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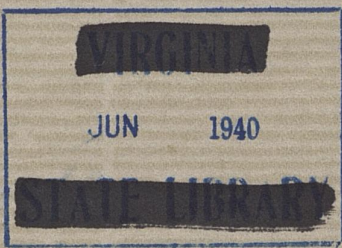
HOWARD B. MYERS, DIRECTOR
SOCIAL RESEARCH DIVISION

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

GOVERNMENT PUBLICATION

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PREPARED BY ROBERT C. LOWE AND STAFF
LEGAL RESEARCH SECTION

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

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Preface

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

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

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

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

June 1940. Va. Div. of Statutory research & drafting, 9

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

Those who, by reason of age, infirmity, or misfortune, may have claims upon the sympathy and aid of the county. 1/

Poor persons who may become chargeable as paupers, who are of mature years and sound mind, and who from their general character will probably be benefited; parents of idiots and of children otherwise helpless, requiring the attention of their parents, and who are unable to provide for such children themselves. 2/

(b) Procedure for determining eligibility

Overseers of the poor examine into an application for relief made by or on behalf of any poor person. Overseers determine eligibility. 3/

(c) Measure of responsibility

If the relief sought is of a temporary character, or the person seeking relief cannot be moved, relief is furnished. If otherwise and such poor person can be moved, he is placed in a county asylum. 3/ Applicant may be furnished medical and surgical necessities and care. 4/ Persons not settled in county may receive temporary relief. 5/ Necessary and reasonable burial expenses are furnished for both legal residents and non-residents. 6/

Those persons referred to in second paragraph under "Description of Class", above, may be given such annual allowance as will not exceed the maintenance charge in the ordinary mode, the Board of County Commissioners taking the usual amount of charges in like cases as the rule for making such allowance. 2/

(d) Qualifications imposed

Six months' residence in county. 7/

-
1. Constitution, Sec. 13691.
 2. Statutes (1931), Sec. 7567.
 3. Ibid, Sec. 7558.
 4. Session Laws (1935), Ch. 24, Art. 17, Sec. 3, amended by Initiative Petition, No. 149, Sec. 2, adopted Dec. 17, 1935.
 5. Statutes (1931), Sec. 7544.
 6. Ibid, Sec. 7576.
 7. Ibid, Sec. 7562.

Married woman has husband's settlement, if he has one in State, if he has no State settlement, she may obtain settlement by 6 months' continuous residence in county. Legitimate minor children have father's residence, if he has one in State, if he has no residence in State, children have residence of mother, if she has residence in State. Illegitimate children have mother's residence, if she has one in State. A minor whose parents have no residence in State, and married woman whose husband has no residence in State, gain residence by 6 months continuous residence in any county of State. Ibid.

GENERAL POOR RELIEF (Cont'd)

(d) Qualifications imposed (Cont'd)

To qualify for State funds, made available by the Act creating the State Board of Public Welfare, applicant must have been a bona fide citizen and actual resident in the State for a period of one year prior to the passage of the Act which was approved March 9, 1935. 8/

To secure the benefits of available Federal funds, the qualifications of any dependent unemployable and the amount payable thereto must conform to Federal regulations. 8/

Persons receiving burial expenses must be without money or means necessary to defray such expenses. 9/

(e) Incidence of financial responsibility

On the county. 10/ (Obligation mandatory.) State Welfare Board allocates funds to counties for destitute unemployables. 11/

(f) Taxes

To receive State funds, County Excise Board must levy 8/10 mill tax or make satisfactory showing to State Board of Public Welfare that county is not financially able to make, levy and also provide for ordinary expense of county government. 12/

(g) Administrative agencies

County Commissioners are overseers of the poor. 13/ Appeal may be made to judge of the county district court. 14/ County Welfare Board administers and distributes funds allocated by State Board of Public Welfare. 15/

(h) Supervisory controls

State Board of Public Welfare supervises County Welfare Boards. 15/

-
8. Session Laws (1935), Ch. 24, Art. 17, Sec. 3, amended by Initiative Petition, No. 149, Sec. 2, adopted Dec. 17, 1935.
 9. Statutes (1931), Sec. 7576.
 10. Ibid, Sec. 7544.
 11. Session Laws (1935), Ch. 24, Art. 17, Sec. 5, amended by Initiative Petition, No. 149, Sec. 3, adopted Dec. 17, 1935.
 12. Session Laws (1933), Ch. 24, Art. 17, Sec. 10.
 13. Statutes (1931), Sec. 7542.
 14. Ibid, Sec. 7570.
 15. Session Laws (1935), Ch. 24, Art. 18, Sec. 4.

AID TO DEPENDENT CHILDREN IN THEIR OWN HOMES

(a) Description of class

Indigent mothers of children under 14 years of age, whose husbands are dead, or insane, or prisoners in any State institution. 1/

(b) Procedure for determining eligibility

Allowance is made by County Court. 2/

(c) Measure of responsibility

Allowance must not exceed \$10 per month for one child, and \$5 per month for each additional child. 3/

(d) Qualifications imposed

Children for whose benefit the allowance is made must be living with their mother. Allowance must be made only when in the absence of such allowance, the mother would be required to work regularly away from home and children, and when by means of such allowance she will be able to remain at home with her children. Mother must, in judgment of county court, be a proper person, **morally**, physically and mentally, for the bringing-up of her children. Allowance must, in the judgment of the court, be necessary to save children from neglect. Mother must be a resident of the county in which application is made for at least one year next before making application. 2/

To qualify for State funds, made available by the Act creating the State Board of Public Welfare, applicant must have been a bona fide citizen and actual resident in the State for one year prior to passage of the Act, approved March 9, 1935. 4/

(e) Incidence of financial responsibility

On the county. (Obligation mandatory.) Expenditures must not exceed \$8,000 for each fiscal year. 1/ State Welfare Board allocates funds to counties for destitute unemployables. 5/

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1. Statutes (1931), Sec. 7598.
 2. Ibid, Sec. 7600.
 3. Ibid, Sec. 7599.
 4. Session Laws (1935), Ch. 24, Art. 17, Sec. 3, amended by Initiative Petition, No. 149, Sec. 2, adopted Dec. 17, 1935.
 5. Session Laws (1935), Ch. 24, Art. 17, Sec. 5, amended by Initiative Petition, No. 149, Sec. 3, adopted Dec. 17, 1935.

AID TO DEPENDENT CHILDREN IN THEIR OWN HOMES (Cont'd)(f) Taxes

County Excise Board makes levy for such sum as may be needed. 6/

(g) Administrative agencies

County Court. 7/ County Welfare Board administers and distributes funds allocated by State Board of Public Welfare. 6/

(h) Supervisory controls

State Board of Public Welfare supervises County Welfare Boards. 8/

6. Statutes (1931), Sec. 7598.

7. Ibid, Sec. 7600.

8. Session Laws (1935), Ch. 24, Art. 18, Sec. 4.

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

Any child under the age of 16 years not an inmate of a State institution. "Dependent and Neglected Child" means any male child under the age of 16 and any female child under the age of 18 years who for any reason is destitute, homeless or abandoned, or dependent upon the public for support; or has not the proper parental care or guardianship; or who habitually begs or receives alms, or who is found living in any house of ill fame or within a vicious or disreputable place; or whose home by reason of neglect, cruelty or depravity on the part of its parents, guardians or other person in whose care it may be, is an unfit place for such a child, and any male child under the age of 8 years and any female child under the age of 18 years who is found begging, singing or playing any musical instrument upon the street or giving any public entertainment, or who accompanies or is used in aid of any person so doing. 1/

(b) Procedure for determining eligibility

Any reputable person who is a resident of the county, having knowledge of a child in his county who appears to be neglected or dependent, may file with the clerk of the court having jurisdiction in the matter, a petition in writing, setting forth facts verified by affidavits. 2/

(c) Measure of responsibility

Care in a suitable State institution or with a reputable citizen of good moral character, or in a training or industrial school, as provided by law, or care of some association willing to receive the child, embracing in its objects the purpose of caring for or obtaining homes for neglected or dependent children, which association must have been accredited as provided. When the health or condition of the child requires it, the court may cause the child to be placed in a public hospital or institution for treatment or special care, or in a private hospital or institution which will receive it for like purpose without charge. 3/

(d) Qualifications imposed

None.

(e) Incidence of financial responsibility

County. 3/ (Obligation optional.)

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1. Session Laws (1935), Ch. 14, Art. 1, Sec. 1.
 2. Statutes (1931), Sec. 1733.
 3. Session Laws (1935), Ch. 14, Art. 1, Sec. 2.

CARE OF DEPENDENT AND NEGLECTED CHILDREN (INSTITUTIONS AND AGENCIES) (Cont'd)(e) Incidence of financial responsibility (Cont'd)

State ~~appropriation~~ for orphan, destitute, minor children in homes and institutions ~~not~~ State owned or operated. 4/

(f) Taxes

No special provision.

(g) Administrative agencies

Juvenile Court. 5/ State Board of Public Affairs expends State appropriations for orphan homes. 4/

(h) Supervisory controls

None.

4. Session Laws (1935), Ch. 20, Art. 5, Sec. 1.

5. Statutes (1931), Sec. 1731.

BLIND ASSISTANCE

(a) Description of class

Any wholly or partially blind adult person who is without means of support and is incapable of self-support. 1/

(b) Procedure for determining eligibility

Application to Commission for Blind. 2/ Before Commission grants relief to legal residents of county, judge of county court must approve payments. 3/

(c) Measure of responsibility

Three hundred dollars per year for individuals 3/ or for 2 blind persons married after passage of this Act creating Blind Assistance, approved May 8, 1935. 4/

(d) Qualifications imposed

Applicant must have vision insufficient for use in an occupation for which sight is essential; must be unable to provide necessities of life; must have insufficient means of support, and no relative or other person able to provide and legally responsible for maintenance; must have resided in the State continuously for 5 years immediately preceding application date; or must have lost sight while a resident of the State or must be blind and a State resident at the time of passage of the Act; must not be an inmate of any charitable or correctional institution of the State, or county or city thereof, but inmate of such a charitable institution may be granted relief in order to enable him to maintain himself outside the institution; must not be suffering from mental or physical infirmity which had made applicant a public charge prior to loss of sight, must not be soliciting alms. 5/

(e) Incidence of financial responsibility

State must pay total aid if recipient has no legal county residence; counties must reimburse State for total amount paid to their legal residents. 3/

(f) Taxes

County property tax. 6/

(g) Administrative agencies

State Commission for Adult Blind. 7/

(h) Supervisory controls

County court approves payments to county residents. 3/

1. Session Laws (1935), Ch. 24, Art. 1, Sec. 2.

2. Ibid, Sec. 4.

3. Ibid, Sec. 5.

4. Ibid, Sec. 11.

5. Ibid, Sec. 3.

6. Ibid, Sec. 8.

7. Ibid, Sec. 1.

VETERANS' RELIEF(a) Description of classConfederate Pensions:

Any person who enlisted and served as a soldier or sailor in the army or navy of the Confederate States of America or any State or territory thereof, for a period of 3 months, and every widow of such soldier or sailor remaining unmarried, or who, having remarried, is again a widow, provided such Confederate soldier and such widow were married prior to June 30, 1910. 1/

Any person who was detailed directly under the provisions of the Conscript Law for duty in any of the armories or shops for the maintenance of the army or navy of the Confederate States, or any State during the Civil War. 2/

Confederate Soldiers' Home:

Indigent and disabled soldiers and sailors who enlisted and served in the army or navy of the Confederate States of America during the Civil and during the World War in 1917 and 1918, and also the aged wives and widows of such soldiers and sailors. 3/

Union Soldiers' Home:

Aged, dependent, honorably discharged United States soldiers, sailors and marines, who served in the Civil War, the Spanish American War, or Philippine Insurrection and Boxer Uprising and in any of the Indian Wars, or in any war with Mexico, or in the World War, their dependent wives, widows and mothers. Aged and dependent army nurses, dependent honorably discharged members of Oklahoma National Guard who served as long as 3 years as members of said Guard. 4/

Children's Assistance:

Minor dependents of destitute, disabled and deceased soldiers, sailors, nurses, and marines of the World War, Spanish American War, Philippine Insurrection and Boxer Rebellion. 5/

Burial:

Any honorably discharged ex-Union soldier, sailor, or marine, or any ex-Confederate soldier, sailor, or marine, who served during the Civil War, or any soldier, sailor or marine who served in the Spanish-American War, the Philippine Insurrection or the World War. 6/

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1. Session Laws (1935), Ch. 64, Art. 1, Sec. 1.
 2. Statutes (1931), Sec. 12041.
 3. Ibid, Sec. 12032.
 4. Ibid, Sec. 12019.
 5. Session Laws (1935), S. B. No. 30, Sec. 1.
 6. Statutes (1931), Sec. 12008.

