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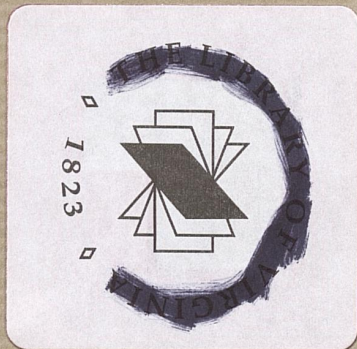


DIGEST OF PUBLIC WELFARE PROVISIONS
UNDER THE LAWS OF THE STATE OF
WYOMING

GOVERNMENT PUBLICATIONS

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PREPARED BY ROBERT C. LOWE AND DONNA SEARE
LEGAL RESEARCH SECTION

UNDER THE SUPERVISION OF
A. ROSS ECKLER
COORDINATOR OF SPECIAL INQUIRIES

C.
L.

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

Any poor resident of the State. 1/

(b) Procedure for determining eligibility

Care in poorhouse: County Board of Public Welfare, or County Board of Commissioners, where Public Welfare Board has not been established, fixes the terms and conditions of admission. 2/

Direct relief: Application must be made by pauper to County Board of Public Welfare, or County Board of Commissioners. 3/

(c) Measure of responsibility

Such relief as the case may require (form not specified) 1/; care in county workhouses, hospitals, poorhouses 2/; care by contract in State hospitals 4/; and for non-residents, direct relief, medical attendance, burial expenses. 5/

(d) Qualifications imposed

Care in poorhouse: No provision.

Direct relief: Resident of county 90 days immediately preceding application. 3/ (Except for temporary assistance to non-residents. 5/) At death of pauper who was in possession of property, not exceeding \$100 in value, the County Board has a possessory lien on such property with power of sale. 6/

(e) Incidence of financial responsibility

On the county. 7/ (Obligation optional. 1/) (Obligation mandatory in Laramie County. 2/) (Obligation toward non-residents mandatory in all counties. 4/)

(f) Taxes

No specific provision. County general fund. 7/

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1. Rev. Stat. (1931), Sec. 29-1202.
 2. Ibid, Sec. 29-1212, as amended by Laws (1935), Ch. 64, Sec. 4, 9.
 3. Rev. Stat. (1931), Sec. 29-1204, as amended by Laws (1935), Ch. 64, Sec. 4, 9.
 4. Rev. Stat. (1931), Sec. 29-1208.
 5. Ibid, Sec. 29-1203.
 6. Ibid, Sec. 29-1210.
 7. Ibid, Sec. 29-1205, as amended by Laws (1935), Ch. 64, Sec. 4, 9.

GENERAL POOR RELIEF (Cont'd)(g) Administrative agencies

County Board of Public Welfare, where established 8/,
otherwise County Board of Commissioners. 9/

(h) Supervisory controls

State Board of Public Welfare supervises the adminis-
tration of all public relief and public welfare. 10/

8. Laws (1935), Ch. 64, Sec. 4, 9, 11.
9. Rev. Stat. (1931), Sec. 29-1201.
10. Laws (1935), Ch. 64, Sec. 2.

AID TO DEPENDENT CHILDREN IN THEIR OWN HOMES

(a) Description of class

Poor mother of child under 14 years of age, whose husband is dead, permanently disabled for work by reason of physical or mental infirmity, a prisoner, or has deserted her for a period of one year or more. 1/

(b) Procedure for determining eligibility

Written application by applicant or agent in her behalf to County Board of Public Welfare, where established, otherwise to Board of County Commissioners; hearing before County Board, at which evidence and reports are heard; subsequent order granting or denying relief, as County Board deems proper. 2/ Subsequent visits and reports on home conditions by member of Board. 1/

(c) Measure of responsibility

Cash pension of \$20 per month for first child and \$10 per month for each additional child. 1/

(d) Qualifications imposed

Mother: Must be a resident of the State at the time of her husband's death or incapacity, and a resident of the county one year. 1/ She must be a proper person morally, mentally, and physically for the bringing up of her children. The allowance must be necessary to enable the mother to remain at home, but she may be employed away from home for such periods as the County Board may specify. 3/

Child: Must be a resident of the county for one year 1/, and must be living with its mother. It must be beneficial for children to remain with their mother, and the allowance must be necessary to save children from neglect and avoid breaking up the home. 3/

(e) Incidence of financial responsibility

On the county. 4/ (Obligation optional. 1/)

(f) Taxes

County property tax of 5/10 mill. 5/

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1. Rev. Stat. (1931), Sec. 84-101.
 2. Ibid, Sec. 84-105, as amended by Laws (1935), Secs. 4, 9.
 3. Rev. Stat. (1931), Sec. 84-102, as amended by Laws (1935), Secs. 4, 9.
 4. Rev. Stat. (1931), Sec. 84-103.
 5. Ibid, Sec. 84-106.

AID TO DEPENDENT CHILDREN IN THEIR OWN HOMES (Cont'd)(g) Administrative Agencies

County Boards of Public Welfare, where established, otherwise County Boards of Commissioners. 6/

(h) Supervisory controls

State Department of Public Welfare makes rules and regulations and receives reports. 7/

6. Rev. Stat. (1931), Sec. 84-105, as amended by Laws (1935), Secs. 4, 9.
7. Laws (1935), Sec. 10.

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

Any child who is a county charge, or an orphan, or any child deserted by one or both of its parents, who has no suitable home or abode; or any child of any infirm, indigent or incompetent person; or any child of any person who is supported in whole or in part from the public poor fund; or any child having vicious or immoral parents or guardians, or who is surrounded by vicious, immoral or corrupt influences; or the child of a reputed thief or habitual drunkard; or the child of any person who is confined in any penal or charitable institution of the State; or any child in the possession or control of any person not its parent, next of kin or lawful guardian. 1/ Any minor child under 14 years of age unable to support itself, whose parents or proper guardian are dead, cannot be found, or are convicted of assault and battery on the child, or who treat the child with gross and habitual cruelty 2/; or for whom there is no person legally responsible for the child's support and maintenance. 3/

(b) Procedure for determining eligibility

Petition for guardianship to the District Court or Judge thereof by any person, supported by one or more persons, and verified by petitioner; subsequent citation of parents or guardian to appear before the court at a designated time and show cause why the court should not assume guardianship. 1/ Application by any person to the proper court of the county for appointment of the guardianship of the child. The court may, in its discretion, make such appointment and may subsequently remand the child to its parents or guardian, upon reasonable assurance being given by the parents or guardian, that they have become fit and proper persons to assume the care of the minor. 4/

(c) Measure of responsibility

Commitment by the court to the care of County Boards of Public Welfare or County Boards of Commissioners 5/, or homes for destitute children 1/, care in county hospital, poorhouse, private institutions 6/, adoption by private families 7/, care in State Home for Dependent Children 8/.

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1. Rev. Stat. (1931), Sec. 20-501.
 2. Ibid, Sec. 20-112.
 3. Ibid, Sec. 20-114.
 4. Ibid, Sec. 20-108.
 5. Ibid, Sec. 20-114, and Laws (1935), Ch. 64, Sec. 4, 9.
 6. Rev. Stat. (1931), Sec. 20-111.
 7. Ibid, Sec. 20-113, 20-201.
 8. Ibid, Sec. 108-703, as amended by (1934 Supp.), Sec. 108-703.

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

None.

(e) Incidence of financial responsibility

On the county. 9/ State supports State Home for Dependent Children. 10/ (Obligation optional. 9/)

(f) Taxes

No specific provision. (State and county general funds. 10/)

(g) Administrative agencies

District Court of any county makes commitments to State and private institutions, and makes orders for adoption. 11/ County Boards of Public Welfare, where they exist 12/, or County Boards of Commissioners, place children temporarily in private institutions, county hospitals, or county poorhouses. 13/

(h) Supervisory controls

The State Board of Public Welfare supervises all juvenile, welfare and social security matters in the State. 14/

9. Rev. Stat. (1931), Sec. 20-114.
10. Ibid, Sec. 108-703, as amended by (1934 Supp.), Sec. 108-703.
11. Rev. Stat. (1931), Sec. 84-101, ~~20-113~~ 20-201.
12. Laws (1935), Ch. 64, Secs. 4, 9.
13. Rev. Stat. (1931), Sec. 20-111.
14. Laws (1935), Ch. 64, Secs. 1 to 10.

BLIND ASSISTANCE

(a) Description of class

Persons over 21 years of age, who have less than 3/60 or 10/200 normal vision. 1/

(b) Procedure for determining eligibility

Written application to the Director of the County Department (Board) of Public Welfare, whereupon the Director makes a complete investigation into the application. 2/ The State Department (Board) of Public Welfare and the County Department (Board) of Public Welfare are authorized to make investigations from time to time concerning the physical and financial situation of the applicant or recipient. 3/

(c) Measure of responsibility

Pension of \$30 per month. (\$50 per month to a head of a family). 2/

(d) Qualifications imposed

Applicant must have been a resident of the State for at least 10 years immediately preceding application. (Absence in service of State or United States not deemed to interrupt continuous residence if a new domicile is not acquired.) Applicant must not, at date of making application, be an inmate of any prison, jail, workhouse, insane asylum, or other public reform or correctional institution; must not have sufficient means of his own to enable him to maintain himself, and must be incapable of, or lacking the opportunity of self-support; must, because of defective vision, be unable to earn a livelihood except through special training, and in occupations which can successfully be carried on by blind persons. 1/

(e) Incidence of financial responsibility

On the State. 1/ (Obligation optional. 1/)

(f) Taxes

License fees and excise taxes on alcoholic and intoxicating liquors covered into State Treasury. 1/

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1. Laws (1935), Ch. 129, Sec. 2.
 2. Ibid, Sec. 3.
 3. Ibid, Sec. 4.

BLIND ASSISTANCE (Cont'd)(g) Administrative agenciesCounty Department (Board) of Public Welfare. 4/(h) Supervisory controlsState Board of Public Welfare. 5/

4. Laws (1935), Ch. 129, Sec. 1, 3; Ch. 64, Sec. 2.

5. Laws (1935), Ch. 129, Sec. 1; Ch. 64, Sec. 2, 5, 9.

OLD AGE ASSISTANCE

(a) Description of class

Persons not less than 65 years of age who are not inmates of public or other charitable institutions. 1/

(b) Procedure of determining eligibility

Written application sworn to and affirmed by application to the County Board of Public Welfare, if one exists, or to the County Board of Commissioners; subsequent investigation and findings of fact made by the Board; the application is then forwarded to the State Department (State Board of Public Welfare) with recommendation of the award or rejection of application. In case of rejection, the applicant has a right of appeal to the State Department (Board). 2/

(c) Measure of responsibility

Cash pension of \$30 per month 3/; burial not to exceed \$100 4/.

(d) Qualifications imposed

Applicant must be a citizen of the United States, and must have resided in the State 5 or more years within the 10 years immediately preceding application; income, when joined with that of spouse, must be inadequate to provide a reasonable subsistence compatible with decency and health. 5/ Annual income, including pension, must not exceed \$360 per annum. Applicant must not have deprived himself, directly or indirectly, of any property for the purpose of qualifying. State has preferred claim for total amount of aid, plus 3% interest, which claim is doubled in case of misrepresentation. 2/

(e) Incidence of financial responsibility

On the county 6/, subject to 50% reimbursement by the State 7/. (Obligation mandatory. 5/)

(f) Taxes

County property tax not to exceed one-half mill. 6/
State general fund. 7/

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1. Laws (1935), Ch. 101, Sec. 1.
 2. Ibid, Sec. 4.
 3. Ibid, Sec. 3.
 4. Ibid, Sec. 11.
 5. Ibid, Sec. 2.
 6. Ibid, Sec. 7.
 7. Ibid, Sec. 8.

OLD AGE ASSISTANCE (Cont'd)(g) Administrative agencies

State Department (Board) of Public Welfare, assisted by County Boards of Public Welfare, or County Commissioners, where no County Boards of Public Welfare exist. 8/

(h) Supervisory controls

No provision.

