers according to the population of the counties. Their maximum salaries range from \$125 to \$500 per month. The juvenile officers may select assistant juvenile officers, subject to the approval of the county judge and the county Juvenile Board. Their salaries are fixed by law. 19/

13. Complete Stat. (1928), Art. 5142.

14. Ibid, Art. 1884.

15. Ibid (1934 Supp.), Art. 6819a.

16. Ibid (1928), Art. 1927.

17. Ibid, Art. 3883.

18. Ibid, Art. 5139.

19. Ibid, Art. 5142 and Ibid (1928 Supp.), Art. 5142a.

V. Staff (Cont'd)

The county judge and the county Juvenile Board may select any school attendance officer or officers of the county, or of school districts in the county, for juvenile officers. The salary of such joint juvenile officer or officers and attendance officers is paid jointly by the county and school authorities. 20/

Each juvenile officer and assistant serves for a term of 2-years, with reasonable expenses not to exceed \$200 per year for each officer. 20/

VI. Financial Provisions

The Commissioners' Court of the county provides the necessary funds for the payment of salaries and expenses of juvenile officers out of the general funds of the county. 21/

The salary of the judge for the county Juvenile Court is paid monthly from the general funds of the county upon an order of the Commissioners' Court. 22/

The Commissioners' Court may appropriate from the general fund of the county, such sums as may be necessary to establish, equip, and maintain the detention and parental school in the county. 23/

The county judges are paid from the fees obtained in the discharge of their office, not to exceed \$4 per day, and if these are not sufficient, the remainder is obtained by an order from the county treasury. 24/

The district judge receives his expenses while in the discharge of the duties of his office. These expenses, along with his salary are paid by warrants upon the State Treasury. 25/

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20. Complete Stat. (1928), Art. 5142 and Ibid (1928 Supp.), Art. 5142a.
 21. Complete Stat. (1928), Art. 5142.
 22. Ibid, Art. 5139.
 23. Ibid, Art. 5138.
 24. Ibid, Art. 3891.
 25. Ibid, Art. 6820.

COMMISSIONERS' COURT

(Constitutional Body)

I. General Powers and Duties

(Only those powers and duties relating to public welfare are included in this abstract.)

(1) The Commissioners' Court provides for the support of paupers, idiots, and lunatics, who are residents of their county, unable to support themselves, but cannot be admitted to the lunatic asylum. The Court provides for the burial of paupers and indigent persons. 1/

(2) The Commissioners' Courts in all counties, where there are established county or city hospitals (and the control of such is placed in the county), must appoint a Board of Managers or Directors. This Board is composed of not less than 3 persons. The Commissioners' Court prescribes rules and regulations for the management of a county hospital, and demands a quarterly report. The hospital or hospitals must give free service to all sick and injured indigent citizens of the entire county. 2/

(3) The Commissioners' Court provides for sending the indigent sick of the county to the hospital, if there is a regular established public hospital in the county. 3/

1. Complete Stat. (1928), Art. 2351.

2. Ibid, Art. 4437.

When any indigent person suffering from tuberculosis is sojourning in any county other than his residence, and makes application for financial relief to any county health officer of Commissioners' Court, he must make an affidavit that he is indigent and unable to provide for himself, before any relief is granted. Upon approval of his application he is sent to his own residence. Complete Stat. (1928), Art. 4440.

Any widow who is the mother of a child or children under 16 years of age, and who is unable to support them and maintain her home, may present to the Commissioners' Court, of the county wherein she has resided for the preceding 2 years a sworn petition for aid. By widow is meant a mother who is widowed by death or divorce, or whose husband has abandoned her for more than 2 years, or whose husband is confined in the penitentiary or in an insane asylum. A copy of said petition and a notice of the time and place it will be presented to the Court is served or mailed to the county judge of the county. Vernon's Ann. Stat. (1935), Pocket Part, Art. 6228.

3. Complete Stat. (1928), Art. 4438.

If more than one such hospital exists in the county, the indigent patient has the right to select the one to which he will be sent. Ibid.

I. General Powers and Duties (Cont'd)

(4) When petition and service are complete, the Court must examine under oath, those applying for aid, and may subpoena witnesses; or the Court may refer the matter to a Commissioner, appointed by it to hear said witnesses. The Commissioner makes a report to Court, stating facts as proved to him. If the Court concludes that unless relief is granted, the widow will be unable to properly support and educate her children, and that they may become a public charge, it may make an order directing a monthly payment to her out of the county funds. An allowance of not more than \$15 for one child, and \$6 additional for each other child, is granted for the support of such children. The allowance is discontinued to any child who reaches the age of 16. The Court has the right to refuse any such petition, and can revoke aid when it is determined the widow no longer needs it. 4/

County Child Welfare Board:

(5) The Commissioners' Court of any county may appoint 7 resident persons of the county to serve as a Child Welfare Board. The Court fixes their terms of office and may remove any member for just cause. The Child Welfare Board performs such duties as may be required of it by the Commissioners' Court and the Board of Control. Members serve without compensation. 5/

II. Composition and Appointment of Governing Body

Each county is divided into 4 commissioner precincts; one commissioner is elected biennially in each precinct, and each officer holds his office for 2 years. 6/

In case of vacancy in the office of commissioner, the county judge appoints a suitable person, living in the precinct where such vacancy occurs, to serve as commissioner for such precinct until the next general election. 7/

The several commissioners, together with the county judge, compose the "Commissioners' Court". The county judge, when present, is the presiding officer of the Court. 8/

The county clerk is ex officio clerk of the Commissioners' Court, and he attends upon each term of the Court. He keeps all records belonging thereto, issues all process necessary for the proper execution of the power and duties of the Commissioners' Court. 9/

4. Vernon's Ann. Stat. (1935), Pocket Part., Art. 6228.

5. Complete Stat. (1928 Supp.), Art. 695a, Sec. 4.

The Board of Control, through the County Welfare Board, works in conjunction with the County Commissioners' Court, Juvenile Board, and all other officers and agencies, whose purpose is for the protection of dependent children. Complete Stat. (1928 Supp.), Art. 695a, Sec. 5.

6. Complete Stat. (1928), Art. 2339.

7. Ibid, Art. 2341.

8. Ibid, Art. 2342.

9. Ibid, Art. 2345.

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

The county commissioners are paid in equal monthly installments, salaries which vary according to assessed valuation of each county. They range from \$1,200 in counties having assessed valuation of between \$6,500,000 and \$10,000,000, to \$4,200 in counties having assessed valuation of \$200,000,000 and over. 10/

In counties having an assessed valuation of less than \$6,500,000, each county commissioner receives \$5 per day for each day he serves as commissioner. In counties having an assessed valuation of more than \$100,000,000, the commissioners must devote their entire time to the duties of their office. Traveling expenses are allowed when incurred in the discharge of official duties. 10/

III. Reports

No provision.

IV. Executive

The county judge when present, is the presiding officer of the Commissioners' Court. 11/

V. Staff

No provision.

VI. Financial Provisions

The Commissioners' Court has the power to levy and collect taxes for county purposes, not to exceed 25¢ on \$100 valuation. 12/

All salaries of the commissioners are to be paid out of the general fund of the county. 10/

All pensions to mothers are to be paid from the general fund of the county. 13/

10. Complete Stat. (1928), Art. 2350.

11. Ibid, Art. 2342.

12. Ibid, Art. 2352.

13. Vernon's Ann. Stat. (1935), Pocket Part., 6234.

Actual Control _____
 Cooperation - - - - -
 Commission - - - - -

TEXAS PUBLIC WELFARE AGENCIES¹, MAY 1, 1936

GOVERNOR

STATE PRISON BOARD
 Consists of 9 members appointed by Governor, with consent of Senate, for 5-year rotating terms. Members receive \$30 per day and expenses when engaged in discharge of official duties. Auditor is appointed by Attorney General, Treasurer and Comptroller, for 2-year term, at annual salary not exceeding \$300 per month and traveling expenses. Reports, no provision.

OLD AGE ASSISTANCE COMMISSION²
 Consists of 3 members, appointed by Governor, with consent of Senate, for 5-year rotating terms, to receive \$3,600 annually until January 1, 1937. From that date session may continue 120 days in year, at \$100 per diem and expenses. Commission appoints executive director at \$5,000, chief auditor at \$4,000 annually. With approval of majority of Commission, executive director appoints and fixes salaries of clerical assistants. Commission reports as required by Social Security Board.

STATE BOARD OF CONTROL³
 Consists of 3 members appointed by Governor to serve 5-year rotating terms at \$4,200 annually. Board appoints and fixes salaries of clerical staff and of superintendents of institutions under its control and appoints chiefs of its several divisions. Board reports to State Legislature biennially.

BOARD OF PAROLEES AND PROBLES
 Consists of 3 qualified voters of State appointed by Governor for 5-year rotating terms, at \$2,250 annual salaries. Board designates 1 member to act as supervisor of paroles. No provision for staff or reports.

STATE COMMISSION FOR THE BLIND
 3 members, one a graduate of Texas School for Blind, and 2 others appointed by Governor, for 3-year rotating terms, without compensation, except necessary expenses. Executive secretary appointed and salary fixed by Commission; salary \$1,854. Necessary workers appointed and salary fixed by Commission. Assistant secretary receives \$1,000 salary. Commission reports to Legislature biennially.

MANAGER OF PRISON SYSTEM
 State Penitentiary, Work Camps, and Farms)
 Employed by State Prison Board, at annual salary of \$6,500 for fiscal years of 1936 and 1937, subject to removal by Board for good cause. Manager employs and discharges necessary staff, with approval of Board. Reports to Board.