VETERANS' RELIEF (Cont'd)

(b) Procedure for determining eligibility

Confederate Pensions:

Application to county judge; if he deems application unsatisfactory, he may summon and examine witnesses. Testimony, papers, and records of application are forwarded to Pension Commissioner who determines eligibility. 7/

Confederate Soldiers' Home and Union Soldiers' Home:

No provision.

Children's Assistance:

Recommendation of any executive officer of the American Legion. 8/

Burial:

No provision.

(c) Measure of responsibility

Confederate Pensions:

Pensioners over 70 years of age receive a sum not to exceed \$27 per month, widows from 60 to 70 inclusive receive a sum not to exceed \$20 per month, widows under 60 receive a sum not to exceed \$15 per month. Any eligible person in the Confederate Home receives a sum not to exceed \$5 per month. 9/

Care in Confederate Soldiers' Home 10/ and Union Soldiers' Home. 11/

Children's Assistance:

Direct relief not to exceed \$1 per day. 8/

Burial:

Expense not to exceed \$150. 12/

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7. Statutes (1931), Sec. 12044.
 8. Session Laws (1935), S. B. No. 30, Sec. 1.
 9. Ibid, Ch. 64, Art. 1, Sec. 1.
 10. Statutes (1931), Sec. 12019.
 11. Ibid, Sec. 12032.
 12. Ibid, Sec. 12008.

Burial must not be made in cemetery or burial ground or that portion of burying ground used exclusively for burial of pauper dead. Ibid.

VETERANS' RELIEF (Cont'd)(c) Measure of responsibility (Cont'd)General Provisions:

Care in tubercular sanatorium for tubercular ex-service persons 13/, separate ward building at Central State Hospital for ex-service persons suffering from mental, neuro or nervous diseases or afflictions. 14/

(d) Qualifications imposedConfederate Pensions:

Applicant must have resided in State for 5 years continuously before application date; must not possess property, real or personal, in excess of \$2,000, or an income in excess of \$500. No pension may be paid to any widow of any soldier or sailor who has been divorced from such soldier or sailor or who wilfully, without cause, abandoned such soldier or sailor and continued to live separately up to the time of the death of such soldier or sailor, or to an inmate of an insane hospital. 15/ Applicant must have served honorably and have been honorably discharged, paroled, or released. No widow is entitled to a pension if her husband, were he living, would be prohibited from receiving such pension by reason of his inability to comply with the requirements of the Act providing pensions. 16/

Confederate Soldiers' Home and Union Soldiers' Home:

None.

Children's Assistance:

Parents, at time of demise, must have been citizens of State for a period of 3 years. 17/

Burial:

Insufficient means to defray funeral expenses. 18/

(e) Incidence of financial responsibility.

Confederate Pensions: State. 19/ (Obligation mandatory.)

Confederate Soldiers' Home: State. 20/ (Obligation mandatory.)

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13. Statutes (1931), Sec. 12085.
 14. Ibid, Sec. 12101.
 15. Session Laws (1935), Ch. 64, Art. 1, Sec. 1.
 16. Statutes (1931), Sec. 12041.
 17. Session Laws (1935), S. B. No. 30, Sec. 1.
 18. Statutes (1931), Sec. 12008.
 19. Ibid, Sec. 12045.
 20. Ibid, Sec. 12032.

VETERANS' RELIEF (Cont'd)

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

Union Soldiers' Home: State. 21/ (Obligation optional.)

Children's Assistance: State. 22/ (Obligation optional.)

Burial: County. 23/ (Obligation mandatory.)

(f) Taxes

Confederate Pensions: No specific provision. (State general fund. 24/)

Confederate Home: No specific provision.

Union Soldiers' Home: 25/ No specific provision.

Children's Assistance: No specific provision. (State general fund. 22/)

Burial: No specific provision. (County general fund. 23/)

(g) Administrative agencies

Confederate Pensions: Commissioner of Pensions. 26/

Confederate Soldiers' Home: Board of Trustees. 27/

Union Soldiers' Home: Board of Trustees. 28/

Children's Assistance: Soldiers' Relief Commission. 25/

Burial: County Commissioners designate township trustee, or for good reasons, some person other than township trustee. 29/

(h) Supervisory controls

None provided.

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21. Statutes (1931), Sec. 12030. No 1935 appropriation.
 22. Session Laws (1935), S. B. No. 30, Sec. 1.
 23. Statutes (1931), Sec. 12009.
 24. Ibid, Sec. 12045.
 25. No 1935 appropriation.
 26. Statutes (1931), Sec. 12044.
 27. Ibid, Sec. 12033.
 28. Ibid, Sec. 12020.
 29. Ibid, Sec. 12008.

ABSTRACT OF ADMINISTRATIVE PROVISIONSSTATE BOARD OF PUBLIC WELFARE

(Statutory Body)

I. General Powers and Duties

(1) The State Board of Public Welfare may, from time to time, allocate to the counties of the State, according to the needs of the respective counties as determined by the Board, the funds appropriated or so much thereof as may be needed by the counties to supplement the funds which have been appropriated by the County Excise Boards of the various counties for the care of the indigent, poor and widows. 1/

(2) The Board is authorized to receive grants or contributions of money, commodities, or other things of value, from the Federal Government, or from any other source, for the purpose of giving aid to unemployables, either by direct relief or by employment relief, and to administer the expenditure and distribution of such relief, either through the County Welfare Boards, or through other local agencies acceptable to the Federal Government. 2/

(3) In case unemployables entitled to relief as granted by County Welfare Boards are also entitled to participate in Federal funds appropriated to care for the various classes of dependents, the Board has authority to cooperate with Federal agencies supervising the Federal funds, and must comply with the rules and regulations of the Federal agencies and the Acts of Congress pertaining thereto, and may provide the proper boards for administering such joint relief, in accordance with Federal requirements, in order to procure the benefits of the funds. 3/

(4) The Board is authorized to accept the services of case workers, or other forms of assistance from the Federal Government in the administration of the provisions of the Act creating the Board, or for relief purposes. 3/

-
1. Session Laws (1935), Ch. 24, Art. 17, Sec. 5, amended by Initiative Petition No. 149, Sec. 3. The funds must be used for providing necessities for the destitute unemployables of the State. In order to obtain the benefits of Federal funds appropriated to the Board, the qualifications of such persons and the amount paid them must conform to the Federal regulations. Session Laws (1935), Ch. 24, Art. 17, Sec. 3, as amended by Initiative Petition No. 149, Sec. 2, adopted Dec. 17, 1935.
 2. Initiative Petition No. 149, Sec. 7, adopted Dec. 17, 1935.
 3. Ibid, Sec. 5.

II. Composition and Appointment of Governing Body

The Board is composed of the Governor, the Chairman of the State Board of Public Affairs, the State Treasurer, the State Commissioner of Health, and the Adjutant General. The Governor is the Chairman of the Board, and the Board meets at his call. No member of the Board receives any compensation for services rendered as a member of the Board. 4/

The respective official bonds of the members of the Board may stand as security for the faithful performance of their duties as members of the Board. 5/

III. Reports

No provision.

IV. Executive

No provision.

V. Staff

No provision.

VI. Financial Provisions

Funds are appropriated from the general fund of the State. 6/

Amount of Appropriation and Limitation of Funds:

There is appropriated the sum of \$1,500,000 for the remainder of 1935, and to June 30, 1936. 7/

4. Session Laws (1935), Ch. 24, Art. 17, Sec. 1.

5. Ibid, Sec. 11.

6. Ibid, Art. 19, Sec. 1.

7. Ibid, Ch. 24, Art. 17, Sec. 10.

After June 30, 1935, the Board must not allocate any money to any county until such county has levied an ad valorem assessment of 8/10 mill to obtain funds for the care of its needy persons or show that even with such levy it cannot provide the ordinary expenses of the county government. Ibid. None of this appropriation may be used for salaries or administrative expenses. Session Laws (1935), Ch. 24, Art. 17, Sec. 7.

VI. Financial Provisions (Cont'd)

Amount of Appropriation and Limitation of Funds: (Cont'd)

There is appropriated an additional \$33,100 to June 30, 1936. Of this sum, \$3,100 is used for administrative and miscellaneous expenses, and \$30,000 is given to the County Welfare Boards to defray expenses of administering the funds allocated by the Board. 8/

There is a supplementary appropriation of \$1,000,000 for the period from July 1, 1936, to June 30, 1937 to carry out the provisions of the bill affecting the creation of the State Board of Public Welfare. The Board may not use more than 2% of the \$1,000,000 for expenses of administering the funds. The State Board may allocate to the county welfare boards that show a necessity therefor, an amount specifically set aside for that purpose. 9/

There is also appropriated for the fiscal year ending 1936 the sum of \$1,500,000, and for the fiscal year ending June 30, 1937 the sum of \$1,000,000. If there remains unexpended at the end of the fiscal year ending June 30, 1936 any part of the funds appropriated for the said fiscal year, the surplus may be expended by the Board during the fiscal year ending June 30, 1937, and the surplus, if any so remains is so reappropriated. 10/ None of these funds may be expended for administration. 11/

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8. Session Laws (1935), Ch. 24, Art. 19, Sec. 1.
 9. Ibid, Sec, 2, 4.
 10. Initiative Petition, No. 149, Sec. 1, adopted Dec. 17, 1935.
 11. Ibid, Sec. 6, adopted Dec. 17, 1935.

STATE BOARD OF PUBLIC AFFAIRS

(Statutory Body)

I. General Powers and Duties

(1) The State Board of Public Affairs has the management and control of the penal institutions of the State. 1/

(2) The Board is constituted the Board of Control of the Northern Oklahoma Hospital. 2/

(3) The government and exclusive control of the hospitals for the insane is vested in the Board. 3/

(4) The Board has supervision of the fiscal and business affairs of the Tuberculosis Sanatoria. 4/

(5) The Board has charge of the financial and fiscal affairs of the State Training School for White Boys; the State Training School for White Girls; the Whitaker State Orphan Home for White Children; the West Oklahoma State Home for White Children; the State Training School for Colored Boys; the State Training School for Colored Girls; the Deaf, Blind, and Orphan's Home for Colored Children. 5/

(6) The Board contracts for, purchases, and acquires all furnishings, furniture and supplies of every kind or description for the use of the State or its officers, for the support of the several State institutions, including printing, stationery, fuel, tools, implements, furniture, books, food, clothing, and medical supplies where the law requires the State to furnish the same. 6/

(7) The Board has full and complete authority to trade and transfer any products produced or manufactured by any State institution for any commodity required for the support, maintenance or operation of any farm or manufacturing industry located at the institution. 7/

(8) The Board has authority to determine what supplies, apparatus and other things are allowed to the various schools and other institutions of the State. 8/

-
1. Statutes (1931), Sec. 5300.
 2. Ibid, Sec. 5119.
 3. Ibid, Sec. 4996.
 4. Ibid, Sec. 5277.
 5. Ibid, Sec. 5151.
 6. Ibid, Sec. 3572.
 7. Ibid, Sec. 3592.
 8. Session Laws (1935), Ch. 20, Art. 8, Sec. 2.

I. General Powers and Duties (Cont'd)

(9) The Board is given authority to expend funds, appropriated for defraying the expenses of maintenance and supervision of Oklahoma orphan, destitute, and delinquent minor children who are in institutions devoted to the care of such children and which institutions are not State owned or operated, by contracting with the Superintendent or other chief officer of such institutions within the State. Such contracts are made upon a per capita basis not to exceed \$100 per year. 9/

II. Composition and Appointment of Governing Body

The Board consists of 3 members appointed by the Governor with the consent of the Senate for a term coterminous with the Governor, but he may remove any member in the interest of the public. Not more than 2 members may be from the same political party. 10/

The chairman receives a salary of \$5,400 per annum plus expenses. The other 2 members each receive \$4,800 per annum plus expenses. 11/

Each member must give bond to the State for \$50,000 conditioned for the faithful performance of his duties. 12/

The members of the Board are prohibited from engaging in any other business for compensation for their personal service during the time of their service on the Board. No contracts are entered into by the Board with any firm or corporation in which any member of the Board may have an interest or be a stock holder, nor with any relative of any member of the Board either by blood or marriage within the third degree. 13/

III. Reports

The Board must, at the end of each quarter, make a full and complete report to the Governor of its transactions. 14/

The State examiner and inspector must carefully examine and check over the entire transactions of the Board for the last quarter and make a detailed report to the Governor of his examination. 15/

9. Session Laws (1935), Ch. 20, Art. 8, Sec. 2.

To be eligible to receive such State funds, the orphan institution must have been regularly organized, operated and maintained for at least 2 years prior to the date of the appropriation, and must make satisfactory proof to the Board that it is adequately equipped and operated in manner sufficient to provide properly for such orphan, destitute and delinquent minor children under its care and supervision. Ibid, Art. 5, Sec. 3.