8. Laws (1935), Ch. 101, Sec. 4.

VETERAN RELIEF

(a) Description of class

Wyoming Soldiers' and Sailors' Home: Honorably discharged soldiers, sailors, and marines who served in the Union and Confederate armies between April 12, 1861 and April 9, 1865; veterans of the Mexican War; soldiers and sailors of all wars in which the United States has been or may be engaged, and members of the State National Guard disabled while on duty, who, by reason of wounds, diseases, old age, or other infirmities, are unable to earn their own living and have no adequate means of support; dependents of such veterans. 1/

Burial: Any honorably discharged soldier, sailor or marine, who served in the army or navy of the United States during the World War, or any previous war on behalf of the United States, who dies leaving insufficient funds to defray necessary funeral expenses. 2/

(b) Procedure for determining eligibility

Wyoming Soldiers' and Sailors' Home: No provision.

Burial: Agent of the county must investigate case to satisfy himself that the veteran served as alleged, was honorably discharged and indigent. 3/

(c) Measure of responsibility

Care and treatment in Wyoming Soldiers' and Sailors' Home. 1/ Burial not to exceed \$100. 2/

(d) Qualifications imposed

Wyoming Soldiers' and Sailors' Home: Applicants must have been residents of the State for at least one year preceding application for admission. 1/

Burial: Veteran must have died in the county. 3/

(e) Incidence of financial responsibility

Wyoming Soldiers' and Sailors' Home: On the State. 4/
(Obligation optional. 5/)

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1. Rev. Stat. (1931), Sec. 108-1301.
 2. Ibid, Sec. 100-301.
 3. Ibid, Sec. 100-302.
 4. Ibid, Sec. 108-1308.
 5. Ibid, Sec. 108-1301, 1308.

VETERAN RELIEF (Cont'd)(e) Incidence of financial responsibility (Cont'd)

Burial: On the county. 6/ (Obligation mandatory. 6/)

(f) Taxes

No specific provisions. State and county general funds. 7/

(g) Administrative agencies

Wyoming Soldiers' and Sailors' Home: State Board of Charities and Reform. 8/

Burial: County Board of Public Welfare 9/, where established, otherwise, County Board of Commissioners 10/.

(h) Supervisory controls

No provision.

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6. Rev. Stat. (1931), Sec. 108-303.
 7. Ibid, Sec. 108-1308, 303
 8. Ibid, Sec. 108-1302.
 9. Laws (1935), Secs. 4, 9.
 10. Rev. Stat. (1931), Sec. 100-301.

STATE BOARD OF CHARITIES AND REFORM 1/

STATE BOARD OF PUBLIC WELFARE
STATE BOARD OF PARDONS
COMMISSION ON PRISON LABOR

(Statutory Body)

I. General Powers and Duties

(a) Board of Charities and Reform:

(1) The Board has general supervision and control of all charitable, reformatory, and penal institutions which may be established and supported by the State, including the following: 2/

State Hospital at Evanston
State Penitentiary at Rawlins
Soldiers' and Sailors' Home at Buffalo
State Training School at Lander
Industrial Institute at Worland
State Home for Dependent Children at Cheyenne
Girls' Industrial Institute (now Girls' School) at Sheridan
Tuberculosis Sanatorium at Basin
General Hospital at Rock Springs
Big Horn Hot Springs at Thermopolis (Hot Springs State Park)
Saratoga Hot Springs State Reserve at Saratoga

(2) All deaf, dumb, blind, female juvenile delinquents, orphans, and other dependent children, who are not otherwise provided for, are also under the jurisdiction of this Board. 2/

(3) The Board has custody, charge, supervision, and control of all buildings and grounds of the institutions. One or more members of the Board must personally inspect all buildings of these institutions, except county jails, at least once a year. 2/

(4) The Board directs the general management of all State institutions, and is responsible for the proper disbursement of all funds appropriated for their maintenance. It appoints officers of all penal, reformatory, and charitable institutions located in the State, and prescribes the duties and compensations. 3/

1. The members of the State Board of Charities and Reform serve as the members of the Board of Public Welfare, Board of Pardons, and Commission on Prison Labor.

2. Rev. Stat. (1931), Sec. 103-102.

The General Hospital, the Big Horn Hot Springs, and the Saratoga Hot Springs have primarily health rather than welfare functions, but are included because of their control by the State Board of Charities and Reform. Ibid.

3. Rev. Stat. (1931), Sec. 103-104.

I. General Powers and Duties (Cont'd)

(a) Board of Charities and Reform: (Cont'd)

(5) The Board must make application to the proper district court in any district or county in the State, through the secretary of Board, for its appointment as guardian of all children coming into the care and custody of the State Board of Charities and Reform. The Board has complete authority to consent to the adoption of all children, of whom it is ex officio guardian, and the guardianship is continued until terminated by lawful authority. 4/

(6) The Board must, either by direct expenditure or contract, provide for the care, maintenance and employment of all inmates confined in the penitentiary, reform school, or any penal or reformatory institution in the State, or without the State, used for such purposes. The Board may, by direct expenditure, provide for the care and maintenance of all inmates confined in any insane asylum, deaf, dumb and blind institution, poor farm, or charitable institute of this State. 5/

(7) The Board is authorized to accept and borrow money to the amount of \$300,000 from the United States Government. It contracts for the repayment of such loan by the creation of a first lien upon income of a fund, known as the "Omnibus Land Income Fund". 6/

(b) Board of Public Welfare:

(1) The Board must supervise the administration of all public relief and welfare. 7/

(2) The Board must supervise the expenditure of all State money appropriated for relief and welfare, and such Federal funds as may be allocated to the State for similar purposes. 7/

(3) The Board must do all things necessary or required by the laws of the United States in the administration of Federal relief, welfare funds, welfare measures, and Federal funds for economic security. It must take such measures as may be necessary or required to enable the State to comply with any laws, rules and regulations enacted by the Congress of the United States, in order that Federal relief, Federal welfare funds and Federal funds for economic security may be obtained by the State. 7/

4. Rev. Stat. (1931), Sec. 103-105; Laws (1935), Ch. 64, Rev. Stat. (1931), Sec. 20-708, 710, 711.

In all cases where the Commissioners of Child and Animal Protection of the State have been appointed guardian of any child or children by any courts of the State, such appointments are declared to be valid and legal, and to vest in the Board of Charities and Reform all of the rights, powers and duties conferred herein. Rev. Stat. (1931), Sec. 103-106.

5. Rev. Stat. (1931), Sec. 103-107.

6. Ibid (1934 Supp.), Sec. 103-113, and Ch. 49.

7. Laws (1935), Ch. 64, Sec. 2.

I. General Powers and Duties (Cont'd)

(b) Board of Public Welfare: (Cont'd)

(4) The Board must cooperate with the various Boards of County Commissioners in establishing county Boards of Public Welfare. 8/ One of the 5 members of each County Board must be appointed by the State Board of Public Welfare. 8/

(5) The Board must supervise all county departments, and prescribe records and reports. It has power to delegate to the county departments authority to act as its agents. It may assist the county departments financially, and in developing the welfare activities in counties without public welfare departments. 9/

(6) The Board may assist in working out joint or district public welfare departments or projects. 10/

(7) The Board must administer old age pensions. 11/

(8) The Board must administer blind pensions. 12/

(c) Board of Pardons:

(1) The Board must investigate all applications for executive clemency, and with its recommendations as to the action to be taken in each case, lay the facts before the Governor. 13/

(2) The Board must meet once every 3 months, and special meetings are held at such times and places as the Board deems best. 14/

(d) Commission on Prison Labor:

(1) The Commission must, within the appropriations placed at its disposal by the State, procure and maintain all necessary machinery, tools, or appurtenances needful for prison labor. All purchases and contracts for materials to be used in the manufacture of articles in the Penitentiary must be made by advertising for sealed proposals, unless, in the judgment of the Commission, it is for the best interest of the State to purchase the same in open market. 15/

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8. Laws (1935), Sec.
 9. Ibid, Sec. 10.
 10. Ibid, Sec. 11.
 11. Ibid, Ch. 101.
 12. Ibid, Ch. 129.
 13. Rev. Stat. (1931), Sec. 80-102.
 14. Ibid, Sec. 80-103.
 15. Ibid, Sec. 108-815.

I. General Powers and Duties (Cont'd)(d) Commission on Prison Labor: (Cont'd)

(2) The Commission is authorized to sell any articles, merchandise, or other products so manufactured for prices that will be to the best interest of the State. 16/

(3) All articles manufactured at the Penitentiary, not required for use therein, may be furnished to the State, or to any public institution owned, or managed and controlled by the State. These articles may be used on any roads or highways, under the direction of the State Highway Commission, or the county authorities of any county in the State, at such price as is fixed by the Commission. 16/

(4) The Commission is authorized to sell in the open market, or in other manner, products that are not sold for public use. All money received by the Commission from the sale of products must be deposited in the State Treasury to the credit of the fund provided for the support and maintenance of the Penitentiary. 16/

(5) The Commission must fix the price at which all labor and articles are furnished, which price must be uniform to all. It is the duty of the Commission to classify the buildings, offices, or institutions owned, or managed, or controlled by the State. It must fix and determine the type of articles to be manufactured for such buildings, including the articles and materials to be used in the erection or repairing of the penal institutions in the State. 17/

(6) The Commission must fix a rate of compensation to be paid prisoners. The amount expended for compensation of prisoners must not exceed 10 percent of the earnings of the State Penitentiary. 18/

(7) The Commission may institute and maintain a uniform system of fines to be imposed at its discretion, in place of other penalties and punishment. The fines are deducted from the compensation paid to prisoners. 18/ The proceeds of such fines must be credited to the general fund, to be disbursed by the Commission, as a special aid to discharged and paroled prisoners, who are infirm or in any way incapable of earning sufficient subsistence after their release. 19/

(8) The Commission has supervision of labor performed on Penitentiary farms. 20/

16. Rev. Stat. (1931), Sec. 108-816.

17. Ibid, Sec. 108-817.

18. Ibid, Sec. 108-818.

19. Ibid, Sec. 108-819.

20. Ibid, Sec. 108-825.

II. Composition and Appointment of Governing Body

(a) Board of Charities and Reform:

The Governor, the Secretary of State, the State Treasurer, the State Auditor, and the State Superintendent of Public Instruction constitute the State Board of Charities and Reform. 21/ The Governor is president of the Board, and it meets at least once each month. Any 3 members of the Board constitute a quorum, and the Board provides for a president pro tem. 22/ The president has the power to call special meetings. 23/

(b) Board of Public Welfare:

The State Board of Charities and Reform is constituted the State Board of Public Welfare. 24/ This body constitutes the Emergency Relief Administration. 25/ The members of the State Board of Public Welfare receive no compensation, by virtue of such membership, except necessary expenses. 26/

(c) Board of Pardons:

(1) The Board of Pardons consists of the members of the State Board of Charities and Reform. 27/

(2) The members of the State Board of Pardons serve 4-year terms, without compensation. The Governor is president of the Board. 27/

(d) Commission on Prison Labor:

The Commission is composed of the members of the State Board of Charities and Reform, and the Warden of the State Penitentiary. 28/

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21. Rev. Stat. (1931), Sec. 103-101; Laws (1935), Ch. 64.
 22. Rev. Stat. (1931), Sec. 103-103.
 23. Ibid, Sec. 103-109.
 24. Laws (1935), Ch. 64, Sec. 1.
 25. Rev. Stat. (1934 Supp.), Sec. 103-121.
 26. Laws (1935), Ch. 64, Sec. 12.
 27. Rev. Stat. (1931), Sec. 80-101.
 28. Ibid, Sec. 108-813.

III. Reports

(a) Board of Charities and Reform:

(1) The secretary of the State Board of Charities and Reform must make a biennial report to the Governor. He must have copies (not to exceed 500 in number) of the report printed and distributed, and must file a copy with each member of the Senate and House of Representatives, upon the convening of the Legislature. 29/

(2) Each public or private child-caring agency or institution in the State makes an annual report of its work to the State Board of Charities and Reform. These reports include detailed statistics of all children served, financial statements of the expense of their care, the number and kind of workers employed, the value and condition of the plant owned or used, the amount of endowment or invested funds, and any other essential matters. The State Board of Charities and Reform publishes the data biennially in a general report. 30/

(b) Board of Public Welfare:

See "Reports" under "State Board of Charities and Reform".