SUPERINTENDENT OF CONFEDERATE WOMAN'S HOME
 Appointed by Board of Control with approval of Governor, for 2-year term, at \$1,350 annual salary. Board provides necessary attendants and nurses and fixes their salaries. Superintendent reports semi-annually to Board and Governor.

SUPERINTENDENT OF THE CONFEDERATE HOME
 Appointed by Board of Control at \$1,250 annual salary. Board selects 2 assistant physicians who receive fees and physician who receives \$1,200 annual salary. Secretary employed by Superintendent at \$650 annual salary and maintenance. Superintendent reports semi-annually to Board and Governor.

STATE HOSPITALS FOR PSYCHOPATHIC STATE PSYCHOPATHIC HOSPITAL
 Superintendents of Wichita Falls, Terrell, Rust, San Antonio, and Austin State Hospitals appointed by Board of Control for 2-year terms, at \$2,400 annual salaries. Superintendent reports semi-annually to Board and Governor.

SUPERINTENDENT OF STATE TUBERCULOSIS SANATORIUM FOR NEGROES
 Not yet established. Appointed by Board of Control to hold office during term of his good behavior. Board appoints medical director, of whom Superintendent reports semi-annually to Board and Governor.

SUPERINTENDENT OF ADULTS STATE HOSPITAL
 Appointed by Board of Control for 2-year term, at \$2,400 annual salary. Superintendent appoints physicians and fixes salaries and terms of office of each. Superintendent reports semi-annually to Board and Governor.

SUPERINTENDENT OF STATE HOME FOR DEPENDENT AND NEGLECTED CHILDREN
 Appointed by Board of Control for 2-year term, at \$2,100 annual salary. Superintendent appoints employees and fixes salaries. Superintendent reports semi-annually to Board and Governor.

SUPERINTENDENT OF GIRLS' TRAINING SCHOOL
 Appointed by Board of Control for 2-year term, at \$2,100 annual salary. Superintendent appoints employees and fixes salaries, and removes them from office for good cause, with consent of Board. Superintendent reports semi-annually to Board and Governor.

SUPERINTENDENT OF STATE ORPHANS' HOME
 Not yet established. Colored women appointed by Board of Control at \$1,800 annual salary. Superintendent appoints industrial manager, and fixes their salaries, and confirmed by Board. Superintendent reports semi-annually to Board and Governor.

SUPERINTENDENTS OF DALLAS STATE HOSPITAL
 Dallas State Hospital consists of Dallas State Psychopathic and State Cancer and Pelagra Hospitals controlled. Originally, State Board of Control governed Dallas Psychopathic Hospital and a Commission consisting of Governor, State Health Officer, Chairman of Board of Control, and Attorney General governed Cancer and Pelagra Hospitals. Staffs appointed by Superintendent or Commission. Reports, no provision, whether this institution nor the two forming it, have been established.

COUNTY COURT⁴
 County judge elected by qualified voters of county at general election, for 2-year term at annual salary which varies from \$2,750 to \$3,500, according to population of county.

COMMISSIONERS' COURT⁵
 Composed of commissioners and county judge. One commissioner elected biennially in each precinct for 2 years. Annual compensation varies according to assessed valuation of county and ranges from \$5 per day to \$4,200 per year. County Clerk is ex officio clerk of Commissioners' Court. No provision for reports.

JUVENILE COURT⁶
 Judges of county courts, civil and criminal district court act. Juvenile Officers appointed by county judge and Commissioners' Court; maximum salaries range from \$125 to \$500 per month. Assistant Juvenile Officers, approved by county judge and Juvenile Board, selected by Juvenile Officers for 2 years each, to receive reasonable expenses not to exceed \$20 each per year. No provision for reports.

COUNTY CHILD WELFARE BOARD⁷
 Composed of residents of county, appointed by Commissioners' Court. Five terms of office. Members serve without compensation. Board selects chairman. No provision for reports.

¹ Statutory and constitutional organization.
² Designates local agency to administer old age assistance and supervises administration of funds appropriated for this purpose.
³ Through Division of Child Welfare supervises administration of provisions for Care of Dependent and Neglected Children (Institutions and Agencies); assumes custody of all minors committed to State Institutions. Based upon applications for admission to Confederate Homes.
⁴ Administers Veterans' Relief.
⁵ Administers General Poor Relief and Care of Dependent Children in Their Own Homes.
⁶ Administers provisions for Care of Dependent and Neglected Children (Institutions and Agencies). District Court only may judge any child dependent or neglected. County Court, District Court, and District Criminal Court may adjudge child delinquent.
⁷ Cooperates with all officers and agencies having care of children, cooperates with State Board of Control in placing children in homes of State institutions.