10. Statutes (1931), Sec. 3569.

11. Ibid, Sec. 3488.

12. Ibid, Sec. 3570.

13. Ibid, Sec. 3574.

14. Ibid, Sec. 3577.

15. Ibid, Sec. 3578.

IV. Executive

See "Composition and Appointment of Governing Body".

V. Staff

The positions under the Board are created, and the salaries of the employees are fixed by law. 16/

VI. Financial Provisions

Funds are appropriated to the Board from the funds in the State Treasury. 17/

Amount of Appropriation:

There is appropriated to the Board for maintenance the sum of \$124,200 for the period from July 1, 1935 to June 30, 1937. 18/

There is appropriated to the Board for dependent children the sum of \$180,000 for the period from July 1, 1935 to June 30, 1937. 19/

Limitation of Funds:

Salaries	\$ 95,800
Contractual services	24,200
Supplies	2,000
Equipment	1,000
Fixed charges	
Premium on bonds	1,200
Total	\$124,200 <u>18/</u>

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- 16. Statutes (1931), Sec. 3489.
 - 17. Session Laws (1935), Ch. 20, Art. 5, Sec. 1; S. B. No. 246, Sec. 1.
 - 18. Ibid, S. B. No. 246, Sec. 1.
 - 19. Ibid, Ch. 20, Art. 5, Sec. 1.

This appropriation is for the purpose of defraying the expenses of maintenance and supervision of Oklahoma orphans, destitute and delinquent children who are in orphan homes or institutions primarily devoted to the care of such children and which orphan homes or institutions are not State owned or operated, to be expended by the Board. Provided, that not more than \$30,000 is to be expended for maintenance and supervision of delinquent minor children. Ibid.

WARDEN OF THE STATE PENITENTIARY

AND

WARDEN OF THE STATE REFORMATORY

(Statutory Bodies) 20/

I. General Powers and Duties

(a) Wardens:

The Wardens must devote all of their time to the duties of their respective offices and must be in constant attendance in and about the respective institutions, and must not leave the county in which the institutions are located, except under such rules and regulations as may be prescribed by the Board. 21/

Warden of Penitentiary:

The powers and duties of the Warden of the Penitentiary are not specified by statute.

Warden of the Reformatory:

(1) The Warden is authorized to devote and use all or any part of suitable farm lands belonging to or leased or rented by the Reformatory in conducting an agricultural and horticultural pure seed farm, with the purpose of growing and producing pure bred, certified seed to be sold to and distributed for pay among the farmers of the State. 22/

(2) The Warden makes rules and regulations subject to the approval of the Board, to provide means and methods by which the public may send hides to the tannery and have the same tanned at a reasonable cost, and for the sale at cost of harness, so manufactured, to farmers or teamsters in the State. 23/

(b) State Board of Public Affairs:

(1) The Board prescribes rules and regulations for the conduct and management of the institutions. 24/

20. Any person convicted of a felony in the State may serve such term for which he may be sentenced at either the Penitentiary or the Reformatory in the discretion of the judge passing the sentence. Statutes (1931), Sec. 5296.

All persons between the ages of 16 and 25 years convicted of any crime whose punishment is imprisonment, may be confined at either of the institutions at the discretion of the Board; and all persons between said ages, whose sentence does not exceed 5 years, may be confined at either institution at the discretion of the court passing the sentence. Statutes (1931), Sec. 5307.

21. Statutes (1931), Sec. 5362.

22. Ibid, Sec. 5327.

23. Ibid, Sec. 5300.

24. Ibid, Sec. 5300.

I. General Powers and Duties (Cont'd)

(b) State Board of Public Affairs: (Cont'd)

(2) The Board has authority to install and equip such business enterprises not prohibited by the Constitution as will employ the inmates of the institutions. 25/

(3) The Board may, at its discretion, transfer prisoners from the Penitentiary to the Reformatory and may likewise transfer prisoners from the Reformatory to the Penitentiary when in its judgment it is necessary to do so, to separate the confirmed and incorrigible criminals from those who do not require restrictions that the confirmed criminal requires. 25/

(4) The Board has authority to work any person sentenced to the Penitentiary on the public roads of the State, or on any public buildings or on any other kind of work deemed advisable by the Board where the same is not in conflict with the Constitution or the Laws of the State. In addition to the aforementioned kinds of work, the Board may work prisoners of the Reformatory in the granite quarries. 26/

(5) The Board examines into and investigates all applications for pardons, paroles, reprieves, and commutations, together with all applications to remit fines and penalties, and may report its recommendations to the Governor. 27/

(6) When the institutions become self-sustaining, the Board is empowered to provide for compensation in part for work done or service rendered by any convict, the amount being allowed by the Board to be kept by the Warden for the convict and given to him when liberated, or to be paid to the family or any person or persons dependent on the convict, upon his order, as such money is earned by him, all within the discretion of the Board. 28/

Powers specific to the Penitentiary:

(1) The Board is empowered to install a plant for fabricating structural steel for bridges for the several counties in the State, and for the construction of public buildings of the State, or any of its subdivisions, to purchase such steel as may be necessary for such work and to distribute the same upon receipt of the cost of the steel F.O.B. the site of the Penitentiary, plus the cost of the manufacture. 29/

25. Statutes (1931), Sec. 5300.

26. Ibid, Sec. 5303, 5310.

27. Ibid, Sec. 5305.

Every convict who has no infraction of the rules and regulations of the prison or laws of the State recorded against him and who performs in a faithful, orderly and peaceable manner the duties assigned to him may be allowed a deduction for his term. Ibid, Sec. 5342.

28. Statutes (1931), Sec. 5347.

29. Ibid, Sec. 5317.

I. General Powers and Duties (Cont'd)(b) State Board of Public Affairs: (Cont'd)Powers specific to the Penitentiary: (Cont'd)

(2) The Board is authorized to establish a binder twine plant or factory at the Penitentiary. 30/

(3) The Board is authorized and directed to establish a factory to manufacture such farm wagons and implements as may be manufactured without infringing patents, and to sell the wagons and implements to farmers who are bona fide residents of the State at actual cost. 31/

(4) The Board is authorized and directed through the Warden to operate a mine or mines located on State owned lands acquired for that purpose. 32/

(5) The Board must supply coal to the various State institutions as may be provided by law. 33/

(6) The Board is authorized and directed to construct and equip a Substation of the Penitentiary which is to be recognized, maintained and operated as part of the Penitentiary under the same control and management as the Penitentiary. 34/

(7) The Board, in its discretion, may cause prisoners sentenced to the Penitentiary to be cared for at the Substation of the Penitentiary because of their respective general conditions. 34/

Powers specific to the Reformatory:

The Board has the control of the tannery and the harness and shoe factory at the Reformatory. 35/

II. Composition and Appointment of Governing Body

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

30. Statutes (1931), Sec. 5318.

31. Ibid, Sec. 5323.

32. Ibid, Sec. 5334, 5335.

33. Ibid, Sec. 5337.

34. Ibid, (1934 Supp.), Sec. 5322(a).

Use of Substation: The Substation must be used for prisoners whom the Board believes should not be confined in the Penitentiary because of their condition, especially those in a tubercular condition or having other contagious diseases. Ibid, Sec. 5322(b,a).

35. Statutes (1931), Sec. 5329.

III. Reports

In connection with the binder twine plant, the Board must make a report in duplicate at the close of each month, one to the State Treasurer and another to the Governor, giving the name and residence of the persons from whom all receipts were had or collections made. 36/ See "Reports" under "State Board of Public Affairs".

IV. Executive

The Governor with the consent of the Senate appoints the Wardens who hold office at the Governor's pleasure, and their terms of office expire with the expiration of the term of office of the Governor making the appointments and until their successors are appointed and qualified. 37/

The Warden of the Penitentiary receives a salary of \$4,800 per annum and in addition is supplied with a furnished residence and receives goods out of the commissary at the Penitentiary at actual cost to the State. The Warden of the Reformatory receives a salary of \$3,000 per annum, and is furnished living quarters. 38/

The Warden of the Reformatory must enter into a bond to the State in the sum of \$20,000 for the faithful discharge of his duties, which bond must be approved by the Governor. 39/ There is no provision for bond for the Warden of the Penitentiary.

V. Staff

The Wardens, with the consent of the Board, appoint officers and employees of the institutions whose number, functions, and compensations are fixed by law. 40/

The Board may employ such persons as are necessary for the construction and operation of any building, factory, shop, business or enterprise connected with the institutions. 41/

All officers and employees must, at the discretion of the Board, give bond to the State for the faithful performance of their duties with such conditions and in such amount as may be fixed by the Board, the same to be approved by it. 42/

36. Statutes (1931), Sec. 5321.

37. Ibid, Sec. 5349.

38. Ibid, Sec. 5358, 5350.

39. Ibid, Sec. 5355.

40. Ibid, Sec. 5350, 5358.

The Wardens may, with the consent of the Board, employ such employees as are necessary at salaries as follows: persons working 8 out of 24 hours receive \$100 per month, those working 12 out of 24 hours receive \$125 per month. The Wardens may also furnish the officers and employees goods out of the commissary at the actual cost to the State. Ibid.

41. Statutes (1931), Sec. 5300.

42. Ibid, Sec. 5356.

V. Staff (Cont'd)

No members of the Board, Wardens, or other officers or employees of the institutions may be interested, directly or indirectly in any contract for the construction or erection of any building or buildings, or any purchase or equipment for any building of either institution. 43/

The Board is authorized to employ a person who understands the manufacture of farm wagons and implements to act as superintendent of the farm wagon and implement factory. He receives a salary fixed by the Board, not to exceed \$3,600 per annum, such amount to be paid from the Farm Wagon and Implement Revolving Fund. 44/

The Board is authorized to employ a suitable person who is well versed in tanning of hides and a suitable person who is well versed in manufacturing harness and shoes who must teach designated inmates of the Reformatory the art of preparing and tanning hides and manufacturing harness and shoes. 45/

VI. Financial Provisions

Funds are appropriated from the general revenue fund of the State. 46/

The State Prison Revolving Fund consists of all appropriations made for such purpose and includes all net profits of all business enterprises carried on by the institutions under the supervision of the Board. 47/

43. Statutes (1931), Sec. 5363.

44. Ibid, Sec. 5324.

45. Ibid, Sec. 5330.

46. Session Laws (1935), H. B. 406, Sec. 1.

47. Statutes (1931), Sec. 5312.

The prison revolving funds for the institutions are kept separately. Each fund is available for the purpose of carrying on all industrial enterprises at the respective institutions authorized by law. Statutes (1931), Sec. 5311.

Use of funds: These funds are used for the purchase of all materials necessary in carrying on the various forms of business in the prisons, to pay the fees and expenses of surgical operations on the inmates, and for other uses authorized by the Constitution. No institution may draw upon the funds earned by another except by act of the Legislature. Statutes (1931), Sec. 5315.

VI. Financial Provisions (Cont'd)

Out of the fund appropriated for the establishment of a binder twine plant, a revolving fund is set up. 48/

All money received from the sale of farm wagons and implements manufactured in the Penitentiary farm wagon and implement factory is paid into the Farm Wagon and Implement Revolving Fund. 49/

The money received from the sales of seeds by the Warden are deposited in the revolving funds of the Reformatory. 50/

All money received from the sale of the products of the tannery and harness and shoe factory are paid into the Tannery, Harness and Shoe Revolving Fund of the Reformatory. 51/

Amount of Appropriation:

There is appropriated the sum of \$1,911,400 for the period from July 1, 1935 to June 30, 1937. 52/

48. Statutes (1931), Sec. 5319, 5320.

The sum of \$125,000 was appropriated for this purpose with the provision that not more than \$75,000 was to be used to purchase, erect and equip the necessary buildings for the plant; the balance, including any part of the \$75,000 not utilized for the specified purpose, constitutes a revolving fund. The revolving fund so set up is for operating the plant, marketing the manufactured products and defraying other expenses prescribed by law. The employees of the factory are paid from this fund. Ibid.