The Board reports to the Governor as to the expenditure of State and Federal Emergency Relief Funds. 31/

(c) Board of Pardons:

The secretary makes an annual report to the Governor, stating the cases investigated, recommendations made, and the Governor's actions thereupon. 32/

(d) Commission on Prison Labor:

No provision.

IV. Executive

(a) Board of Charities and Reform:

No provision.

(b) Board of Public Welfare:

No provision.

29. Rev. Stat. (1931), Sec. 103-111.

30. Ibid, Sec. 20-711.

31. Ibid (1934 Supp.), Sec. 103-124.

32. Rev. Stat. (1931), Sec. 80-104.

When the Governor grants a pardon, he immediately notifies the secretary of the Board of Pardons. Ibid, Sec. 108-804.

IV. Executive (Cont'd)

(c) Board of Pardons:

No provision.

(d) Commission on Prison Labor:

No provision.

V. Staff

(a) Board of Charities and Reform:

(1) The Board appoints a secretary, and provides such assistants to the secretary as are necessary to keep a careful record of its transactions. 33/

(2) The Board members may delegate their powers to such employees and agents as they may deem necessary, and may fix the salaries of such employees. 34/

(b) Board of Public Welfare:

The Board of Public Welfare may delegate any of its functions or powers to such agency and employees as it may deem necessary, and may fix the salaries of such employees. 35/

(c) Board of Pardons:

The Board elects a secretary from among its members. 36/

(d) Commission on Prison Labor:

Persons selected by the Commission have supervision of prison work. 37/

VI. Financial Provisions

(a) Board of Charities and Reform:

The Board is financed by appropriations from the State general fund, and funds are used for administrative purposes only. 38/

33. Rev. Stat. (1931), Sec. 103-108.

34. Ibid (1934 Supp.), Sec. 8.

35. Laws (1935), Ch. 64, Sec. 4.

36. Rev. Stat. (1931), Sec. 80-101.

37. Ibid, Sec. 108-814.

38. Laws (1935), Ch. 130, Sec. 38.

This sum is distributed by the State Board of Charities and Reform to the several State institutions, as revolving petty cash funds. Ibid.

VI. Financial Provisions (Cont'd)

(a) Board of Charities and Reform: (Cont'd)

Amount of Appropriation:

The sum of \$73,134 is appropriated for the support of the State Board of Charities and Reform, for the period from April 1, 1935 to March 31, 1937. 39/

Limitation of Funds:

Contingent, general administration	\$ 23,200
Contingent, children's division	42,234
Contingent, care of women prisoners	5,200
Special contingent	2,500
Total	\$ 73,134

(b) Board of Public Welfare:

See "Financial Provisions" under "State Board of Charities and Reform".

There is appropriated out of the proceeds of the Emergency Sales Act to the State Emergency Relief Administration for the fiscal year ending March 31, 1936, and each fiscal year thereafter, the sum of \$500,000, or so much thereof as is necessary to be distributed by the State Department of Charities and Reform (Board of Public Welfare). 40/

(c) Board of Pardons:

See "Financial Provisions" under "State Board of Charities and Reform".

(d) Commission on Prison Labor:

See "Financial Provisions" under "State Board of Charities and Reform".

39. Laws (1935), Ch. 130, Sec. 38.

This sum is distributed by the State Board of Charities and Reform to the several State institutions, as revolving petty cash funds. Ibid.

40. Laws (1935), Ch. 74, Sec. 19.

The State Board of Charities and Reform constitutes the Board of Public Welfare which acts as the State Emergency Relief Administration. Rev. Stat. (1934 Supp.), Sec. 103-121.

SUPERINTENDENT OF STATE HOSPITAL(Statutory Body) 1/I. General Powers and Duties(a) Superintendent:

(1) The Superintendent must keep a full account of all the actual business and operation of the institution. 2/

1. Rev. Stat. (1931), Sec. 56-101.

The State Hospital is established for the care of insane persons. Ibid. Feeble-minded or epileptic persons are excluded. Ibid, Sec. 56-110.

Commitments: All insane persons, residents of the State, not feeble-minded or epileptic, are entitled to admission in this Hospital. Ibid, Sec. 56-117, 118, 119.

Paying patients are admitted to the Hospital, according to the terms directed by the State Board of Charities and Reform, but the insane poor must receive the same medical care and treatment, and must be given wholesome food. Ibid, Sec. 56-103.

Petitions for hearing of the case of any person charged with insanity or mental incompetency must be verified by the sworn affidavit of one or more persons, and must be in the form specified by statute. Ibid, Sec. 56-104.

The hearing as to insanity must be tried by the district court of any county, and must be held in open court. The Lunacy Commission of the county must sit in lieu of a jury at the hearing, but the court or relatives may demand a jury. The clerk of the court must issue subpoenas as in civil actions, to such persons as may be desired by the court or the Lunacy Commission to appear and testify. The accused must be given notice of the hearing, but need not be present. Ibid, Sec. 56-121 to 125.

If it appears from the finding of the Commission or verdict that the person is so insane or disturbed in mind, as to endanger his own person and property, or the person and property of others if allowed to go at large, the court must enter an order committing the patient to the State Hospital. The court may commit him to the United States Veterans' Hospital at Sheridan, Wyoming, provided the person is a proper subject for a government hospital, or at the request of a relative or friend, to some other hospital. When any place other than a State institution is designated, the State or county does not pay any of the expenses of maintenance of the patient. The court may order the insane person to be placed in the custody of some friend or relative. Ibid, Sec. 56-129.

2. Rev. Stat. (1931), Sec. 56-102.

If the committed patient is a pauper, the county of which the patient is a resident must supply the patient with suitable clothing as specified by law. Ibid, Sec. 56-131.

(Footnote Forwarded)

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

(2) The Superintendent must send an attendant to the place of trial of an insane person to accompany him to the Hospital. 3/

(3) The Superintendent, under such regulations as may seem advisable to the State Board of Charities and Reform, may discharge a patient because he is not insane, has recovered, or has so far improved as to be capable of caring for himself, or because the friends or family of the patient request his discharge. 4/

(4) The Superintendent must report promptly to the clerk of the district court having jurisdiction in the case, whenever a patient is paroled or discharged, escapes, or dies. 4/

(b) Board of Charities and Reform:

(1) The Board must make provision for the treatment of all persons of unsound mind, who are convicted of crime either in the Hospital for the Insane at Evanston or the proper institution elsewhere within or without the State. 5/ The Board has power to make such contracts, rules and regulations as it deems proper for the care of insane criminals. 6/

(Footnote #2 - Continued)

Under such regulations as may seem advisable to the State Board of Charities and Reform, a patient may be released from the State Hospital on parole, and if not returned to the institution within one year, a new order of commitment will be necessary for readmission. Ibid, Sec. 56-133.

The clerk of the court committing inmates to the Hospital must send immediately, upon commitment, certified copies of the physicians lunacy statement, court certificate, and commitment to the secretary of the State Board of Charities and Reform, and to the Superintendent of the Hospital. Ibid, Sec. 56-130.

If there is no room at the Hospital for the committed person, the State Board of Charities and Reform, in its discretion, may return any quiet, harmless, chronic insane person to the county from which he was committed. Ibid, Sec. 56-130.

3. Rev. Stat. (1931), Sec. 56-130.

4. Ibid, Sec. 56-134.

A patient paroled or discharged from the State Hospital must be provided, at the expense of the State, with suitable clothing, transportation to his home or to relatives or friends, and the sum of \$10. Ibid, Sec. 56-134.

5. Rev. Stat. (1931), Sec. 56-109.

6. Ibid, Sec. 56-110.

I. General Powers and Duties (Cont'd)

(b) Board of Charities and Reform: (Cont'd)

(2) The Board, with the consent of the Governor, must return any insane person who does not have legal residence, to the county where the insane person belongs. 7/

(3) The Board, on the recommendation of the Superintendent of the State Hospital, or the State Training School, has the power to transfer from either institution any person regularly committed and confined, to the other institution, under such rules and regulations as the Board may prescribe, without requiring another hearing as to the person's mental condition. 8/

II. Composition and Appointment of Governing Body

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

III. Reports

The Superintendent submits a monthly report to the State Board of Charities and Reform. 9/ He also makes report to the Auditor on the first of the month, giving detailed statement of all money received and expended. Proper vouchers for all expenditures are submitted with the report. 10/

IV. Executive

The State Board of Charities and Reform elects a general Superintendent, who must be a physician and reside at the Hospital. He is at all times subject to the order and direction of the Board, and when in its judgment, it is deemed for the best interests of the State, it may discharge and remove him. 9/

V. Staff

The Superintendent employs all necessary help at the Hospital, subject to the approval of the State Board of Charities and Reform. 9/

VI. Financial Provisions

The State Hospital is financed by appropriations from the State general fund. 11/

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7. Rev. Stat. (1931), Sec. 56-107.
 8. Ibid, Sec. 56-137.
 9. Ibid, Sec. 56-102.
 10. Ibid, Sec. 56-108
 11. Laws (1935), Ch. 130, Sec. 45.

Wyoming - Abstract of Administrative ProvisionsVI. Financial Provisions (Cont'd)Amount of Appropriation:

For the period from April 1, 1935 to March 31, 1937, the sum of \$250,209 is appropriated for the support of the State Hospital. 12/

Limitation of Funds:

The funds are used for administrative purposes. 12/

Contingent	\$226,917
Capital outlay	23,292
(For construction, improvements, alterations, and repairs of facilities)	
Total	<u>\$250,209</u>

12. Laws (1935), Ch. 130, Sec. 45.

SUPERINTENDENT OF STATE TRAINING SCHOOL

(Statutory Body) 13/

I. General Powers and Duties

(a) Superintendent:

(1) The Superintendent has charge and supervision of the State Training School. 14/

(2) The Superintendent, or his authorized agent, has the right to apprehend escaped inmates, and return them to the School. Any sheriff or other peace officer in the State, upon the request of the Superintendent, may apprehend escaped patients. 15/

(b) Board of Charities and Reform:

(1) The Board has supervision of this institution. 16/

(2) The Board must establish a system of government, and make all necessary rules and regulations for enforcing discipline, imparting instruction, and preserving the health of the inmates. 17/

13. Rev. Stat. (1931), Sec. 108-1101, 1102, 1103.

This institution is established at Lander for the custody, care, education, proper treatment, and discipline of feeble-minded, and epileptic persons. Ibid.

14. Rev. Stat. (1931), Sec. 108-1112.

15. Ibid, Sec. 108-1138.

16. Ibid, Sec. 108-1104.

17. Ibid, Sec. 108-1105.

Commitments: A person of any age, who has resided in the State continuously for one year immediately preceding the date of application, and who is either feeble-minded or epileptic, may be aided at the Training School without payment for maintenance, treatment, or training, unless payment has been ordered by the committing court. No person may be admitted to the Training School who is insane, or of unsound mind, to such extent as to require commitment to the State Hospital at Evanston.

Individuals 16 years of age or over, who are being held, or those previously convicted on a criminal charge, are not eligible for commitment to the Training School, unless delinquency was due to a condition of feeble-mindedness or epilepsy and that the individual is likely to be amenable to treatment and training, without recourse to penal restriction. Ibid, Sec. 108-1117.

When it is desired to secure the commitment of any person to the Training School, application for a hearing must be made to the district court in the county in which the proposed patient has legal residence, or in any county where the proposed patient may be at the time. The application may be made by a relative, or guardian of the patient, by the county and prosecuting attorney of the county in which the hearing is to be held, or by any citizen of the State. Ibid, Sec. 108-1118.

(Footnote forwarded)

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

(3) The Board may release patients on vacations, paroles, or discharge. 18/

(Footnote #17 - Continued)

The application must give a history of the patient, which must be certified by a physician legally qualified to practice medicine in the State. Rev. Stat. (1931), Sec. 108-1119.

Upon receipt of application and history, the court requires the patient to be examined by a physician and a psychologist. Ibid, Sec. 108-1120.

On completion and presentation of the papers, the judge of the district court fixes a date for hearing the case. The hearing is held before a judge of the district court of the county of application, or before a district court commissioner in the county. The county and prosecuting attorney must appear and prosecute the application in behalf of the State. The applicant and at least one examiner who has signed the certificate of suitability must be present at the hearing. Ibid, Sec. 108-1121, 1122.