49. Statutes (1931), Sec. 5325, 5326.

The sum of \$25,000 was originally appropriated for the purpose of establishing the factory. The revolving fund is used for the purchase of materials, supplies and equipment found by the Board necessary for the operation of the factory. Ibid.

50. Statutes (1931), Sec. 5328.

See "Wardens" under "Powers and Duties".

51. Statutes (1931), Sec. 5331.

Use of funds: These funds may be used in a manner and form prescribed by law for revolving funds in the State in purchasing raw material, equipment, machinery and supplies for the operation of the tannery and harness and shoe factory, and for such other purposes at the Reformatory as may be prescribed by the Board. Ibid.

52. Session Laws (1935), H. B. 406, Sec. 1.

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

Salaries . . . . .	.\$	327,600	
Maintenance		1,000,000	
To be used in case of increase in number of inmates . .		25,000	
Addition to prison yard <u>53/</u>		40,000	
Construction of additional cell house <u>53/</u>		60,000	
Construction of a power house and remodeling of dining room and kitchen <u>53/</u>		50,000	
Total . . . . .	.\$	1,502,600	<u>54/</u>

Reformatory:

Salaries . . . . .	.\$	138,800	
Maintenance		210,000	
Laundry and equipment, tailor shop, ice plant, shoe shop, equipment, industrial building and electrical repairs		60,000	
Total . . . . .	.\$	408,800	<u>54/</u>

53. Session Laws (1935), S. B. 261, Sec. 1.

54. Ibid, H. B. 406, Sec. 1.

SUPERINTENDENTS OF CENTRAL 55/, WESTERN, AND
EASTERN STATE HOSPITALS FOR THE INSANE, AND
THE STATE HOSPITAL FOR THE NEGRO INSANE

(Statutory Body) 56/

I. General Powers and Duties

(a) Superintendents:

(1) The Superintendent must personally supervise and inspect all parts of the institution and generally direct the care of the patients. 57/

55. The Soldiers' Relief Commission must erect a ward building at the Central State Hospital to care for ex-service persons including ex-Confederate soldiers suffering from nervous afflictions. Statutes (1931), Sec. 12100, 12101.

56. The patients admitted to these hospitals are divided into 3 classes:
(1) Public patients who are insane and kept at the expense of the State;
(2) private patients who are insane and kept without expense to the State;
(3) voluntary patients, who are not insane, and are kept without expense to the State. Ibid, Sec. 5000.

No resident of the State may be held as a patient except upon a certificate of insanity made by 2 physicians and an order of admission to the hospital by the court. Ibid, Sec. 5003, 5004.

Specified relatives or proper officers may petition the county court for an order of admission of a person to one of the insane hospitals. The court must investigate the facts stated in the petition before making the order. The alleged insane person may be present at the hearing if conditions so permit his appearance, and a jury may be summoned at his request. If such person is found to be insane, the court may commit him to one of the hospitals. Ibid, Sec. 5005.

If a bond is issued in favor of an insane person together with an advance payment for his support, he may be admitted as a private patient, otherwise he is considered a public patient. The county in which the proceedings are held is responsible for the support of such patient until the bond and advance payment are delivered. (This section is unconstitutional insofar as it attempts to impose expenses of maintaining public patients in the insane hospitals on the county of commitment or residence. Board of Commissioners v. State, 122 Oklahoma 268, Pac. 710.) The court may admit insane persons to institutions other than State hospitals. Ibid, Sec. 5009.

The court may order those relatives legally liable for the support of an indigent insane person to pay for such person's expenses incurred by the State. Ibid, Sec. 5010.

Persons maintaining an insane person as a private patient may petition the court to change his status to that of a public patient. Any person maintained as a public patient may change his status to that of a private patient by delivering to the county court a bond and an advance payment for his support. Ibid, Sec. 5011, 5012.

Voluntary patients may be committed on petition and hearing as any other patient, and provisions for payment are as those of a private patient, except that such person may be only mentally afflicted but not insane. Ibid, Sec. 5018.

57. Statutes (1931), Sec. 5000.

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

(2) The Superintendent must personally examine the condition of each patient after his admission to the hospital, and regularly visit all the wards and apartments for patients at such times as the rules and regulations of the hospital prescribe and at such other times as he deems necessary. 58/

(3) The Superintendent must maintain salutary discipline among the employees of the institution and enforce strict compliance with his instructions and uniform obedience to all rules and regulations of the Hospital. 58/

(4) The Superintendent must establish and supervise a training school for attendants and nurses under rules and regulations of the Hospital. 58/

(5) The Superintendent may use every proper means to furnish employment to such patients as may be benefited by regular labor suited to their capacity and strength. 59/

(6) The Superintendent of a public or private institution may, when there is room for such voluntary patients, after providing ample accommodations for all public and private patients entitled to admission to the institution, receive and detain as a boarder and patient, any resident of the State who is desirous of submitting himself for treatment as a private patient, who makes written application therefore, and whose mental condition is such as to render him competent to make such application. 60/

(7) Whenever any inmate, who has been committed to an insane hospital from an eleemosynary institution, has been restored to soundness of mind, the Superintendent of the hospital to which he had been committed must so certify in writing to the Superintendent of the institution, who must on receiving such certificate, send for and receive back such inmate into the institution. 61/

58. Statutes (1931), Sec. 5000.

59. Ibid.

No payment is made or credit given on account of any labor done by any patient while an inmate of the hospital. Ibid.

60. Statutes (1931), Sec. 5006.

In such cases the approval of the judge of the county court of the county where such person resides must be obtained, and such person must not be detained for more than 3 days after having given written notice of his intention or desire to leave such institution. The rate of charge and the rules of admission for insane patients so far as is not inconsistent, applies to such voluntary patients. Ibid.

61. Statutes (1931), Sec. 5014.

The court may cause any inmate of any eleemosynary institution to be examined whom the Superintendent believes to be insane. If such person is adjudged insane, he may be committed as a public patient to the hospital of the district in which such eleemosynary institution is located. Ibid.

I. General Powers and Duties (Cont'd)

(a) Superintendents: (Cont'd)

(8) The Superintendent of any hospital for the insane may make application to the Board of Public Affairs governing the hospital of which he is Superintendent, to transfer any insane person in said hospital, who is supported by the State, who exhibits unmistakable, dangerous or homicidal tendencies rendering his presence a source of danger to others. The Board must investigate the facts and report to the Governor who may, in his discretion order the transfer of such person to the Central State Hospital. 62/

(9) The Superintendent of a hospital may grant a parole to a private patient, not exceeding 30 days at one time. 63/

(10) The Superintendent may discharge any patient who in his judgment is recovered and any patient who has not recovered, but whose discharge is not injurious to the public or to the patient. 64/

(b) State Board of Public Affairs:

(1) The government and exclusive control of the hospitals is vested in the Board. 65/

(2) The Board may accept and hold in trust for the State, any grant or devise of land, or any donation or bequest of money, or other personal property, to be applied to the maintenance of insane persons and the general use of their respective hospitals. 65/

(3) The Board takes charge of the general interests of the hospitals, establishes such by-laws, rules and regulations for fixing conditions of admission, support and discharge of patients, and for conducting in a proper manner the business of the hospitals, and also for the internal government, discipline and management of the same. 65/

(4) The Board must maintain an effective inspection of the hospitals for which purpose a committee must visit once every 3 months, and the whole Board at least once a year, and at such other times as may be prescribed in the by-laws. 65/

62. Statutes (1931), Sec. 5016.

63. Ibid, Sec. 5012.

64. Ibid, Sec. 5021, 5023.

Before ordering such discharge, the Superintendent must send notice to the friends of such patient or to the proper officer of the county whence he came, and if such patient is not removed within 10 days thereafter, he must be returned to his home and friends or proper officer. A discharged patient may be readmitted under the original order of commitment at any time within 6 months after the date of such discharge, but thereafter he may be readmitted only upon a new adjudication of insanity. If a patient has been discharged by the court he cannot be admitted again except upon a new adjudication of mental disability. Ibid.

65. Statutes (1931), Sec. 4996.

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

(5) The Board must meet at least twice each year, at each of the different hospitals, at such times as may be prescribed by its by-laws. The Superintendents and State Commissioner of Health must meet with them, and the joint meeting acting under such rules and by-laws as they may adopt, by and with the advice and consent of the Superintendents, may transfer patients from one hospital to another if for any cause it may become necessary or desirable. 66/

(6) The Board, the Superintendents and the State Commissioner of Health in joint meetings, may divide the State into hospital districts. 67/

(7) The Board may admit indigent patients as voluntary patients to the hospitals without charge. 68/

(8) The Board may cause any person who has been committed to a hospital, but who has not acquired a legal residence in the State, to be removed as soon as possible to the county, or State to which he belongs. 69/

(c) Steward:

(1) The steward, under the direction of the Superintendent is accountable for the careful keeping and economical use of all furniture, stores and other articles provided for the hospital and under the direction of the Superintendent. 70/

(2) The steward makes all requisitions for the hospital except such as are made by the Superintendent, and preserves the original bills and receipts thereof, and keeps full and correct accounts of the same, and copies of all orders drawn by himself upon the Board. 70/

66. Statutes (1931), Sec. 4996.

67. Ibid, Sec. 4999.

These districts must contain as nearly as may be, a population proportioned to the capacity of the several hospitals; and the several counties must be so located in the several districts as to promote, as far as possible, convenience of travel to and from the hospitals to which they are assigned.

Commitment within the districts: The county court must direct the admission of any patient to the hospital of the district in which he resides. If it is set forth that there is no room in said hospital, then he may be admitted to a hospital of another district. Ibid.

68. Statutes (1931), Sec. 5018.

For admission of voluntary patients see footnote 56.

69. Statutes (1931), Sec. 5019.

The hospitals are intended for the benefit of the bona fide residents of the State. A non-resident may be admitted to a hospital to receive such temporary care as he may require pending his return to his home. Ibid.

70. Statutes (1931), Sec. 5001.

I. General Powers and Duties (Cont'd)

(b) State Board of Public Affairs: (Cont'd)

(3) The steward has general oversight and charge of all the industrial departments of the hospital and of its farming operations, and of such other business as may be prescribed by the by-laws or directed by the Board. 71/

II. Composition and Appointment of Governing Body

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

III. Reports

The Board, in the month of January of each alternate year, must report to the Governor detailing the operations and actual state of the hospitals and the results of its visits and inspections with suggestions, accompanied by the report of the Medical Superintendents, Stewards, etc. The Board must keep a book provided for that purpose, giving a record of all its doings, which may be open at all times to inspection of the Governor, and all persons whom he, or either house of the Legislature may appoint. 72/

The Superintendent must see that all accounts and records are fully made up to the last day of June of each year, and that the principal facts and results with his report thereon be at that time presented to the Board. The Superintendent must also furnish reports whenever required by the Board. 73/

The Superintendent of the poor in each county must transmit to the Secretary of the Board of Charities and Corrections annually the name and age of each insane person in the poorhouse of the county or elsewhere receiving county aid in any form. Every county, city or town officer to whom application for aid in behalf of any insane person is made, must at once report the name and age of such insane person to the Commissioner of Charities and Corrections. The Superintendents must report quarterly to the Commissioner of Charities and Corrections the names and ages, the date and circumstances attending the discharge, removal, escape or death of all public patients. 74/

IV. Executive

The Board appoints and fixes the salary of a Superintendent who is the chief executive officer. He must be well educated, a legally registered physician and experienced in the treatment of the insane. 75/

71. Statutes (1931), Sec. 5001.

72. Ibid, Sec. 7996.

73. Ibid, Sec. 5000.

74. Ibid, Sec. 5028.

75. Ibid, Sec. 4996, 5000.

V. Staff

(a) Appointed by the Board:

The Board appoints, upon the nomination of the Superintendent, an Assistant Superintendent and necessary physicians, a steward, and a chaplain. All medical officers must be legally registered physicians. 76/

The Board determines the salaries of the officers of the asylum under its charge, and establishes rules as it deems necessary for regulating the appointment and duties of officers, attendants, assistants and employees. 76/

(b) Appointed by Superintendent:

The Superintendent nominates his co-resident officers, assigns them their duties subject to the by-laws. He may suspend a resident officer for good cause, but in such case he must notify the Board in writing. 77/

The Superintendent appoints, with the approval of the Board, as many other assistants and attendants as he may think necessary for the economical and efficient performance of the business of the hospital, and prescribes their several duties and places and fixes with the approval of the Board, their compensation. He may discharge any of them at his sole discretion, but in every case he must record the same with the reasons in one of the books of the hospital. 77/

VI. Financial Provisions

Funds are appropriated from the general revenue fund of the State. 78/

There is a revolving fund for the Central Oklahoma Hospital, the Western Oklahoma Hospital and the Eastern Oklahoma Hospital 79/, which consists of all appropriations made for such purpose, and includes all earnings or profits in the conduct and management of the institutions and carrying on the things or business by such institutions as may be authorized by law. 80/

There is a revolving fund in the Hospital for the Negro Insane, into which is paid all receipts from the sale of any products raised upon the farms or produced in the institution. 81/

76. Statutes (1931), Sec. 4996.

77. Ibid, Sec. 5000.

78. Ibid, Sec. 5007.

79. Ibid, Sec. 5437.

80. Ibid, Sec. 5442.

The funds may be used for the purchase of material, supplies and everything necessary in the management and conduct of any and all industries connected with such institution. None of the fund may be used for the payment of the salary of any employee. Ibid.