The judge of court, or any citizen may demand that the suitability of the proposed patient for commitment to the Training School be determined by a jury. Ibid, Sec. 108-1121, 1122.

If the court or the jury advise that the patient should be committed to the Training School, the court may order the commitment of the patient to the Training School. Ibid, Sec. 108-1121, 1122.

If the proposed patient is 16 years of age or older, and has previously been convicted, or is being held on a criminal charge, all papers in the case must be forwarded to the Board for examination and approval, before the entering of an order of commitment to the Training School by the court. Ibid, Sec. 108-1123.

When the judge of the district is absent from the county, a district court commissioner of the county where the hearing is held may conduct the hearing. Ibid, Sec. 108-1124.

Any person not satisfied by any decision rendered, may appeal the matter to the Supreme Court of the State. Ibid, Sec. 108-1125, 1135.

Qualifications of Inmates: When the patient is an adult, his legal residence must be the county in which he last resided for a period of 6 months, or the county in which he resides when application is made. If the parents are dead or can not be found, the legal residence of the minor is the county, where the district court has appointed a guardian for him. Laws (1935), Ch. 18.

A child under 16 years of age may be admitted to the School as a voluntary patient, upon application for admittance by his parent or guardian, and the payment by them of his maintenance. When the minor reaches the age of 18, he must be legally committed to the Training School by the courts. Rev. Stat. (1931), Sec. 108-1140.

18. Rev. Stat. (1931), Sec. 108-1137, 1139.

II. Composition and Appointment of Governing Body

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

III. Reports

The Superintendent makes monthly reports to the Board, disclosing in detail all business transacted during the current month, together with his audit and approval of bills. 19/

The secretary of the Board reports biennially to the Governor and Legislature. 20/

IV. Executive

The Board appoints a Superintendent of the School and has power to remove him in its discretion. 21/

V. Staff

A physician who is well educated and qualified in his profession, upon the recommendation of the Superintendent, is appointed by the Board of Charities and Reform. The physician **must** diagnose the condition of the patients, and prescribe treatment. 21/

The Governor, with the consent of the Senate is authorized to appoint some fit and proper person, a resident of the State, as Assistant General Superintendent. His term of office is 4 years, and he receives \$3,000 per year. 22/

The Superintendent, with the approval of the Board, employs a steward, and as many assistants and attendants, as the Board may deem necessary for the efficient performance of the duties of the institution. He prescribes their duties, and with the approval of the Board, fixes their compensation. The assistants may be discharged at the discretion of the Superintendent. 20/

19. Rev. Stat. (1931), Sec. 108-1112.

20. Ibid, Sec. 108-1106.

21. Ibid, Sec. 108-1111.

22. Ibid, Sec. 108-1114, 1115.

In 1931 the sum of \$12,000 was appropriated from the State general fund, for the payment of the Assistant General Superintendent's salary. There is no mention of any appropriation for this purpose for 1935. Ibid.

VI. Financial Provisions

The State Training School is financed by appropriations from the State general fund 23/, and from money received from products grown by the inmates. 24/ Proceeds from the latter are deposited in the State Treasury, and credited to the State Training School maintenance fund. 24/ The institution may receive donations of money, personal property, or real estate. 25/

Amount of Appropriation:

The sum of \$172,052 is appropriated from the State general fund, for the period from April 1, 1935 to March 31, 1937, for the support of the State Training School. 23/

Limitation of Funds:

Contingent	\$156,442
Special improvements	5,735
Capital outlay	9,875
Total	<u>\$172,052</u>

23. Laws (1935), Ch. 130, Sec. 49.

24. Rev. Stat. (1931), Sec. 108-1109.

25. Ibid, Sec. 108-1107.

When the parents or estate of the patient are able to do so, the court may order them to pay the sum of \$35 per month for the maintenance of the patient. Ibid, Sec. 108-1130.

The parents, guardian, or the county may be ordered by the court to supply the patient with initial clothing. Ibid, Sec. 108-1128, 1129.

COMMANDANT OF SOLDIERS' AND SAILORS' HOME 26/

(Statutory Body)

I. General Powers and Duties

(a) Commandant:

Powers and duties of the Commandant are not specified by statute.

(b) Board of Charities and Reform:

(1) The Soldiers' and Sailors' Home is under the control of the State Board of Charities and Reform. 27/

(2) The Board must furnish medical attendance and medicine for all inmates. 28/

(3) The Board must provide a place of burial, and bury deceased inmates. 28/

(4) The Board must inspect the Home. 29/

II. Composition and Appointment of Governing Body

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

III. Reports

The State Board of Charities and Reform must report annually to the Governor, on the first Monday in December. 28/

The Chaplain makes an annual report in writing to the Governor, covering the duties of his office. 30/

26. Rev. Stat. (1931), Sec. 108-1301.

This institution was created for the care and treatment of honorably discharged soldiers, sailors, and marines who served in the armies of the Civil War, veterans of the Mexican War, soldiers and sailors of all wars in which the United States has been engaged, and members of the State National Guard who were disabled while on duty. These veterans who by reason of wounds, disease, old age, or other infirmities, are unable to earn their living, and have no adequate means of support, must have been residents of the State for at least one year preceding their application for admission to the Home. The State Board of Charities and Reform has power to admit dependents of soldiers, sailors, or disabled members of the National Guard, if, after full examination of the facts, it deems it proper. Ibid.

27. Rev. Stat. (1931), Sec. 108-1303, 1304.

29. Ibid, Sec. 108-1306.

28. Ibid, Sec. 108-1304.

30. Ibid, Sec. 108-1311.

IV. Executive

The State Board of Charities and Reform appoints a Commandant of the Home. He ranks as Major of Infantry in the National Guard, and receives a salary of \$150 per month and rations. His salary is paid from the maintenance contingent fund of the Soldiers' and Sailors' Home. He is commissioned by the Governor to hold office for 4 years. 31/

V. Staff

The State Board of Charities and Reform appoints an Adjutant of the Home when it deems necessary. He holds the rank of First Lieutenant of Infantry in the National Guard, and receives a salary not to exceed \$50 per month and rations, which is paid from the maintenance contingent fund of the Soldiers' and Sailors' Home. He is commissioned by the Governor to hold office for 4 years. 31/

The State Board of Charities and Reform may appoint a suitable person as Chaplain, who must visit the Home at least twice a month. He has charge of the moral and intellectual welfare of the members, and holds services there as he may desire. He holds office for a period of one year, and receives an annual salary of \$300, which is paid from the maintenance contingent fund. 32/

The State Board of Charities and Reform, in its discretion, removes any and all officers employed in the Home, and fills any vacancies as occasion may require. The Board determined their duties and compensations. 33/

VI. Financial Provisions

The Home is financed by appropriations from the State general fund. 34/

The Board of Charities and Reform is authorized to accept donations of land, money, or other personal property for the Home. 35/

All money appropriated and derived from the sale of lands granted to the Home, including money derived from the renting of lands, donations, etc. must be deposited with the State Treasurer. This money is kept by the Treasurer in a separate fund, known as "The Soldiers' Home Fund". 36/

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31. Rev. Stat. (1931), Sec. 108-1305.
 32. Ibid, Sec. 108-1311.
 33. Ibid, Sec. 108-1304.
 34. Laws (1935), Ch. 130, Sec. 48.
 35. Rev. Stat. (1931), Sec. 108-1303.
 36. Ibid, Sec. 108-1308.

VI. Financial Provisions (Cont'd)

Amount of Appropriation:

The sum of \$12,810 is appropriated from the State Treasury, for the period from April 1, 1935 to March 31, 1937, for the support of the Soldiers' and Sailors' Home. 37/

Limitation of Funds:

Contingent	\$11,310
Capital outlay	<u>1,500</u>
Total	\$12,810

37. Laws (1935), Ch. 130, Sec. 48.

SUPERINTENDENT OF INDUSTRIAL INSTITUTE

(STATE REFORMATORY)

(Statutory Body) 38/I. General Powers and Duties(a) Superintendent:

Powers and duties of the Superintendent not specified by statute.

(b) Board of Charities and Reform:

(1) The State Board of Charities and Reform makes rules and regulations for the management, direction, and government of the Industrial Institute and the State Reformatory. 39/

(2) The Board must purchase the necessary grounds and material for buildings of the Industrial Institute. 40/

(3) The Board must supply mechanical devices, and assistance to make effective the labor and education of inmates of the Institute. 40/

(4) The Board must examine the accounts, expenditures, and vouchers relating to the business of the Institute, monthly and quarterly, and must certify them to the auditor of the State. 40/

(5) The Board must transport prisoners committed to the Institute, from their place of trial to the Institute. 41/

(6) The Board must make recommendations to the Governor, regarding the parole of inmates. 42/

38. Rev. Stat. (1931), Sec. 108-901.

The additional building situated on the premises of the Industrial Institute at Worland, is known as the "State Reformatory". Ibid, Sec. 108-902.

Commitments: Any person under the age of 25 years, convicted of a felony, who has not been convicted before of a crime punishable by imprisonment in the State Penitentiary, may, in the discretion of the trial court, be sentenced to imprisonment in the Industrial Institute. Ibid, Sec. 80-301.

When imposing sentence committing prisoners to the Industrial Institute, the courts do not fix or limit the duration of period of confinement, further than that it must not exceed the maximum term provided by the laws of the State, for the offense of which the prisoner was convicted. Ibid.

39. Rev. Stat. (1931), Sec. 108-903, 904, 905.

40. Ibid, Sec. 108-905.

41. Ibid, Sec. 108-909.

42. Ibid, Sec. 108-910, 911.

I. General Powers and Duties (Cont'd)

(a) Superintendent: (Cont'd)

(7) The Board must employ inmates in agricultural, horticultural, or mechanical labor. Products grown by the inmates are sold in the open market, or in other manner, and the proceeds of the sales are deposited with the State Treasurer. This deposit is credited to the Industrial Institute maintenance fund. 43/

(8) The Board must transfer inmates to the State Penitentiary, or the State Hospital for the Insane, when such transfers are deemed advisable. 44/

(9) The Board may make recommendations for the transfer of a prisoner from the State Penitentiary to the Industrial Institute. 45/

(10) The Board must keep a record of the date of admission, name, age, nativity, nationality, etc. of each inmate. It must also keep a quarterly record of the improvements, or deterioration of character of the inmates. 46/

(11) The Board must release prisoners when there is reasonable probability that any prisoner will remain at liberty without violating law, and that his release is not incompatible with the welfare of society. Nothing here contained is to be construed to impair the power of the Governor to grant a pardon or commutation in any case. 47/

(12) The Board must make contracts with the authorities of any other State for the care, custody, and maintenance of persons sentenced to an institution of some other State. 48/

II. Composition and Appointment of Governing Body

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

III. Reports

The Superintendent makes monthly reports to the State Board of Charities and Reform. 49/

43. Rev. Stat. (1931), Sec. 108-911.

44. Ibid, Sec. 108-912, 80-302, 304.

45. Ibid, Sec. 80-306.

46. Ibid, Sec. 108-913.

47. Ibid, Sec. 108-914.

48. Ibid, Sec. 80-305.

49. Ibid, Sec. 108-906.

III. Reports (Cont'd)

The State Board of Charities and Reform, on or before the first day of January, in the year that the Legislature meets, reports to the Governor. The report shows the condition of the Institute, proceedings in regard to the inmates, condition of the buildings, amount of expenditures, etc. 50/

IV. Executive

The State Board of Charities and Reform appoints a general Superintendent of the Institute, and, at its discretion, has power to remove him. He must file the Constitutional oath and give such bond as is required by the State Treasurer. 51/

V. Staff

The Superintendent, with the consent of the State Board of Charities and Reform, appoints such officers and employees as may be necessary, at such compensation as may be fixed by the Board. 51/

VI. Financial Provisions

The Industrial Institute is supported by appropriations from the State general fund 52/, and from proceeds of the sales of agricultural, horticultural, and mechanical products, which are produced at the Institute. 53/

Amount of Appropriation:

The sum of \$40,372 is appropriated from the general fund of the State, for the period from April 1, 1935 to March 31, 1937, for the support of the Industrial Institute. 52/

Limitation of Funds:

Contingent	\$17,080
Capital outlay	<u>23,292</u>
Total	\$40,372

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50. Rev. Stat. (1931), Sec. 108-905.
 51. Ibid, Sec. 108-907.
 52. Laws (1935), Ch. 130, Sec. 44.
 53. Rev. Stat. (1931), Sec. 108-911.