81. Session Laws (1935), Ch. 26, Art. 3, Sec. 1.

The sum of \$1,000 was appropriated for the fund when it was created. Ibid.

VI. Financial Provisions (Cont'd)

No appropriation for the use of the hospitals may go into or become a part of a revolving fund, unless specifically so provided in the Act making such appropriations. 82/

All moneys received for the care and treatment of patients by the Western Oklahoma Hospital, the Central State Hospital 83/, and the Eastern Oklahoma Hospital are paid into the treasury of the State to be placed in a fund for each institution to be known as the Hospital Fund for the Institution, from which funds the Legislature may make appropriations for the support and maintenance of the Institution. 84/

Amount of Appropriation:

The sum of \$2,435,500 is appropriated to the hospitals for the period from July 1, 1935 to June 30, 1937. 85/

Limitation of Funds:

Central State Hospital:

Salaries	\$330,000
Maintenance	460,000
Repairs, boiler and equipment	<u>100,000</u>
Total	\$890,000 <u>86/</u>

Eastern State Hospital:

Salaries	\$326,000
Maintenance	447,500
Repairs and equipment	<u>30,000</u>
Total	\$803,500 <u>85/</u>

Western State Hospital:

Salaries	\$160,000
Maintenance and repairs	<u>340,000</u>
Total	\$500,000 <u>85/</u>

82. Statutes (1931), Sec. 5448.

83. Session Laws (1935), Ch. 64, Art. 2, Sec. 3.

There is appropriated the sum of \$69,000 from the Soldiers' Relief Commission fund of the Central State Hospital for building and equipping a memorial chapel for the use and benefit of ex-service persons at veterans' wards at the Hospital. Of the appropriation, \$60,000 may be used for the construction of the building and \$9,000 for equipping the chapel. Ibid.

84. Statutes (1931), Sec. 5449.

85. Session Laws (1935), H. B. No. 406, Sec. 1.

86. Ibid.

The above amount is appropriated from (a) General Fund of the State, \$875,000; (b) Hospital Fund, \$15,000. Ibid.

VI. Financial Provisions (Cont'd)

Limitation of Funds: (Cont'd)

State Hospital for Negro Insane,

Salaries	\$ 92,500
Maintenance	114,000
Bakery, repairs, refrigeration and equipment	35,500
Total	\$ 242,000 <u>87/</u>

SUPERINTENDENT OF THE NORTHERN STATE HOSPITAL 88/

(Statutory Body)

I. General Powers and Duties

(a) Superintendent:

(1) Upon receiving an order of commitment from the court for the admission of a feeble-minded or idiotic woman, the Superintendent must, if there is room for more inmates, or as soon as there is room, notify the clerk of the court that the person will be received when brought to the institution. 89/

87. Session Laws (1935), H. B. No. 406, Sec. 1.

88. The institution cares for, trains, supports and instructs feeble-minded children, and cares for, supports and controls female imbeciles between the ages of 16 and 45. Statutes (1931), Sec. 5122.

The term "feeble-minded" is held to include all imbecile and idiotic persons of whatever grade who are not insane. The term "adult female" is held to include all females 16 years of age or over. Statutes (1931), Sec. 5125.

Any person may file with the clerk of the county court his verified petition stating: that, some woman, (naming her), in the county is not being properly cared for by those who have her in charge; that she is over 16 and under 45 years of age; that she is not insane; that she is not pregnant; that she is idiotic or feeble-minded; and that she is in good bodily health. Statutes (1931), Sec. 5138.

The judge of the court may pass upon such petition after examining witnesses, among whom must be at least one physician, to prove the truth or falsity of such petition. Statutes (1931), Sec. 5139.

If the court finds all the allegations set forth to be true, and that the woman is a proper person to be cared for in the asylum department of the hospital, it must make an order committing her to the hospital. Statutes (1931), Sec. 5140.

89. Statutes (1931), Sec. 5141, 5142.

I. General Powers and Duties (Cont'd)

(a) Superintendent: (Cont'd)

(2) The Superintendent must pay special attention to the physical well-being of the inmates. 90/

(3) The Superintendent with the approval of the Board may transfer any inmates from the training school department to the asylum department or vice versa. 91/

(4) The Superintendent may employ the adult female inmates who are capable of domestic or other labor in any part of the institution where their labor can best be utilized. 92/

(b) State Board of Public Affairs:

The State Board of Public Affairs which constitutes the Board of Control of the Northern Oklahoma Hospital has the following powers and duties:

(1) Forms for application for admission of inmates are prescribed by the Board with the approval of the Governor and in accordance with the law. Blank forms for application are provided by the Board and are furnished without charge to any person making application. 93/

(2) Until a special institution for epileptics is established by the State, the Board may admit epileptics to the hospital so far as there is room for them, under such rules and regulations as may be prescribed by the Board and approved by the Governor. 94/

(3) The Board may receive feeble-minded children between the ages of 5 and 16 upon application by the father, if father and mother are living together; if they are not living together, then by the one having the custody of the child; by a guardian duly appointed; by the superintendent of any county almshouse; by persons having the management of any institution or asylum where children are cared for; or by the trustee of any township in Oklahoma. 95/

(4) The Board may establish rules and regulations for the admission of persons over 16 years of age, residents of the State, and also for the discharge and dismissal of such persons whenever the Board considers the same necessary for the benefit of the person or the hospital. 96/

90. Statutes (1931), Sec. 5127.

91. Ibid, Sec. 5124.

The institution is divided into 2 departments, viz., a training school department and an asylum department. The inmates of the training school department are the feeble-minded and imbecile children of the higher grade who are capable of receiving instruction. The inmates of the asylum department are the feeble-minded and idiotic children of the lower grade, incapable of receiving instruction. Ibid.

92. Statutes (1931), Sec. 5124.

93. Ibid, Sec. 5133.

94. Ibid, Sec. 5122.

95. Ibid, Sec. 5128.

96. Ibid, Sec. 5129.

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

(5) The Board may receive inmates for whom application is made or female adults who may be committed, as soon as there is room for them in the order of application or commitment. 97/

(6) The Board must receive, upon application for admission, all feeble-minded persons under 16 years of age, and all feeble-minded persons upon full payment of maintenance. 98/

(7) The Board may accept a smaller sum from persons who are not able to pay the full cost of care and maintenance. 99/

(8) The Board may receive on application, certified by the county commissioners of the county wherein the applicant resides, feeble-minded children whose parents or estate are able to pay only a part of the cost of their maintenance, such partial amount being all that the applicant is able to pay. The remainder of the cost of such inmate is at the expense of the State. 100/

(9) The Board may admit the feeble-minded children of poor parents, and other destitute or dependent feeble-minded children without charge. 101/

(10) The Board may receive on application certified by the commissioners of the county wherein the applicant resides, feeble-minded children whose parents or estate are wholly unable to defray any part of the cost of their maintenance, which children must be wholly supported by the State. 102/

(11) The Board may, if there is room available, receive non-residents of the State, and feeble-minded persons of any age who must pay a specified amount for care and maintenance. 103/

(12) The decision as to whether any person may be admitted without charge, or as to how much the charge may be for any person rests with the Board. 102/

(13) Subsequent to the admission of any person for whom payment must be made, the Board may change the amount of payment required from any such paying inmate to a higher or lower amount than that specified. 102/

97. Statutes (1931), Sec. 5125.

The Board may give preference of admission first to the committed female adults between the ages of 16 and 30; second to the committed female adults between 30 and 45. Ibid.

98. Statutes (1931), Sec. 5125. See footnote No. 108.

99. Statutes (1931), Sec. 5131.

No person over 16 years of age may be received unless the full specified amount in addition to the cost of clothing is paid by the person's parent or estate. See footnote No. 108.

100. Statutes (1931), Sec. 5132.

102. Ibid, Sec. 5133.

101. Ibid, Sec. 5131.

103. Ibid, Sec. 5122, 5130.

I. General Powers and Duties (Cont'd)

(b) State Board of Public Affairs: (Cont'd)

(14) The Board may retain all female adults committed to the hospital so long as it is advisable in its opinion for the benefit of any such female or of the State. 104/

II. Composition and Appointment of Governing Body

The State Board of Public Affairs is constituted the Board of Control of the Hospital. 105/

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

III. Reports

No provision.

See "Reports" under "State Board of Public Affairs".

IV. Executive

The Board appoints and fixes the salary of a Superintendent who must be qualified by experience, character, education and executive ability to have charge of the institution and of the mental, moral and physical care and training of the inmates. He holds office at the pleasure of the Board and is not removed except for cause, which must be stated in writing by the Board in the order of removal. 106/

The Superintendent must give bond for the faithful discharge of his duties. 106/

V. Staff

The Superintendent appoints such physicians, teachers, matrons, attendants, and other officers and employees as may be required. 106/

The Superintendent may remove any of the subordinate officers at any time, but only for cause, in which case he must report in writing to the Board at their next regular meeting the removal with the cause thereof. 106/

Officers or employees must be persons of good character and repute, and presumed ability to fill the office to which they are appointed. No officer or employee may be promoted except for proved merit. 106/

104. Statutes (1931), Sec. 5143.

The Board may release any such female adult in its discretion. It may release and discharge any such female who has reached the age of 45, or at any time when it is convinced that she was improperly committed to the hospital, or that any of the terms and conditions as to the commitment have not been complied with. Ibid.

105. Statutes (1931), Sec. 5119.

106. Ibid, Sec. 5126.

V. Staff (Cont'd)

The Board decides upon the number and fixes the salaries of all subordinate officers and other employees. 107/

The Board prescribes such methods of examination into the fitness of applicants for employment as it deems proper, but the responsibility for the employment and retention of every subordinate officer and employee rests wholly upon the Superintendent, subject to the approval of the Board. 107/

VI. Financial Provisions 108/

Funds are appropriated from the general funds of the State. 109/

All moneys collected from the earnings of the institution must be placed in and to the credit of the general maintenance fund of the institution. 110/

There is a revolving fund for the Hospital 111/ which consists of all appropriations made for the Hospital, and includes all earnings or profits in the conduct and management of the Hospital. 112/ The fund may be used for the purchase of everything necessary in the management and conduct of any and all industries connected with or carried on by the Hospital, but none of the fund may be used for the payment of any salaries. 113/

No appropriations by the Legislature for the use of the Hospital may go into or become a part of the revolving fund, unless specifically so provided in the act making the appropriation. 114/

107. Statutes (1931), Sec. 5126.

108. Any person over 16 years of age who is received by the hospital must pay not less than \$175 per annum for care and maintenance. He must also furnish all requisite clothing as prescribed by the Board. Any person applying for the admission of a feeble-minded person must give bond with sufficient securities as may be required by the Board, for the payment of maintenance and care of such feeble-minded person. Statutes (1931), Sec. 5129.

Non-residents who are admitted must pay not less than \$300 per annum. Statutes (1931), Sec. 5130.

109. Session Laws (1935), H. B., Sec. 406, Sec. 1.

110. Statutes (1931), Sec. 5137.

111. Ibid, Sec. 5437.

112. Ibid, Sec. 5441.

113. Ibid, Sec. 5442.

114. Ibid, Sec. 5448.

VI. Financial Provisions (Cont'd)

Amount of Appropriation:

The sum of \$275,000 is appropriated for the period from July 1, 1935 to June 30, 1937. 115/

Limitation of Funds: 116/

Salaries	\$125,000
Maintenance	<u>150,000</u>
Total	\$275,000 <u>115/</u>

115. Session Laws (1935), H. B. 406, Sec. 1.

116. In the case of children of poor parents or other dependent children who are admitted and are unable to provide the outfit of clothing prescribed by the Board, such clothing is provided at the expense of the county from which the inmate comes. Statutes (1931), Sec. 5134. If the aforementioned children are unable to pay the cost of transportation to or from the institution, it must be provided by the county from which the inmate comes. Statutes (1931), Sec. 5135.