SUPERINTENDENT OF HOT SPRINGS STATE PARK

(BIG HORN HOT SPRINGS)

(Statutory Body) 54/

I. General Powers and Duties

(a) Superintendent:

Powers and duties of Superintendent not specified by statute.

(b) Board of Charities and Reform:

(1) The Board has general supervision of this Park. 55/

(2) The Board may call upon the State Board of Health to inspect, examine, and fully report on the condition of any and all hospitals, bathhouses, sanatoriums, and buildings, within the limits of Big Horn Hot Springs. 56/

(3) The Board must retain one-fourth of the water in the largest spring in the Park, on the eastern bank of the Big Horn River, with sufficient land upon which suitable bathhouses may be built. 57/

(4) The Board must make all necessary rules and regulations, governing and determining free baths, the manner and time of bathing, and if deemed necessary, require that applicants for baths have medical examination. 57/

(5) The Board may set apart a suitable location and portion of the land for free public camping purposes, if it may be necessary. The balance of the water and lands may be leased by the Board for not less than 5, nor longer than 99 years. 57/

(6) It is the duty of the Board, in any and all lease or leases made, to provide such buildings and use thereof, as will best carry out the purposes of this article in retaining the lands and waters thereon for the treatment and care of diseases at the pleasure of the general public. 57/

54. Rev. Stat. (1931), Sec. 108-1501.

In 1897 the United States Congress ceded to the State one square mile in the northwestern portion of the Shoshone Indian Reservation. This land, upon which was located Big Horn Hot Springs, was placed under the control of the State Board of Charities and Reform, and was named Hot Springs State Park. Ibid, Sec. 108-1501, 1502, 1505.

The General Hospital, the Big Horn Hot Springs, and the Saratoga Hot Springs have primarily health rather than welfare functions, but are included because of their control by the State Board of Charities and Reform. Rev. Stat. (1931), Sec. 103-102.

55. Rev. Stat. (1931), Sec. 108-1502, 1505, 1511, 1512.

56. Ibid, Sec. 108-1503.

57. Ibid, Sec. 108-1508.

(Footnote Forwarded)

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

(7) The Board must cancel the lease of any leasee permitting gambling on the property. 58/

(8) The Board must deed any part of the lands of the Park to the United States Government, for the construction of a veteran soldiers' home, sanatorium, and recreation grounds whenever deemed necessary. 59/

II. Composition and Appointment of Governing Body

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

III. Reports

The Superintendent reports monthly to the State Board of Charities and Reform. 60/

IV. Executive

The Board appoints a Superintendent of the Park, who serves at its pleasure. He has charge of all State property under the direction of the Board. The Superintendent is a civil officer, and has all the powers of a sheriff in the State. He makes all collections of rentals and other accounts due the State Park. He must be a person of good moral character, of sober and temperate habits, and fully qualified to perform the duties of his office. 60/

V. Staff

The Superintendent, with the approval of the Board of Charities and Reform, appoints such deputies as are necessary for the proper control of the affairs of the Park. The deputies must enforce the laws of the State as they pertain to the Park, and the regulations of the State Board of Charities and Reform. They are police officers; persons of good moral character, and are endowed with all the powers of deputy sheriffs in the State. 62/

(Footnote #57 - Continued)

Free use of the bathhouses is given to persons who are indigent and suffering from ailments, for which bathing in the water of Big Horn Hot Springs affords relief. Ibid.

58. Rev. Stat. (1931), Sec. 108-1511, 1502.

59. Ibid, Sec. 108-1515.

60. Ibid, Sec. 108-1506.

61. Ibid, Sec. 108-1509.

62. Ibid, Sec. 108-1507.

V. Staff (Cont'd)

The Board appoints a qualified elector of the State, of good moral character and temperate habits, to be an attendant at the free bathhouse at Big Horn, Hot Springs. It is the duty of the attendant to keep the bathhouses and surrounding grounds in a clean healthful, and sanitary condition, and to perform such other duties, under the supervision of the Superintendent, as the Board may order and direct. 63/

VI. Financial Provisions

The Park is financed by appropriations from the State general fund 64/, and by the proceeds of rentals of the lands and waters. 65/

Amount of Appropriation:

The sum of \$21,170 is appropriated out of the State general fund, for the period from April 1, 1935 to March 31, 1937, for the Hot Springs State Park. 64/

Limitation of Funds:

Contingent.\$20,170
Capital outlay.	<u>1,000</u>
Total\$21,170

63. Rev. Stat. (1931), Sec. 108-1509.

64. Laws (1935), Ch. 130, Sec. 40.

65. Rev. Stat. (1931), Sec. 108-1510.

All money received from rentals must be kept by the State Treasurer in a special fund, known as the "Hot Springs Sanitary Fund". The State Treasurer must keep other special funds, such as landscape, water, and building fund, for specific appropriation to the Park. Ibid.

Wyoming - Abstract of Administrative Provisions

SUPERINTENDENT OF SARATOGA HOT SPRINGS

(Statutory Body)

I. General Powers and Duties

(a) Superintendent:

Powers and duties of Superintendent not specified by statute.

II. Composition and Appointment of Governing Body

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

III. Reports

No provision.

IV. Executive

The State Board of Charities and Reform appoints a Superintendent of the institution, who, within the boundaries of the lands of the institution, acts as a police officer. 66/

V. Staff

No specific provision. See section (4), on page 4813.

VI. Financial Provisions

The institution is financed by appropriation from the State general fund 67/, and from rentals of the land embraced in the Saratoga Hot Springs State Reserve, or for buildings upon the Reserve. 68/

Amount of Appropriation:

The sum of \$11,000 is appropriated from the State general fund for the period from April 1, 1935 to March 31, 1937 for the support of the Saratoga Hot Springs State Reserve. 67/

Limitation of Funds:

Contingent.\$ 2,000
Capital outlay (not approved)	9,000
Total\$11,000

66. Rev. Stat. (1931), Sec. 108-1603. The institution is established for the ~~care~~ care of diseases, and for sanitary, charitable, and such other purposes as must be determined by the Board of Charities and Reform. Ibid, Sec. 108-1602.

The General Hospital, the Big Horn Hot Springs, and the Saratoga Hot Springs have primarily health rather than welfare functions, but are included because of their control by the State Board of Charities and Reform. Ibid, Sec. 103-102.

67. Laws (1935), Ch. 130, Sec. 41.

68. Rev. Stat. (1931), Sec. 108-1605. All money accruing to the credit of the Saratoga Hot Springs State Reserve from any source must be deposited in the State Treasury and credited to the Saratoga Hot Springs Fund. This money is used by the State Board of Charities and Reform for the upkeep, maintenance, and improvement of the Saratoga Hot Springs State Reserve. Ibid.

STATE HOME FOR DEPENDENT CHILDREN

(Statutory Body)

I. General Powers and Duties

(1) This institution is under the general supervision of the State Board of Charities and Reform. 69/

(2) The State Board of Charities and Reform must prescribe regulations governing the admission of children to the institution. 70/

II. Composition and Appointment of Governing Body

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

III. Reports

See "Reports" under "State Board of Charities and Reform".

IV. Executive

No specific provision. 71/ See section (4), on page 4813.

V. Staff

No specific provision. 71/ See section (4), on page 4813.

VI. Financial Provisions

This institution is financed by appropriations from the State general fund. 72/

Amount of Appropriation:

The sum of \$51,314 is appropriated for the State Home for Dependent Children. 72/

Limitation of Funds:

This is a contingent fund, and is used for administrative purposes. 72/

69. Rev. Stat. (1931), Sec. 103-102.

70. Ibid, Sec. 108-703.

This institution is located at Cheyenne. All the buildings, grounds, and other property formerly known as the Deaf, Dumb, and Blind Asylum at Cheyenne, were placed under the jurisdiction of the State Board of Charities and Reform, to be used as buildings for this Home. Ibid.

71. The Manual, published December 1934, lists this institution as being established in 1919, and reports that it is equipped to give care to 40 dependent and neglected children up to the age of 16. Its staff includes a superintendent, clerk assistant to the superintendent, 2 house mothers, and a dietician. "Public Welfare Services of the State of Wyoming", Eri Hulbert, 1934 (page 15).

72. Laws (1935), Ch. 130, Sec. 42.

TUBERCULOSIS SANATORIUM

(Statutory Body)

I. General Powers and Duties

The Sanatorium is under the general supervision of the State Board of Charities and Reform. 73/

II. Composition and Appointment of Governing Body

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

III. Reports

See "Reports" under "State Board of Charities and Reform".

IV. Executive

No specific provision. See section (4), on page 4813.

V. Staff

No specific provision. See section (4), on page 4813.

VI. Financial Provisions

This Sanatorium is financed by appropriations from the State general fund, and by the income from products raised at the institution. 74/

Amount of Appropriation:

The sum of \$65,871 is appropriated from the State general fund for the period from April 1, 1935 to March 31, 1937, for the support of the Tuberculosis Sanatorium. 74/

Limitation of Funds:

Contingent	\$62,621
Special improvements	1,500
Capital outlay	1,750
Total	<u>\$65,871</u>

73. Rev. Stat. (1931), Sec. 103-102.

The Sanatorium provides a proper place for the segregation, care, assistance, medical care, and surgical attention for all citizens of the State who may become afflicted with tuberculosis. Ibid, Sec. 108-1402.

74. Laws (1935), Ch. 130, Sec. 50.

All money received by the State Board of Charities and Reform for the care and treatment of patients in the Tuberculosis Sanatorium, or from the sale of products, produced or grown on the premises, or that accrues to the credit of the Sanatorium from any source, must be deposited in the State Treasury and credited to the fund provided for the support and maintenance of the Sanatorium. Rev. Stat. (1931), Sec. 108-1404.

SUPERINTENDENT OF GIRLS' SCHOOL

(GIRLS' INDUSTRIAL INSTITUTE)

(Statutory Body) 75/

I. General Powers and Duties

(a) Superintendent:

(1) When notified by the clerk of the court that any girl has been committed to the School, the Superintendent or her agent must proceed to the place of trial, and convey the girl sentenced to the School. 76/

(2) The Superintendent must keep a record of the age, nature of misdemeanor, nativity, nationality, and parentage of each girl committed to the School. A copy of the record must be forwarded to the State Board of Charities and Reform. 77/

(b) Board of Charities and Reform:

(1) The Board may grant paroles from the Institute, but such power does not impair the Governor's power to grant a pardon or commutation in any case. 78/

75. Rev. Stat. (1931), Sec. 108-1001.

The Girls' School was created for the custody and discipline of incorrigible girls under the age of 21 years. Ibid, Sec. 108-1001, 1013, as amended by Laws (1935), Ch. 5.

Commitments: Any delinquent girl under the age of 21 years, who is convicted by the courts of incorrigibility, immorality, or a misdemeanor of a serious nature, may be sentenced to the Girls' School. The term of the person so convicted and sentenced is determined by the State Board of Charities and Reform. Ibid, Sec. 108-1007, as amended by Laws (1935), Ch. 5.

All peace officers of any city, town, or county in the State are empowered to arrest all girls habitually wandering around the streets, public places, or anywhere beyond the control of their parents or guardian at improper hours. The girls so arrested are taken before the court or judge having jurisdiction of such persons; and if it appears to the court or judge that the girl is incorrigible, or is growing up in habits of vice and immorality, the girl may be committed to the Girls' School. Ibid, Sec. 108-1013.

76. Rev. Stat. (1931), Sec. 108-1006.

77. Ibid, Sec. 108-1010.

78. Ibid, Sec. 108-1009, 1012.

The discipline to be observed in the School must at all times be reformatory, by including habits of industry, order, and cleanliness, with the idea of making the inmates self-supporting upon release. Ibid, Sec. 108-1008.

I. General Powers and Duties (Cont'd)

(b) Board of Charities and Reform: (Cont'd)

(2) The Board is authorized to install such mechanical appliances as may be required for the purpose of employing the inmates in any useful way, that may aid in their support and reformation. 79/

II. Composition and Appointment of Governing Body

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

III. Reports

The Superintendent reports to the Board of Charities and Reform monthly. 80/

IV. Executive

The State Board of Charities and Reform appoints a woman, who has had experience in institutional work, and who possesses other necessary qualifications as Superintendent of the Institute (School). The Board, at its discretion, has power to remove her. 81/

V. Staff

The Superintendent, with the consent of the State Board of Charities and Reform, appoints such officers and employees as may be necessary, and fixes their compensation. 81/

VI. Financial Provisions

The School is financed by appropriations from the State general fund. 82/

Amount of Appropriation:

The sum of \$50,032 is appropriated from the State general fund, for the support of the Girls' School, for the period from April 1, 1935 to March 31, 1937. 82/

Limitation of Funds:

Contingent	\$45,781
Special contingent	2,115
Capital outlay	<u>2,130</u>
Total	<u>\$50,032</u>

79. Rev. Stat. (1931), Sec. 108-1008.

80. Ibid, Sec. 108-1004.

81. Ibid, Sec. 108-1003.

82. Laws (1935), Ch. 130, Sec. 39.

For each girl sent from her county, the county pays the sum of \$.50 per day. The money so paid by the counties is deposited in the State Treasury to the credit of the maintenance fund of the Girls' School. Rev. Stat. (1931), Sec. 108-1014, as amended by Laws (1935), Ch. 5.

SUPERINTENDENT OF GENERAL HOSPITAL 83/

(Statutory Body)

I. General Powers and Duties

(a) Superintendent:

No provision.

(b) Board of Charities and Reform:

(1) The Board has general supervision of this institution. 84/

(2) The Board must establish a schedule of charges for care and treatment of patients. All persons treated at the Hospital, except those adjudged to be subjects of charity, are required to pay according to the schedule of charges. Members of any society or class of individuals may, by the payment of an annual sum, be entitled to the benefits of care and treatment at the institution. 85/

II. Composition and Appointment of Governing Body

See "General Powers and Duties" under "State Board of Charities and Reform".

III. Reports

No provision.

IV. Executive

No specific provision. See section (4), on page 4813.

V. Staff

No specific provision. See section (4), on page 4813.

83. Rev. Stat. (1931), Sec. 108-1201.

This Hospital was originally known as the State Miners' Hospital. Ibid. The object of this institution is to provide sustenance, care, medical, and surgical attention for all miners, who become disabled or incapacitated to labor while working in the mines of the State. Ibid. Sec. 408-1203.

The General Hospital, the Big Horn Hot Springs, and the Saratoga Hot Springs have primarily health rather than welfare functions, but are included because of their control by the State Board of Charities and Reform. Rev. Stat. (1931), Sec. 103-102.

84. Rev. Stat. (1931), Sec. 103-102.

85. Ibid, Sec. 108-1203.

VI. Financial Provisions

This Hospital is supported by appropriations from the State general fund 86/, and by money received from patients for their care at the Hospital. 87/

All money is turned over to the State Treasurer and becomes a part of the fund, known as "The State Hospital Maintenance Fund". These funds are used for the payment of salaries and wages of officers and employees of the Hospital, and for other expenses incurred in the conduct, maintenance, and support of the State Hospital, and for the care of patients therein. 87/

Amount of Appropriation:

The sum of \$1,500 is appropriated from the State general fund for the period from April 1, 1935 to March 31, 1937, for improvements and equipment at the General Hospital. 86/

86. Laws (1935), Ch. 130, Sec. 43.

87. Rev. Stat. (1931), Sec. 108-1204.

WARDEN OF STATE PENITENTIARY

COMMISSION ON PRISON LABOR

(Statutory Body)

I. General Powers and Duties

(a) Warden:

(1) The Warden conveys the prisoners from the place of conviction to the Penitentiary 88/, within 10 days after sentence. 89/

(2) The Warden acts as a member of the State Commission on Prison Labor. 90/

(b) State Board of Charities and Reform:

(1) The State Board of Charities and Reform must keep a complete record of the prisoners sentenced to the Penitentiary, and other penal institutions of the State, showing the name of each convict, date of sentence, and commitment, age, sex, color, religion, nativity, nature of the crime committed, term of sentence, ability to read and write, where confined, when discharged, etc. 91/

(2) The members of the State Board of Charities and Reform act as members of the State Commission on Prison Labor. 90/ The Commission makes rules and regulations for the employment of prisoners on Penitentiary farms, and in the State Penitentiary, so that each convict may acquire trade knowledge and skill in industry, and earn his own livelihood when discharged. 92/

(3) The Commission is authorized to sell in the open market any and all products manufactured by convicts within or without the State, and must deposit the funds from the sales in the State Treasury to the credit of the State Penitentiary maintenance fund. 93/ The Commission must fix the price of sale for such articles 94/, and must grant prisoners compensation for their services. 95/

88. Rev. Stat. (1931), Sec. 108-801.

89. Ibid, Sec. 108-802.

The Governor immediately issues a certificate for the discharge of a convict, whose term is about to expire, upon receiving a statement of his good conduct from the Warden of the State Penitentiary. Ibid, Sec. 108-810.

90. Rev. Stat. (1931), Sec. 108-813.

91. Ibid, Sec. 108-803.

92. Ibid, Sec. 108-814, 815.

93. Ibid, Sec. 108-816.

94. Ibid, Sec. 108-817.

95. Ibid, Sec. 108-818.

Wyoming - Abstract of Administrative ProvisionsI. General Powers and Duties (Cont'd)(b) State Board of Charities and Reform: (Cont'd)

(4) The State Board of Charities and Reform must supervise all Penitentiary farms. 96/

II. Composition and Appointment of Governing Body

The State Penitentiary is under the jurisdiction of the State Board of Charities and Reform. 97/

The State Board of Charities and Reform, and the Warden of the Penitentiary constitute a Commission, known as the "State Commission on Prison Labor". 98/

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

III. Reports

The State Board of Charities and Reform keeps complete records of the prisoners confined in the Penitentiary, and accounts of funds at the disposal of the Board. The Warden furnishes this record to the secretary of the Board. 99/

IV. Executive

The Warden of the Penitentiary is appointed by the State Board of Charities and Reform, and is subject to removal by the Board. He receives a salary of \$3,000 per year. 98/

V. Staff

The Commission on Prison Labor selects persons to supervise the work of the prisoners. 100/

96. Rev. Stat. (1931), Sec. 108-821, 824.

The clerk of the court imposing sentences immediately notifies the State Board of Charities and Reform, and the Warden of the Penitentiary, or superintendent of any penal institution, of the imposition of sentence. Ibid, Sec. 108-801.

The clerk of the court delivers to the superintendent, or his delegated officer, at the time the sheriff delivers custody of the prisoner, a record of the prisoners' trial and conviction. Ibid, Sec. 108-802. He transmits a copy of the record to the secretary of the Board of Charities and Reform. Ibid, Sec. 108-804.

97. Rev. Stat. (1931), Sec. 108-801.

98. Ibid, Sec. 108-813.

99. Ibid, Sec. 108-804.

100. Ibid, Sec. 108-814.

VI. Financial Provisions

The Penitentiary is financed by appropriations from the State general fund 101/, and from proceeds of the sale of articles and products manufactured and raised at the Penitentiary, and on the Penitentiary farms. All money received from the sale of products and produce must be deposited in the State Treasury to the credit of the fund provided for the support and maintenance of the Penitentiary. 102/

Amount of Appropriation:

The sum of \$190,293 is appropriated from the State general fund, for the support of the State Penitentiary, for the period from April 1, 1935 to March 31, 1937. 101/

Limitation of Funds:

Salary for Warden	\$ 6,000
Contingent	154,293
Capital outlay	<u>30,000</u>
(Equipment to provide for employment and lethal gas chamber)	
Total	\$ 190,293

101. Laws (1935), Ch. 130, Sec. 46.
102. Rev. Stat. (1931), Sec. 108-816.

JUVENILE COURT

(SESSION OF DISTRICT COURT)

(Statutory Body) 1/I. General Powers and Duties

(1) The District Court, or Judge thereof, or County Commissioners of any county have original jurisdiction in all cases concerning dependent, neglected and delinquent children. 2/

1. The District Court is a constitutional body, (Constitution of Wyoming, Art. 5, Sec. 10) but juvenile jurisdiction is imposed upon it by statute. Rev. Stat. (1931), Sec. 20-501.

All delinquents under the age of 21 years, before commitment to any State institution for temporary or permanent care, besides being examined by a regularly qualified physician, are given a mental examination by the State Director of Special Classes, or by the Superintendent of the State Institution at Lander, maintained for the care and training of defective children, or by a properly qualified person designated by either the State Director of Special Classes, or the Superintendent of the State Institution at Lander. The results of these examinations form a part of the testimony in the case. Rev. Stat. (1931), Sec. 20-602.

The proceeding regarding commitment of juvenile delinquents conforms as nearly as practicable to the course of procedure provided for by law for the trial of criminal cases in the District Courts; except that juvenile delinquents are tried before the Court and not before a jury. It is the duty of the county and prosecuting attorneys of the respective counties to prepare and prosecute such cases in behalf of the State. Rev. Stat. (1931), Sec. 20-702.

2. Rev. Stat. (1931), Sec. 20-706.

Dependency defined: Persons of either sex under 16 years of age, who have not parental care or guardianship, or are destitute, homeless, or abandoned; or who habitually beg or receive alms, or who depend for support on others than their own relatives; or who depend for support on public funds, are termed dependents.

Persons of either sex under 16 years of age, whose parents or guardians neglect or wilfully fail to provide for them, or allow them to have vicious associates, or allow them to visit vicious places, or fail to exercise proper parental discipline and control over them, are dependents. Ibid.

Delinquency defined: Persons of either sex under 21 years of age, who violate any law or ordinance of State, county, city, or town, defining crime or acts involving moral depravity; or who are shown to be uncontrollably wayward or incorrigible; or who habitually associate knowingly with vicious persons; or who are the victims of vicious habit; or who are growing up in idleness or crime, are termed delinquents.

It is provided that so far as possible, all children subject to action as delinquents must be regarded in the light of dependent, or neglected children, and subject to similar methods of treatment; and that none be definitely classed as delinquents until their cases have been reviewed by a court of competent jurisdiction. Ibid, Sec. 20-707.

I. General Powers and Duties (Cont'd)

(2) The Court, having petition of any interested person, may appoint a guardian for any child falling within the following categories: a county charge; an orphan, or any child deserted by one or both of its parents, which orphan or deserted child has not suitable home; a child of any infirm, indigent, or incompetent person; a child of any person who is supported wholly or in part from the public poor fund; a child having no suitable home or abode; a child having vicious or immoral parents, or guardians, or in the custody and control of vicious or immoral people, or surrounded by vicious, corrupt or immoral influences; a child of a reputed thief or drunkard. The Court may commit such child to any association which secures homes for destitute children, in lieu of appointing a guardian. 3/

(3) When delinquents under 14 years of age are brought before the Court to be committed to the Industrial Institute, the judge must notify some child-placing institution of the State, stating the ground of complaint, by whom made, and the date set for hearing. 4/ If the institution refuses to receive any such child, the Courts must dispose of the case, as provided by statute. 5/

(4) If upon the hearing the Court is satisfied that it would be for the best interest of any delinquent under the age of 21 years to be placed under institutional restraint, and such incorporated society is willing to accept the guardianship of the child, the Court must commit such child to the custody of the society until it reaches its majority, subject to the rules and regulations of the society in placing its wards in family homes. 6/

3. Rev. Stat. (1931), Sec. 20-501.

The parents or guardian of any such child must show cause why a guardian should be appointed. Ibid.

An order granting custody may be set aside or modified, upon any person's filing application for such modification within one year. Ibid, Sec. 20-505.

Pending court order and disposition of the child, the sheriff or other officer serving process has temporary custody of the child. Ibid, Sec. 20-503.