BOARD OF MANAGERS FOR CHILDREN'S INSTITUTIONS 1/

(Statutory Body)

I. General Powers and Duties

(1) The Board must manage the following institutions: the State Training School for White Boys, the State Industrial School for White Girls, Whitaker State Orphan Home, the West Oklahoma State Home for White Children, the State Training School for Colored Boys, the State Training School for Colored Girls, the Institute for Colored Deaf, Blind and Orphans. 1/

(2) The Board has charge of the 7 institutions but their financial and fiscal affairs must be managed by the Board of Public Affairs. 2/

(3) The members of the Board of Managers constitute a corporate body under name and seal of the "Board of Managers for Children's Institutions", with the right to sue in the corporate name and make and establish a common seal. 3/

(4) Each institution must be visited at least once in each quarter by one or more members of the Board. 4/

(5) The Board must instruct the inmates of the schools in such branches of industry, agriculture, mechanics, vocational subjects, domestic arts and such studies as will tend to make them self-supporting when they are dismissed from the institutions. The Board may introduce and carry on any branch of industrial education that it may deem conducive to the welfare of the inmates of each of the institutions. 5/

II. Composition and Appointment of Governing Body

The Board of Managers for Children's Institutions is composed of 5 members, appointed by the Governor, who hold office at his pleasure or until their successors are appointed and qualified. Whenever a vacancy occurs in the Board by death, resignation or otherwise, the Governor may fill the vacancy by appointment, for the unexpired term. 6/

1. Statutes (1931), Sec. 5147.

The Board of Managers for Children's Institutions was created by statute in 1919. "The statute creating this board has never been repealed, but for the past 10 years no appropriation has been made and no board appointed. The work of this board is carried on by this department (Charities and Corrections) and the State Board of Public Affairs" - - excerpt from letter to Howard B. Myers, Director, Division of Social Research, Works Progress Administration from Mabel Basset, State Commissioner of Charities and Corrections, April 27, 1936.

2. Statutes (1931), Sec. 5151.

3. Ibid, Sec. 5152.

4. Ibid, Sec. 5149.

5. Ibid, Sec. 5153.

6. Ibid, Sec. 5147.

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

The Board must elect from its own body a president, vice-president, and secretary, who hold their offices for one year, or until their successors are elected and qualified. Each member receives \$6 per diem and necessary traveling and hotel expenses incurred in the performance of his duties. 7/ The Board of Managers must meet once a month. 8/ A majority of the Board constitutes a quorum. 9/

III. Reports

A complete report of all proceedings of the monthly meetings of the Board of Managers must be sent to the Governor immediately after the adjournment of each meeting, by the Secretary of the Board. 8/

IV. Executive

The Board of Managers appoints an Industrial Supervisor for the 7 institutions. His compensation must not exceed \$150 per month and necessary expenses incurred in the discharge of the office. The Supervisor must work under the general direction of the Board and must perform such duties as the Board may prescribe. 10/

V. Staff

No provision.

VI. Financial Provisions

The salaries and necessary expenses of the Board members are paid out of the State Treasury from a fund created for that purpose. 11/

Amount of Appropriation:

No appropriation was made for the Board at the 1935 Session of the Legislature.

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7. Statutes (1931), Sec. 5148.
 8. Ibid, Sec. 5149.
 9. Ibid, Sec. 5152.
 10. Ibid, Sec. 5150.
 11. Ibid, Sec. 5148.

SUPERINTENDENTS OF WHITAKER STATE ORPHAN HOME 1/
WEST OKLAHOMA HOME FOR WHITE CHILDREN 1/
INSTITUTE FOR COLORED DEAF, BLIND, AND ORPHANS 2/

(Statutory Bodies)

I. General Powers and Duties

(a) Superintendents:

(1) The Superintendent of each Home, in returning any child to its county must report in writing to the county commissioners of the proper county, the action of the Board 3/, and the reasons 4/.

(2) The Superintendent, when there are more children in the counties admissable than can be received in the Home, must divide such admissions pro rata among the counties, according to the number of dependent children in each Home at the time of such admission. 5/

(3) The Superintendent must investigate persons who have applied in writing to the Board of Managers 3/, for permission to take a child from the Home by indenture or adoption and report in writing to the Board of Managers in such form as it may require. 6/

(b) Board of Managers for Children's Institutions: 7/

(1) The Board has the authority to admit to the Homes at its discretion, any child who is dependent or neglected regardless of its physical condition. 8/

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1. The State Board of Education and the State Board of Public Affairs must jointly district the State into 2 districts, one district from which white children must be committed to the Whitaker State Orphan's Home and the other district from which white children are committed to the West Oklahoma Home for White Children, and notify the county judges as to such districts made, and it is the duty of these judges to commit such children to the home located in the district in which the county is located; provided that children may be transferred from one home to another by joint order of the Boards. Statutes (1931), Sec. 5232.
 2. The purpose of the Institute is to care for, teach and train the unfortunate of the colored race in the rudiments of English, as in graded schools, and the practical and primary industries, such as may fit such unfortunates for the useful citizenship and make them self-helpful and self-reliant. Statutes (1931), Sec. 5249.
 3. No longer in existence. See Footnote No. 1 under "Board of Managers for Children's Institutions".
 4. Statutes (1931), Sec. 5203, 5222.
 5. Ibid, Sec. 5225.
 6. Ibid, Sec. 5227.
 7. No longer in existence. See Footnote No. 1 under "Board of Managers for Children's Institutions".
 8. Statutes (1931), Sec. 5197, 5220.

I. General Powers and Duties (Cont'd)(b) Board of Managers for Children's Institutions: (Cont'd)

(2) The Board must be appointed guardian of the person and estate of all children admitted to the Homes. This guardianship must continue during the minority of such children, unless sooner discharged by the proper court. 9/

(3) The Board must use special diligence in placing the children admitted to the Home in suitable family homes, which must be approved on written contracts, to remain there in the discretion of the Board or until they attain their majority. 10/

(4) The Board may, in its discretion, when any ward who is not indentured has become self-supporting, so declare the fact by resolution, and its guardianship will then cease and the child is entitled to its own earnings. 11/

(5) Whenever one or both of the parents of any ward of the Board, who is not indentured, have become able to support and educate the child, the Board may by resolution, restore the child to its parents, in which case the suitability of the home must be certified in the manner provided placing the children on indenture and thereupon the guardianship of the Board must cease. 12/

9. The institutions must be temporary homes for dependent and neglected children, where they must be retained only until they can be placed in family homes, in the discretion of the Board. There must be received into the Homes all children who have been declared to be dependent on the public for support, and they must be retained therein until they are 18 years of age, or they may be declared self-supporting and be released by order of the Board after 16 years of age, unless they have before that age been sent out. Statutes (1931), Sec. 5200, 5220.

10. Such contracts must provide for the education of the children in the public schools at least 6 months in each year; for teaching them some useful occupation; for kind and proper treatment where placed; and for the payment to the Board during each year of the contract; such sum of money as is named in the contract for use of the children. For children not on indenture and over 16 years of age, the contract may provide only for wages to be paid to the child or to the Board for his benefit. Every contract must contain a clause reserving the right to the Board to cancel or modify the contract, and may also contain a clause authorizing the person taking the child to cancel the contract at any time, within 60 days from the date of the contract, on returning the child to the Home free of expense. All moneys earned by the child or received from an indenture must be turned over to the child when for any reason the guardianship of the Board ceases. Statutes (1931), Sec. 5201, 5221.

11. Statutes (1931), Sec. 5203.

12. Statutes (1931), Sec. 5203.

Whenever any child is ordered by the Board to be returned to its county, the guardianship of the Board must cease, and the child must then again become a charge of the county from which it was sent. Ibid.

I. General Powers and Duties (Cont'd)(b) Board of Managers for Children's Institutions (Cont'd)

(6) The Board has the power to return to the counties from which they came those who, by reason of vicious habits or incorrigibility, cannot be placed or retained in family homes, or those who, in the opinion of the Board, based on the certificate of the physician of the Home, are of unsound mind or body, or who have some serious physical disability which prevents their being placed in family homes or learning trades. 13/

(7) The Board must obtain information as often as practicable from all the children placed in families from the Home, and secure the full performance of indenture contracts. 14/

(8) The Board must procure written reports concerning such children at least once in each 3 months, from the person to whom the child is indentured. 14/

(c) State Board of Public Affairs:

The Board has charge of the financial and fiscal affairs of the Schools. 15/

(d) State Agent:

(1) The Agent must visit at such times as the Board of Managers may direct, the children in families on indenture, and report the condition of such children and any failure of any person to comply with the terms of the indenture contracts. 16/

(2) The Agent must find suitable homes for the children and enter into contracts in writing when so authorized by the Board with persons taking such children. 17/

(3) The Agent has the power and authority to arrest and return to the Homes any ward who has left without being regularly discharged. 17/

(4) The Agent must act under the instructions of the Superintendent and county attorney of each county, when called upon to do so. 17/

13. Statutes (1931), Sec. 5203.

Whenever any child is ordered by the Board to be returned to its county, the guardianship of the Board must cease, and the child must then again become a charge of the county from which it was sent. Ibid.

14. Statutes (1931). Sec. 5226.

15. Ibid, Sec. 5151.

16. Ibid, Sec. 5204, 5222.

The county attorney must act as legal advisor of the Superintendent or State Agent in any matter within his county, in which the rights of persons or property of any inmate or applicant may be involved.

17. Statutes (1931), Sec. 5204, 5222.

II. Composition and Appointment of Governing Body

See "Composition and Appointment of Governing Body" under "Board of Managers of Children's Institutions". 18/

III. Reports

See "Board of Managers of Children's Institutions" 18/ and "State Board of Public Affairs".

The Board of Managers of Children's Institutions 18/ must report annually to the Governor and to the Commissioner of Charities and Corrections on June 30th or oftener if required. 19/

The Superintendent of the West Oklahoma Home for White Children must report annually to the Governor and to the Commissioner of Charities and Corrections. 20/

The State agent must report to the Superintendent the facts ascertained from his visits and investigations of homes where children have been placed on indenture, and he must show whether the indenture contracts are being faithfully executed. 21/

IV. Executive

The Board of Managers for Children's Institutions 18/ selects the Superintendents for the Institutions, who serve at the pleasure of the Board. 22/

The Superintendent of the Whitaker State Orphan Home must be a competent person who has a practical knowledge of the best methods of providing for dependent and neglected children. No provisions for his salary. 23/

The Superintendent of the West Oklahoma Home receives a salary of not to exceed \$1,800 per annum to be fixed by the State Board of Public Affairs. 24/

No provision is made for the salary of the Superintendent of the Institute for Colored Deaf, Blind, and Orphans.

18. No longer in existence. See Footnote No. 1 under "Board of Managers of Children's Institutions".

19. Statutes (1931), Sec. 5213.

20. Ibid, Sec. 5229.

21. Ibid, Sec. 5228.

22. Ibid, Sec. 5151.

23. Ibid, Sec. 5199.

24. Ibid, Sec. 5217.

V. Staff

The Board of Managers 25/ must select a matron, an industrial supervisor and such other officers and employees as may be needed by the Homes, all of whom hold office at the pleasure of the Board. 26/

The Board of Managers 25/ may employ 2 competent persons as agents for the Homes, who must act in that capacity during the pleasure of the Board. 27/

The Agent of the Whitaker State Orphan Home must have his bills for salary and necessary traveling expenses be sworn to by him, and then examined and allowed by the Board. 28/

The Agent of the West Oklahoma State Home receives a salary not to exceed the sum of \$1,800 per annum, to be fixed by the State Board of Public Affairs. 29/

No provision is made for salaries for the staff of the Institute for Colored Deaf, Blind, and Orphans.

VI. Financial Provisions

The funds for the institutions are appropriated from the general revenue fund of the State. 30/

Amount of Appropriation:

The following sums are appropriated to the institutions for the period July 1, 1935 to June 30, 1937. 30/

Whitaker State Orphan Home.	\$167,400
West Oklahoma Home for White Children	197,000
Institute for Colored Deaf, Blind and Orphans	131,200

25. No longer in existence. See Footnote No. 1 under "Board of Managers of Children's Institutions".

26. Statutes (1931), Sec. 5151, 5223.

27. Ibid, Sec. 5204, 5220.

28. Ibid, Sec. 5204.

29. Ibid, Sec. 5223.

30. Session Laws (1935), H. B. 406, Sec. 1.

The expense of transporting children to the Institutions and the expense of returning any of the children to their counties, after their admission to the Institutions, as improper inmates of the Institution must be paid by the county sending the children. Statutes (1931), Sec. 5207, 5225.