4. Rev. Stat. (1931), Sec. 20-601.

5. Ibid, Sec. 20-604.

6. Ibid, Sec. 20-603.

If at any time during the minority of a delinquent, the society to which it has been committed is unable to exercise proper restraint over it, the society reports the facts to the Court by whom the child was first committed. A rehearing is held, and if the facts warrant, the child is then committed to the Industrial Institute. Ibid, Sec. 20-604.

I. General Powers and Duties (Cont'd)

(5) The District Court of any county must commit to the care, custody and guardianship of the house of refuge, or reform or industrial school, of any State where provision has been made, any child (or children) under the age of 16 years, who has been convicted in the District Court of any offense except homicide. The child (or children) must be educated, trained, and treated in the same manner as the children who have been committed to the house of refuge, or reform or industrial school. Whenever, in the judgment of the managers of the house of refuge, reform or industrial school, any child who has been committed is sufficiently improved and reformed, they have authority to place the child as an apprentice to some useful trade or employment, in any State in which the managers are authorized to place the children committed to their care, or to return such child to its parent or guardian. 7/

(6) The District Court of any county may, in its discretion, commit to the house of refuge, or reform or industrial school any female child under 21, and over 10 years of age, and any male child between 10 and 16 years of age, who being a legal resident of the county, is found to be a vagrant, or so incorrigible and vicious, that for the sake of his morals and welfare, he should be committed to the house of refuge, or reform or industrial school. 8/

(7) The order of a judge providing competent guardianship by assigning the child to an approved agency, or institution, and the consent of the organization after satisfactory investigation of the party desiring to adopt the child, are duly filed in the county of the adopting party's residence; or the recorded consent of a judge having jurisdiction in the county of the adopting party's residence must precede the completion of any articles of adoption for a child or children, who are in the care or under the supervision of a child-caring agency, society, or institution. 9/

7. Rev. Stat. (1931), Sec. 20-701.

8. Ibid, Sec. 20-702.

In all such cases, the child so committed must be educated, trained, treated, and indentured or discharged in the same manner as heretofore provided. The managers of the house of refuge, reform or industrial school, have as full power and authority over the children committed to their care by this chapter, as are granted to and exercised by the managers over the children committed to the house of refuge, reform or industrial school by the courts of the State, which provide for the care, education, treating and training of juvenile delinquents. Ibid.

The State Board of Charities and Reform determines from time to time where such juvenile delinquents must be confined, and makes all contracts between the State and the legally authorized authorities of any house of refuge or correction for the safe-keeping, care, and custody of juvenile delinquents from this State; provided, that the house of refuge or correction selected is one to which juvenile delinquents can be transported, and in which they can be confined and maintained at the least expense to the State. Rev. Stat. (1931), Sec. 20-705.

9. Rev. Stat. (1931), Sec. 20-709.

(Footnote forwarded)

I. General Powers and Duties (Cont'd)

(8) The Judge having jurisdiction in the county of residence of parties desiring to adopt a child may record his consent in loco parentis, when foundlings or other abandoned children whose parentage is unknown, and who have not been assigned by court order to a child-caring organization, are presented for adopting. The Judge consenting to the adoption, at his discretion, may require that papers relating to the family history of the child be sealed and filed in the county archives, to be unsealed only by judicial order. 9/

II. Composition and Appointment of Governing Body

The State is divided into 9 judicial districts, in each of which there is elected at general elections one Judge of the District Court therein. His term of office is 6 years from the first Monday in January succeeding his election. 10/

(Footnote #9 - Continued)

Child-caring agencies, societies, or institutions incorporated, chartered and approved by the State Board of Charities and Reform are the guardians of all dependent and delinquent children committed to their care and control by courts of competent jurisdiction. They may retain such children in institutional care, or may place them in private homes temporarily, or as members of a family; and where such action is deemed proper and desirable, they may consent in loco parentis to their legal adoption. Such agencies, societies, or institutions may receive needy or dependent children directly from their parents or legal guardian for special, temporary, or continued care. Parents or guardians may sign releases or agreements, giving to the organization guardianship and control of the children until they arrive at the legal age; provided that such release or agreements are understood not to surrender the vital rights and title of the parents or guardians, and that any entire severance of family ties be accomplished only by the action or the recorded approval of a Court of competent jurisdiction. Ibid.

Parents or legal guardians of children in the care of such agencies, societies, or institutions, may waive their right to personal appearance in Court in matters of adoption, and file their appearance and consent by a duly signed and attested certificate; and judicial consent is then given in their absence. Ibid.

It is the duty of the county attorney to prosecute all cases in behalf of the petitioner for guardianship, but the petitioner has the right to be represented by private counsel. The costs of all officers, witness fees, and expenses are chargeable to the county of which the child is a resident, except the fees of private counsel and petitioner. Ibid, Sec. 20-506.

10. Constitution, Art. 5, Sec.19, Rev. Stat. (1931) Sec. 31-201.

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

The Judge of the District Court must be learned in the law, at least 28 years of age, and a citizen of the United States. He must have resided in the State or territory of Wyoming at least 2 years preceding his election. 11/

The Judge of the District Court receives an annual salary of \$6,500, paid from the State Treasury. 12/

The District Judges appoint one or more Court Commissioners, who are persons learned in the law, in each organized county in which the District Court is held. The Commissioners have authority to perform chamber business in the absence of the District Judge from the county, or by his written statement filed that it is improper for him to act, as may be prescribed by law, to take depositions and perform other duties, and receive compensation as prescribed by law. 13/

District Courts of the judicial districts appoint the number of Court Commissioners in the counties of their respective judicial districts as the public interest may require. 14/ The Court Commissioners hold office during the pleasure of the District Court, and may be summarily removed. 15/

The Commissioners must be residents of the county for which they are appointed, and citizens of the State. 16/

The fees of the Commissioners are fixed by the District Courts in which their services are rendered, and are taxed as costs. 17/

The District Court at each term reviews all orders made by, and proceedings had before Commissioners of the Court during vacation. The Court approves, disapproves, reverses, or modifies the orders and proceedings. 18/

III. Reports

No provision.

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11. Constitution, Art. 5, Sec. 12.
 12. Rev. Stat. (1931), Sec. 31-115; Laws (1935), Ch. 130, Sec. 36.
 13. Constitution, Art. 5, Sec. 14.
 14. Rev. Stat. (1931), Sec. 31-211.
 15. Ibid, Sec. 31-212.
 16. Ibid, Sec. 31-213.
 17. Ibid, Sec. 31-217.
 18. Ibid, Sec. 31-219.

IV. Executive

District Judge or Court Commissioners.

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

V. Staff

There is a clerk of the District Court in each organized county of the State, whose term of office is 2 years. The clerks are elected at the general election in the counties of the first and second classes. In all other counties the county clerk is ex officio clerk of the District Court. 19/

In counties of the first class, the clerk receives an annual salary of \$1,800; in counties of the second class, \$1,200. 20/

In all counties of the first class, the clerk of the District Court may, with the consent and approval of the District Judge, appoint one deputy clerk, who must be a resident of the county. He serves for such length of time as the district clerk and the Judge deem necessary, and may be removed by the clerk of the Court. He receives a salary of \$125 per month. 21/

Court reporters are appointed by the Judge, after passing efficiency tests, and may be removed by him. They must be residents of the district, and receive a salary of \$2,400 each per year. 22/

VI. Financial Provisions

The salaries of the Judges of the District Courts are paid from the State general fund. 23/ The expenses of Judges while acting on Supreme bench are paid from the contingent fund of the Supreme Court. 24/ The expenses of the Judge when acting in another district are paid from the contingent fund of the Court in whose district he is holding court. 25/

19. Constitution, Art. 5, Sec. 13; Rev. Stat. (1931), Sec. 31-222.
Any vacated office is filled by appointment, made by the Judge of that judicial district, by and with the consent of the County Commissioners. Rev. Stat. (1931) Sec. 31-226.

20. Rev. Stat. (1931), Sec. 31-227.

21. Ibid, Sec. 31-223.

22. Ibid, Sec. 31-233, 244.

23. Ibid, Sec. 31-115; Laws (1935), Ch. 130, Sec. 36.

24. Rev. Stat. (1931), Sec. 31-205.

25. Ibid, Sec. 31-206; Laws (1935), Ch. 130, Sec. 37.

VI. Financial Provisions (Cont'd)

The salaries of the clerks of the District Court are paid by the county in which they act. 26/

Fees of the District Court Commissioners are taxed as costs in the cases in which their services are rendered. 27/

The salary of the deputy clerk is paid by the county in which he is appointed. 28/ The salary of the court reporter is paid from the State general fund. 29/

The State Treasurer, with the approval of the State Board of Charities and Reform, pays the house of refuge, not to exceed \$4 per week for the education, support, and maintenance of any child committed from the State to the house of refuge.. 30/

The costs and fees which are charged by any sheriff, clerk, or other officer in the execution of any of the provisions of this chapter, not otherwise provided for by law, are taxed and allowed by the District Court or the Judge, and paid in the same manner as the costs in other criminal cases. 31/

26. Rev. Stat. (1931), Sec. 31-228.

27. Ibid, Sec. 31-217.

28. Ibid, Sec. 31-223.

29. Ibid, Sec. 31-244; Laws (1935), Ch. 130, Sec. 37.

No payment is made out of the State Treasury to any society receiving delinquent children under 14 years of age. Rev. Stat. (1931), Sec. 20-605.

30. Rev. Stat. (1931), Sec. 20-703.

31. Ibid, Sec. 20-704.

BOARD OF COUNTY COMMISSIONERS

(Statutory Body)

I. General Powers and Duties

(Only those powers and duties relating to welfare are listed)

- (1) The Board may, by vote, establish a county department of public welfare. 1/
- (2) The County Commissioners of 2 or more counties may unite to establish joint welfare boards. 2/
- (3) If no county board of public welfare is established, the Board of Commissioners must administer general poor relief. 3/
- (4) If no county department of public welfare is established, the Board must administer care of dependent children in their own homes. 4/
- (5) If no county department of public welfare is established, the Board must have temporary custody of dependent and neglected children pending commitment of such children by the District Court to institutions. 5/
- (6) If no county department of public welfare is established, the Board must administer old age pensions in the county. 6/
- (7) If no county department of public welfare is established, the Board must supervise the burial of indigent veterans. 7/

II. Composition and Appointment of Governing Body

The Board of each county consists of 3 qualified electors who are elected at the general election, one for a term of 2 years and one for a term of 4 years. Any 2 of such Board constitute a quorum; provided, that in counties of the fourth class, if it is so decided by a majority of the voters of the county at any general election, there shall be 2 county commissioners elected, one for a term of 2 years and at each general election thereafter, one commissioner for a term of 4 years. The 2 members so elected, together with the county clerk as member ex officio, constitute the Board of County Commissioners of the county. 8/

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1. Laws (1935), Ch. 64, Sec. 5.
 2. Ibid, Sec. 11.
 3. Rev. Stat. (1931), Sec. 29-1201, 1212.
 4. Ibid, Sec. 84-105.
 5. Ibid, Sec. 20-111.
 6. Laws (1935), Ch. 101, Sec. 4.
 7. Rev. Stat. (1931), Sec. 100-301.
 8. Ibid, Sec. 30-601. Constitution, Art. XII, Sec. 5 provides: "The Legislature shall provide by law for the election of such county officers as may be necessary".

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

Any commissioner may be removed from office by the Governor after a summary trial without a jury before the District Court of the district in which the county is situated. 9/

III. Reports

The Commissioners must have a statement of the receipts and expenditures of the county prepared semi-annually. This statement, signed by the chairman and clerk of the Board, is published at least 3 times in a newspaper printed in the county, or if there is no newspaper, it is posted in 3 public places in the county. 10/

The entire proceedings of all regular and special meetings held by the Board are published once in a newspaper of the county, if there is one. The county clerk of each county, within 48 hours of the adjournment of every meeting, furnishes the newspaper with a copy of the proceedings of each meeting. 11/

IV. Executive

The Commissioners choose one of their number as chairman. He presides at all meetings when present, and in case of his absence, either one of the other members acts as temporary chairman. 12/

V. Staff

No provision.