VI. Financial Provisions (Cont'd)

Limitation of Funds:

Whitaker State Orphan's Home 31/

Salaries . . . . .	.\$ 62,000
Maintenance	62,000
Repairs	400
Construction of power and ice plant from public building fund 32/	10,500
Erection of one dormitory 33/	30,000
Removal of old dormitory 33/	2,500
Total . . . . .	.\$167,400

West Oklahoma Home for White Children 34/

Salaries . . . . .	.\$ 43,000
Maintenance	70,000
For Building and Repairs 36/	84,000
Total . . . . .	.\$197,000

Institute for Colored Deaf, Blind, and Orphans 34/

Salaries . . . . .	.\$ 52,000
Maintenance	74,000
Repairs	5,200
Total . . . . .	.\$131,200

31. Session Laws (1935), H. B. 406, Sec. 1.
The expense of transporting children to the Institutions and the expense of returning any of the children to their counties, after their admission to the Institutions, as improper inmates of the Institution must be paid by the county sending the children. Statutes (1931), Sec. 5207, 5225.
32. Session Laws (1935), H. B. 406, Sec. 1; H. B. 565, Sec. 1; S. B. 130, Sec. 1.
33. Session Laws (1935), H. B. 406, Sec. 1; S. B. 190, Sec. 1.
There is a revolving fund for each of the Institutions which consists of appropriations made for such purpose, and includes all earnings or profits in the conduct and management of the Homes, dairy, farm, livestock department, and all other industries of the Institutions. The revolving fund of the West Oklahoma Home is under the supervision of the State Board of Agriculture. Statutes (1931), Sec. 5437, 5441, 5446.
The revolving funds may be used for the purchase of material, supplies and all necessities in the management and conduct of any and all industries connected with or carried on by the Institutions, but no part of the fund may be used for the payment of salaries. Statutes (1931), Sec. 5441, 5442.
No appropriation by the Legislature for the use of the Institutions may go into or become a part of the revolving fund, unless specifically so provided in the Act making the appropriation. Statutes (1931), Sec. 5448.
34. Session Laws (1935), H. B. 406, Sec. 1.
35. Ibid, S. B. 190, Sec. 1.

SUPERINTENDENTS OF

STATE TRAINING SCHOOL FOR WHITE BOYS
STATE INDUSTRIAL SCHOOL FOR WHITE GIRLS 1/
STATE TRAINING SCHOOL FOR COLORED BOYS
STATE TRAINING SCHOOL FOR COLORED GIRLS

(Statutory Bodies)

I. General Powers and Duties(a) Superintendents:

State Training School for White Boys
 State Training School for Colored Boys
 State Training School for Colored Girls

(1) Each Superintendent must keep a daily journal of proceedings of his institution, in which he must enter all infractions of the rules by any officer, teacher, or employee and must make a memorandum of every complaint made by any inmate and any infraction of the rules by any inmate, specifying the offense and the punishment awarded. The journal must be laid before the Board of Managers at its monthly meeting and at every special meeting when demanded. 2/

(2) The Superintendents must keep accurate accounts of all moneys received from the sale of articles manufactured in the institutions and of the amounts spent for machinery and material, care and support of the institutions and other things in any business or trade that may be carried on at the Schools. The Superintendents have charge of the business and temporary custody of the moneys received at the end of every month and must render to the State Treasurer an itemized account of moneys received and must pay such moneys to the State Treasurer to be placed to the credit of the funds of each School. 3/

Superintendent of School for White Girls:

(1) The Superintendent has the authority to make rules and regulations for the government and management of the School, and to define the duties of the officers and employees. All rules and regulations are subject to the approval of the Board of Managers. 4/

1. The purpose of the School for White Girls is to receive and provide a home and suitable training for all white girls committed to its care and guardianship by the county courts of the State, such training to consist of a thorough course in all branches of industrial education and domestic science. Statutes (1931), Sec. 5147.

2. Statutes (1931), Sec. 5171.

3. Ibid, Sec. 5172, 5176.

4. Ibid, Sec. 5190.

Board of Managers no longer in existence. See footnote No. 1 under "Board of Managers of Children's Institutions".

I. General Powers and Duties (Cont'd)

Superintendent of School for White Girls: (Cont'd)

(2) The Superintendent must receive to the extent and conditions afforded by the buildings belonging to the School, all girls committed to its care and guardianship. Such commitment must continue in force and effect until the girl has reached the age of 18 years, unless sooner discharged. 5/

(3) When it reasonably appears to the Superintendent that the discharge of any girl from the School is neither incompatible with the welfare of society nor detrimental to her own good, she may then be discharged or paroled by the Superintendent. 6/

(4) The Superintendent may place in the care of any resident of the State, who is the head of a family and of good moral character, any of the girls in the School, on such conditions and with such stipulations as the Superintendent may consent and agree to, subject to the approval of the Board. 7/

(b) Board of Managers for Children's Institutions: 8/

State Training School for White Boys
State Training School for Colored Boys
State Training School for Colored Girls

(1) The Board must receive to the extent of the means placed at its disposal, all persons committed to its care and guardianship as provided by law, and boys committed are required to remain at the Schools until they reach the age of 21 years, while the girls must stay until they are 18 years, unless sooner reformed. 9/

(2) The Board has the power to make such regulations as to food, clothing and bedding of the inmates of the Schools as health and circumstances may require. All rations, clothing and bedding must be plain and of good quality, and in sufficient quantity for the sustenance and well-being of the inmates. 10/

(3) The Board must at its regular meeting examine all of the different departments of the institutions and inquire into all matters concerning them, and the government, discipline, punishment, and employment of the inmates. 11/

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5. Statutes (1931), Sec. 5192.
 6. Ibid, Sec. 5194.
 7. Ibid, Sec. 5195.
 8. No longer in existence. See footnote No. 1 under "Board of Managers of Children's Institutions".
 9. Statutes (1931), Sec. 5161.
 10. Ibid, Sec. 5163.
 11. Ibid, Sec. 5164.

I. General Powers and Duties (Cont'd)(b) Board of Managers for Children's Institutions: (Cont'd)

State Training School for White Boys
 State Training School for Colored Boys
 State Training School for Colored Girls

(4) The Board must examine the doings and accounts of the Superintendents, the purchases, and sales, and whether the inmates are well clothed and fed and have the educational advantages which have been provided for. The Board must inquire into any allegations against the Superintendents or other officers and may for the purpose issue subpoenas to compel the attendance of witnesses and the production of papers and writings before them. 12/

(5) The Board must fix a uniform plan, under which it may determine the number of marks, or credits, each inmate has earned, as the condition of increased privileges or release from its control. 13/

(6) The Board may release from confinement any inmate when it believes that the release is not incompatible with the welfare of society or detrimental to his own good. No other petition or other form of application for the release of any inmate may be considered. 14/

(7) The Board may place in the care of any resident of the State, who is the head of a family and of good moral character, any of the inmates of the Schools on such conditions and with such stipulations as the Board may make. 15/

(8) The Board may, in its discretion, liberate any of the inmates, or may bind them by articles of indenture for that purpose to be entered into with any suitable person who will engage to instruct or educate such inmates in a proper manner according to the terms of such indenture. Such boys and girls must be placed in school at least 3 months in each year. 16/

(9) Parents may indenture their children, or any guardian may indenture a ward to the State Training Schools for any length of time as may be agreed upon by the parents or guardians and the Board, on condition that the parents or guardians must pay the expenses of the children so indentured. 17/

12. Statutes (1931), Sec. 5164.

13. Ibid, Sec. 5165.

14. Ibid, Sec. 5167.

This must not be construed as impairing the power of the Governor to grant a pardon in any case upon the recommendation of the State Board of Pardons. Ibid.

15. Statutes (1931), Sec. 5168.

16. Ibid, Sec. 5173.

17. Ibid, Sec. 5174.

Whenever any parent, guardian or next friend of any child makes a complaint before any police magistrate or justice of the peace, that because of incorrigible or vicious conduct, such child has rendered his control beyond their power, and makes it manifest that a regard of the morals and welfare of the child requires that he or she should be placed under the guardianship of the State Training School, if such complaint be established by proof, the magistrate or justice of the peace must commit such child to the proper school for such term as the magistrate or justice deems proper. Ibid, Sec. 5176.

I. General Powers and Duties (Cont'd)State Industrial School for White Girls:

All girls committed to the School must be clothed, fed, disciplined, instructed, employed, and governed under the direction of the Board until discharged. 18/

(c) State Board of Public Affairs:

The Board has charge of the financial and fiscal affairs of all the Schools. 19/

II. Composition and Appointment of Governing Body

See "Composition and Appointment of Governing Body" of "Board of Managers for Children's Institutions". 20/

III. Reports

The Board of Managers 20/ must, on or before December 15th of each year, transmit to the Governor a report as of the preceding November, showing the financial condition of all institutions, except the Industrial School for White Girls, estimates of expenses for the next year, and such other facts as may fully show the entire workings of the institutions. 21/

The Superintendent of the Industrial School for White Girls must report at the close of each fiscal year to the Board of Managers 20/ the condition of the institution, a detailed financial statement, and an estimate of the expenses necessary for the following year. 22/

IV. Executive

The Board of Managers 20/ must select a Superintendent for each of the Institutions who holds office at the pleasure of the Board. The Superintendent of the Training School for White Boys receives a salary of \$3,000 per annum. The Superintendent of the Industrial School for White Girls receives a salary of \$2,500 per annum. No provision is made for the salaries of the Superintendents of the Training Schools for Colored Boys and Colored Girls. 23/

V. Staff

The Board of Managers 20/ must select a matron, an industrial supervisor, and such other officers and employees as may be needed by each School, who hold office at the pleasure of the Board. 19/

18. Statutes (1931), Sec. 5187.

19. Ibid, Sec. 5151.

20. No longer in existence. See footnote No. 1 under "Board of Managers of Children's Institutions."

21. Statutes (1931), Sec. 5169.

22. Ibid, Sec. 5191.

23. Ibid, Sec. 5151, 5157, 5189.

VI. Financial Provisions

The Schools are financed by appropriations from the general revenue fund of the State. 24/

Amount of Appropriation:

The following sums are appropriated to the Schools for the period July 1, 1935 to June 30, 1937. 24/

State Training School for White Boys	\$159,000
State Industrial School for White Girls	124,000
State Training School for Colored Boys	82,000
State Training School for Colored Girls	<u>16,500</u>
Total	\$381,500

Limitation of Funds:State Training School for White Boys: 25/

Salaries	\$ 60,000
Maintenance	72,000
For manual training equipment for the fiscal year ending June 30, 1936.	3,000
Repairs to building	15,000
Shop equipment	3,000
Livestock, sheds and fencing.	<u>6,000</u>
Total	\$159,000

State Industrial School for White Girls: 25/

Salaries	\$ 60,000
Maintenance	<u>64,000</u>
Total	\$124,000

24. Session Laws (1935), H. B. 406, Sec. 1.

There is a revolving fund for each of the State Training Schools for White Boys and for Colored Boys, which consists of all appropriations made for the School, and must include all earnings or profits in the conduct and management of the School. Statutes (1931), Sec. 5242, 5244, 5437, 5441. The funds may be used for the purchase of everything necessary in the management and conduct of all industries carried on by the Schools; provided no part of the funds may be used for the payment of the salary of any employee. Ibid, Sec. 5442, 5243.

25. Session Laws (1935), H. B. 406, Sec. 1.

The expense incurred in the transportation of the children to the Schools must be paid by the county from which they are committed. Statutes (1931), Sec. 5182, 5193.

VI. Financial Provisions (Cont'd)

Limitation of Funds: (Cont'd)

State Training School for Colored Boys: 26/

Salaries	\$ 35,000
Maintenance	35,000
Building material	<u>12,000</u>
Total	\$ 82,000

State Training School for Colored Girls: 26/

Salaries	\$ 6,000
Maintenance	9,000
Repairs	<u>1,500</u>
Total	16,500

26. Session Laws (1935), H. B. 406, Sec. 1.

The expense incurred in the transportation of the children to the Schools must be paid by the county from which they are committed. Statutes (1931), Sec. 5182, 5193.