VI. Financial Provisions

The Commissioners receive an annual salary of \$200 each plus a per diem of \$5 and traveling expenses not exceeding \$.08 per mile, while employed in the discharge of the duties of their offices. These expenses are paid from the annual county appropriations. 13/

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9. Rev. Stat. (1931), Sec. 30-615.
 10. Ibid, Sec. 30-614.
 11. Ibid, Sec. 30-617.
 12. Ibid, Sec. 30-607.
 13. Ibid, Sec. 30-619; Ibid, (1934 Supp.), Sec. 30-114, and Ibid, (1931), Sec. 30-106.

COUNTY BOARD OF PUBLIC WELFARE

(Statutory Body)

I. General Powers and Duties

(1) The County Board of Public Welfare, under the supervision of the State Board of Public Welfare, must plan, promote, and assist activities in social welfare in the county. 1/

(2) The County Board, under the supervision of the State Board, is authorized to administer old age and blind pensions, and to perform all the duties toward the poor formerly imposed on the Board of County Commissioners. 2/

(3) The County Board may be appointed by the judges of the district courts, to exercise the duties of parole and probation officers in regard to persons tried in the county of the Board, or living in such county on parole or probation. 2/

(4) The County Board must administer pensions to needy mothers, and must care for needy children in private families. It must be responsible for the enforcement of laws relative to dependent, neglected, delinquent, and defective children, and for the restriction of child labor, and the promotion of wholesome recreation. 2/

(5) The County Board must administer all funds derived by levies of the County Board of Commissioners, for the aid of poor, old age, blind, or mothers' pensions, or other relief and welfare. The Board also administers any and all funds derived from State or Federal sources for welfare or relief purposes, which allocated to the county. 3/

II. Composition and Appointment of Governing Body

The County Board of Public Welfare consists of 5 members, who are citizens of the county. Two are appointed by the Board of County Commissioners from their own number, to serve during the term for which the Board of County Commissioners is organized. One member is to be the County Superintendent of Schools, except in counties of over 10,000 population, when the Superintendent of Schools of the largest city of the county is appointed to serve for the period during which the County Superintendent of Schools holds office. One member is appointed by the district judge of the county to serve for 3 years, and one is appointed by the State Department of Public Welfare to serve for 2 years. 4/

1. Laws (1935), Ch. 64, Sec. 6.

The establishment of these agencies is optional with the Boards of County Commissioners of the various counties. Two or more counties may unite in establishing a joint Public Welfare Board. Ibid, Sec. 4, 11.

2. Laws (1935), Ch. 64, Sec. 8; Ch. 129, Sec. 1.

3. Ibid, Ch. 64, Sec. 9.

4. Ibid, Sec. 5.

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

The members of the County Board of Public Welfare serve without compensation, except necessary expenses. 5/

The members of the County Board of Public Welfare must meet at least once each month. 6/

III. Reports

The County Board files a monthly statement of its expenditures with the county clerks, and these reports are available for inspection by any interested citizen. 7/

The County Board annually prepares and submits to the County Commissioners a budget of funds, which it estimates to be necessary for the proper performance of its duties. 7/

The State Board may prescribe forms or records, and reports for the County Boards. 8/

IV. Executive

When the County Board of Commissioners appropriates sufficient funds, it employs a County Director of Public Welfare. He is the general executive officer, and is responsible for the administration of all business transacted under its authority, and acts as its secretary. 9/

The County Director must be well qualified as to merit and experience, and must be approved by the State Department of Public Welfare. 9/

The salary of the County Director is fixed by the County Board of Public Welfare. 10/

Two or more counties may employ jointly the same person to act as Director of Public Welfare for the respective counties. 11/

V. Staff

The County Board of Public Welfare, wherever it deems necessary, is authorized to employ an assistant, or assistants, to the Director, and to fix the salaries of the Director, and assistant or assistants. 10/

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5. Laws (1935), Ch. 64, Sec. 12.
 6. Ibid, Sec. 5.
 7. Ibid, Sec. 8; Ch. 129, Sec. 1, Ch. 101, Sec. 7.
 8. Ibid, Ch. 64, Sec. 10.
 9. Ibid, Sec. 6.
 10. Ibid, Sec. 7.
 11. Ibid, Sec. 11.

VI. Financial Provisions

The County Board of Public Welfare is financed by county tax levies, and Federal and State funds. These funds are allocated to the counties for the purpose of assisting the poor, paying old age, blind, and mothers' pensions, and for other relief and welfare purposes. 12/

12. Laws (1935), Ch. 64, Sec. 8; Ch. 129, Sec. 1.

COUNTY LUNACY COMMISSION

(Statutory Body)

I. General Powers and Duties

(1) The County Lunacy Commission, upon order of the court, must severally and jointly examine any person alleged to be insane. The examination must be conducted at any convenient place in the county, and the Commission must have access to the person for this purpose. 1/

(2) The Lunacy Commission must sit in lieu of a jury at the insanity hearings. 2/

(3) The Lunacy Commission, immediately upon conclusion of any trial for insanity, must make a lunacy statement in the form described by statute, within 24 hours, unless the time is extended by the court. 3/

II. Composition and Appointment of Governing Body

Each district judge of the several counties of the State, appoints a Lunacy Commission for the county in his district. The Commission acts at his pleasure. 3/

The Commission consists of 2 disinterested, reputable, legally qualified physicians, residents of the county. One of them, if available, must be a psychiatrist who has no connection with any public or private institution for the care of the insane. If only one physician is available, the judge appoints for the other member of the Commission, a disinterested, reputable citizen, preferably a qualified attorney at law, who is a resident of the county. 3/

In case of a vacancy in the Commission, either permanent or temporary, or disqualification of any member for any cause, the court fills the vacancy with some person having a similar qualifications. In every case, at least one member of the Commission must be a legally qualified physician in good standing and a resident of the county. 3/

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1. Rev. Stat. (1931), Sec. 56-122.
 2. Ibid, Sec. 56-123.
 3. Ibid, Sec. 56-106, 125.

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

The Commissioners in each inquiry, receive a sum not to exceed \$10, to be fixed by the court. 4/

III. Reports

No provision.

IV. Executive

No provision.

V. Staff

No provision.

VI. Financial Provisions

All costs and expenses in the proceedings are taxed against, and paid by the county. 4/

4. Revised Stat. (1931), Sec. 56-126.

WYOMING PUBLIC WELFARE AGENCIES / JULY 15, 1936

Actual Control ———
 Supervision ———
 Commitments ———
 Appoints Staff to Supervise Prison Industries
 Governor Ex Officio President of Board ———
 Designates two of its members to act on Board

GOVERNOR

STATE BOARD OF CHARITIES AND REFORM

The members of the State Board of Charities and Reform are ex officio members of and are vested with the powers and duties of each of the following boards:

<p>COMMISSION ON PRISON LABOR Consists of members of State Board of Charities and Reform, Governor is President of State Penitentiary. Commission selects persons to supervise prison work. No provision for reports.</p>	<p>BOARD OF PAIIONS Consists of members of State Board of Charities and Reform, Governor is president of Board. Board elects secretary from its own members. Secretary reports annually to Governor.</p>	<p>STATE BOARD OF CHARITIES AND REFORM Consists of Governor, Secretary of State, State Treasurer, State Auditor, and State Superintendent of Public Instruction. Governor is president of Board. Board appoints a secretary and assistants, and fixes their salaries. Board reports bi-annually to the Governor.</p>	<p>STATE BOARD OF PUBLIC WELFARE Consists of members of State Board of Charities and Reform. Board may appoint and fix salaries of staff, or designate agency to perform its functions. Board reports bi-annually to Governor.</p>
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SUPERINTENDENT OF TUBERCULOSIS SANATORIUM
 This institution is supervised by the State Board of Charities and Reform. No provision regarding executive, staff, or reports.

WARDEN OF STATE PENITENTIARY
 Appointed by State Board of Charities and Reform, to serve at its pleasure, at salary of \$5,000 per year. Commission on Prison Labor selects staff. Warden furnishes records to secretary of Board, and statement of good conduct of convicts to Governor.

SUPERINTENDENT OF INDUSTRIAL INSTITUTE
 Appointed by Board of Charities and Reform to serve at its pleasure. Superintendent, with consent of Board, appoints staff, at salaries fixed by Board. Superintendent reports monthly to Board.

SUPERINTENDENT OF GIRLS' SCHOOL
 Must be a woman, appointed by the State Board of Charities and Reform to serve at its pleasure. No provision for her salary. Superintendent, with consent of Board, appoints staff, at salaries fixed by Board. Superintendent reports monthly to Board.

SUPERINTENDENT OF STATE HOME FOR DEPENDENT CHILDREN
 This institution is supervised by the State Board of Charities and Reform. No provision for appointment of superintendent or staff. No provision for reports.

SUPERINTENDENT OF TRAINING SCHOOL
 Appointed by Board of Charities and Reform, to serve at its pleasure. No provision for his salary. Governor, with consent of Senate, appoints assistant general superintendent for 4-year term, at annual salary of \$3,000. Board appoints physician. Superintendent, with consent of Board, employs and fixes salaries of staff. Superintendent reports monthly to Board.

SUPERINTENDENT OF STATE HOSPITAL
 Must be physically selected by Board of Charities and Reform, to serve at its pleasure. No provision for his compensation. Superintendent employs staff. Superintendent reports monthly to Board.

COMMANDANT OF SOLDIERS' AND SAILORS' HOME
 Appointed by Board of Charities and Reform for 4-year term. Receives \$150 per month and rations. Board appoints Adjutant for 4-year term at \$50 per month and rations, and Chaplain and staff, at salaries fixed by Board. Board and Chaplain report annually to Governor.

SUPERINTENDENT OF HOT SPRINGS STATE PARK
 Appointed by State Board of Charities and Reform to serve at its pleasure. Superintendent appoints deputies. Superintendent reports monthly to Board.

SUPERINTENDENT OF GENERAL HOSPITAL
 This institution is supervised by the State Board of Charities and Reform. No provision for superintendent, staff, or reports.

SUPERINTENDENT OF SABATOGA HOT SPRINGS
 Appointed by State Board of Charities and Reform. No provision for staff or reports.

JUVENILE COURT SESSION OF DISTRICT COURT
 Judge of District Court acts. Staff of District Court act in same capacities for Juvenile Court. No provision for reports.

DISTRICT COURT
 Judge for each judicial district elected for 6 years, at annual salary of \$6,500. Judge appoints one or more court commissioners, whose fees are fixed by the Court. Clerk of county court ex officio clerk, except in counties of 1st and 2nd class where elected for 2-year term. Clerk in 1st class county may appoint deputy. No provision for reports.

BOARD OF COUNTY COMMISSIONERS
 Consists of 3 electors. One elected for term of 2 years and 1 for 4 years. Commissioners receive \$200 per year, plus per diem of \$5. Board chooses chairman from its members. No provision for staff. Board publishes semiannual reports in a county newspaper.

COUNTY LUNACY COMMISSION
 Consists of 2 physicians (or 1 physician and 1 attorney), appointed by district judge, to hold office at his pleasure. They receive \$15 for each inquiry, plus expenses. Commission makes Lunacy statement to court.

COUNTY BOARD OF PUBLIC WELFARE
 Consists of County Superintendent of Schools and 4 members: One appointed by State Board of Public Welfare, 2 by Board of County Commissioners from their own number, and 1 by district judge. No Compensation. Board, with approval of State Board, employs and fixes salary of County Director of Public Welfare, and may employ staff. Board files monthly statement with county clerk.

- 1/ Statutory and constitutional organization.
- 2/ Supervises administration of all public relief and public welfare, juvenile welfare and social security matters in the state. Supervises administration of Poor Relief, Aid to Dependent Children in Their Own Homes, Institutional Care of Dependent and Neglected Children. Authorized to make investigations concerning applicants for and recipients of Blind Assistance. Administers Old Age Assistance, with aid of either County Boards of Public Welfare or Boards of County Commissioners. Supervises administration of State and Federal funds for emergency relief.
- 3/ Administers provisions for institutional care of dependent and neglected children.
- 4/ Where County Boards of Public Welfare have not been established, Commissioners administer Poor Relief, Aid to Dependent Children in Their Own Homes, assist in administration of Old Age Assistance, and arrange for burial of veterans.
- 5/ Administers Poor Relief, Aid to Dependent Children in Their Own Homes, Blind Assistance, assists in administration of Old Age Assistance, and arranges for burial of veterans.