COMMISSIONER OF CHARITIES AND CORRECTIONS

(Constitutional Body)

I. General Powers and Duties

(a) Commissioner:

(1) The Commissioner has the power to investigate the entire system of public charities and corrections, to examine into the condition and management of all prisons, jails, almshouses, reformatories, reform and industrial schools, hospitals, infirmaries, dispensaries, orphanages, and all public and private retreats and asylums, which derive their support wholly or in part from the State, or from any county or municipality within the State; and the officers of the institutions must promptly, upon demand, furnish the Commissioner with such information, relating to their respective institutions, as may be demanded by the Commissioner in writing. 1/

(2) The Commissioner may summon any person to appear and produce such books and papers as may be designated in the summons and to give testimony under oath concerning the matter and institution under investigation. The Commissioner may administer oaths to such persons as may be summoned, and enforce all such powers as are given to notaries public when they are taking depositions. 1/

(3) The Commissioner must visit, inspect and inquire into the conditions and management of all State penal, reform and correctional institutions; and all eleemosynary institutions at least once a year. 2/

(4) The Commissioner must inspect and inquire into the conditions and management of all city and county penal, correctional, and charitable institutions at least once each year, and makes recommendations in writing relating to their management and condition to the mayor, city council and the Board of County Commissioners. 3/

(5) At the request of the Governor, the Commissioner must investigate any State penal, correctional or eleemosynary institution against which complaint is made. 4/

(6) The Commissioner must visit, inspect and examine into the conditions, management and records of all hospitals, infirmaries, and dispensaries, retreats, lying-in hospitals, rescue homes, orphanages and foundling institutions and, after inspection and approval, he may issue a certificate authorizing them to operate for a period of one year from the date of issuance; such certificate may be revoked by the Commissioner for cause; notice of such revocation first being given. 5/

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1. Constitution, Sec. 13545.
 2. Statutes (1931), Sec. 3601.
 3. Ibid, Sec. 3602, 3603.
 4. Ibid, Sec. 3604.
 5. Ibid, Sec. 3606.

I. General Powers and Duties (Cont'd)

(a) Commissioner: (Cont'd)

(7) The Commissioner may institute, in the name of the State, prosecutions in the county in which the offense was committed for any violation of the law in connection with the institutions. 6/

(8) The Commissioner must investigate all complaints made in the form of a sworn affidavit against such hospitals, infirmaries and dispensaries, retreats, lying-in hospitals, rescue homes, orphanages and foundling institutions, together with all baby farms of whatever name or character, which are conducted by individuals for own personal gain or profit or which either charge for their services or subsist wholly or in part by money collected by subscription from the public as a charity. If the things complained of are found to be true, the Commissioner must order such places closed, and upon failure or refusal of the proprietors of such places to obey, the Commissioner may make complaint to a court of competent jurisdiction and ask that they be legally restrained from conducting said places, and if guilty of malpractice, mistreatment or any illegal act that they be punished according to law. 7/

(9) The Commissioner must inspect and examine into the methods and records of all orphanage childrens' aid, home-finding societies and all other similar organizations, whether incorporated or not, and formed for the purpose of adopting into families such foundlings, orphans and dependent children as come into their hands. If upon examination it is found that such corporations or organizations comply fully with the laws of the State governing them, the Commissioner must issue a certificate to that effect, which certificate will be in full effect for a period of one year from the date of the issuing thereof. The Commissioner may revoke such certificate at any time whenever it appears that the good morals and welfare of the beneficiary of the people demand it, and when the offending organization has a charter from the State he may ask that the charter be annulled and revoked. 8/

(10) On the complaint of one or more responsible citizens, in the form of a sworn affidavit against any county, city, private institution, corporation or organization coming within the scope of the Commissioner, the Commissioner must make a full investigation, and when the things and conditions complained of are found to be true, the Commissioner must order an abatement of the wrongful conditions by the institutions, corporations or organizations. In the event of a refusal to obey such order, the Commissioner may prosecute such officers of the public, private institutions, corporations or organizations in some court of competent jurisdiction. 9/

6. Statutes (1931), Sec. 3606.

7. Ibid, Sec. 3607.

8. Ibid, Sec. 3608.

9. Ibid, Sec. 3609.

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

(11) The Commissioner appears as "next friend" for all minor orphans, defectives, dependents and delinquents, who are inmates of any public institution maintained and operated by the State, county, city or municipality before the county court having probate jurisdiction. The Commissioner may ask that legal guardians be appointed for the estates of such minor orphans, defectives, dependents, and delinquents, when it appears that such persons have an interest in some estate, and he has such power and authority in any and all litigation where interests of such persons may require to be prosecuted or defended or instituted in any and all courts of the State. The Commissioner may intervene as "next friend" in cases of all minor orphans when it appears that an estate of such minor is being mismanaged. 10/

(b) Legislature:

The Legislature may take from or add to the duties of, or grant additional authority to the Commissioner. 11/

II. Composition and Appointment of Governing Body

The Commissioner is elected in the same manner, at the same time, and for the same term as the Governor. The Commissioner may be of either sex, must be 25 years of age or over, and must have been a qualified elector for 3 years next preceding his election. 12/ The Commissioner receives a salary of \$2,500 per annum 13/, and necessary traveling expenses. 14/

III. Reports

A report of investigations conducted by the Commissioner is promptly made to the Governor and must be transmitted by him with his suggestions to the next Legislature. 15/

The Commissioner reports annually to the Governor on or before the 31st day of December and sends a duplicate report to the Legislature on the day of its assembling. All charitable and penal institutions of the State must report to the Commissioner on or before November first annually, except as otherwise provided by law. 16/

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10. Statutes (1931), Sec. 3616.
 11. Constitution, Sec. 30.
 12. Ibid, Sec. 13544.
 13. Statutes (1934 Supp.), Sec. 3481.
 14. Statutes (1931), Sec. 3612.
 15. Constitution, Sec. 13545; Statutes (1931), Sec. 3605.
 16. Statutes (1931), Sec. 3611.

IV. Executive

See "Composition and Appointment of Governing Body".

V. Staff

The Commissioner may appoint an Assistant, who has the powers of the Commissioner in the latter's absence, and a stenographer 17/, who holds office at the Commissioner's pleasure. The Commissioner may also appoint an inspector of public and private institutions at \$1200 per annum plus traveling expenses. 18/

VI. Financial Provisions

Appropriations are made from the general fund of the State. 19/

Amount of Appropriation:

There is appropriated the sum of \$14,950 for the period from July 1, 1935, to June 30, 1937. 19/

Limitation of Funds:

Salaries	\$10,400
Contractual services, supplies, etc.	4,550
Total	<u>\$14,950</u> <u>19/</u>

17. Statutes (1931), Sec. 3613.
 18. Ibid, Sec. 3614, 3615, 3618.
 19. Session Laws (1935), S. B. No. 246, Sec. 1.

BOARD OF PARDONS

(Statutory Body)

I. General Powers and Duties

(1) A special meeting of the Board of Pardons must be called when an application for a pardon, parole or commutation of punishment is received. The Board must pass an order setting the day for the hearing and notifying persons interested to be present for the hearing. 1/

(2) A copy of the order must be published in specified newspapers, and a copy must be mailed to the district judge, county attorney and sheriff of the county where the crime was committed, and also a copy to the petitioner and the convicted. 2/

(3) Within 20 days after the hearing of any case the Board may file with the Secretary of State its decision in writing, together with all the papers used in each case, and transmit a copy of the decision to the Governor. The decision must be at length in a "record of the proceedings" of the Board, and the dissent of any member must be filed and entered at the same time. 3/

(4) The Board must keep a record of its proceedings in which must appear a copy of all notices of the granting of pardons, absolute or conditional, and of paroles, the remission of fines or forfeitures, commutations of punishment, with a list of the signatures and recommendations in favor of each applicant. 4/

(5) The record must also state (a) the name of the convicted, (b) the crime of which he was convicted, (c) the term of sentence and its date, (d) the date of commutation, pardon or remission. 4/

(6) The Board may require, when an application is made to it, the judge of the court before which the conviction was had or the county attorney by whom the action was prosecuted, to furnish it without delay with a statement of the facts of the trial and other facts having reference to the propriety of granting or refusing the pardon. 5/

1. Statutes (1931), Sec. 3276.

All applications for pardons, paroles or commutation of punishment must be filed with the Board of Pardons. No publication is necessary when there is imminent danger of the death of the person convicted or imprisoned, or when the term of imprisonment of the applicant is within 30 days of its expiration. Ibid, Sec. 3276.

2. Statutes (1931), Sec. 3267.

3. Ibid, Sec. 3271.

4. Ibid, Sec. 3272.

5. Ibid, Sec. 3275.

The Governor has the power to grant, after conviction, reprieves, commutations, paroles and pardons for all offenses, except cases of impeachment, upon such conditions and such restrictions and limitations as he may deem proper, and he may commute death sentence of persons to imprisonment for life. Ibid. Sec. 3264.

II. Composition and Appointment of Governing Body

The Board of Pardons consists of the State Superintendent of Public Instruction, the President of Board of Agriculture, and the State Auditor. The Board holds regular monthly meetings at the office of the Secretary of State and such special meetings as the president and any 2 members may direct. The Superintendent of Public Instruction is president of the Board, and the Secretary to the Governor is secretary of the Board. 6/

III. Reports

The Governor must communicate to the Legislature assembled at each regular session each case of remission of fine or forfeiture, reprieve, commutation, parole or pardon granted since the latest previous report, stating the name of the convicted, the sentence and the date, the date of remission, commutation, parole, pardon, or reprieve, with the reason for granting the same, and the objection, if any, of any of the members of the Board. 7/

IV. Executive

See "Composition and Appointment of Governing Body".

V. Staff

No provision.

VI. Financial Provisions

Amount of Appropriation:

There is appropriated the sum of \$9,100 for the Bureau of Pardons and Paroles 8/ for the period July 1, 1935 to June 30, 1937. 9/

Limitation of Funds

Attorney	\$ 5,500
Clerk and Stenographer	<u>3,600</u>
Total	\$ <u>9,100</u> 9/

6. Statutes (1931), Sec. 3266.
7. Ibid, Sec. 3274.
8. Wording in Appropriation Act.
9. Session Laws (1935), S. B. 246, Sec. 1.

SOLDIERS' RELIEF COMMISSION 1/

(Statutory Body)

I. General Powers and Duties

(1) The Commission performs all acts necessary or proper to afford emergency, temporary and permanent relief for honorably discharged, disabled and diseased ex-service persons of the World War and other wars of the United States, and ex-Confederate soldiers. 2/

(2) The Commission makes rules and regulations for the operation and maintenance of all hospitals 1/ under its control, and prescribes rules for the admission of patients thereto, provided however, in all cases priority of admission must always be given to the ex-service persons described above. 2/

(3) All funds appropriated for aiding the sick, wounded and disabled ex-service persons of the World War, Spanish American War, and Philippine Insurrection and their wives, widows and minor children are expended by the Commission upon the recommendation and approval of any executive officer of the State Department of the American Legions of the State, provided that not to exceed \$7,500 is expended for such relief within any one county. 3/

II. Composition and Appointment of Governing Body

The Commission consists of 3 members selected in the following manner:

The executive committee of the American Legion of the State submits a list of 10 qualified persons to the Governor, 5 of whom are of the party that cast the largest number of votes at the preceding general election for that party's candidate for Governor, and 5 from the party casting the second largest number of votes. The Governor selects the 3 members of the Commission from this list not more than 2 of whom may be from the same political party. They serve for 2 years or until their successors are appointed and qualified. 4/ Each member must file a \$10,000 surety bond. 5/

The members are allowed \$10 per day spent in actual duty plus expenses incurred as members of the Commission. 2/

III. Reports, IV. Executive, V. Staff

No provision.

1. The Commission was directed to establish a tubercular sanatorium and provide relief for tubercular ex-service persons. Statutes (1931), Sec. 12086 authorized the Commission to contract with the United States Government for disposing of the property where the sanatorium is located. The money received from such transaction is to be placed in the general fund of the State. Ibid, Sec. 12092.

2. Statutes (1931), Sec. 12085.

3. Ibid, Sec. 12104.

4. Ibid, Sec. 12091.

If the State disposes of the Tubercular Hospital the Governor may abolish the Commission. Ibid.

5. Statutes (1931), Sec. 12084.

VI. Financial Provisions

Funds are appropriated out of the State Treasury. 6/

There is created in the State Treasury a fund known as the Soldiers' Relief Commission Fund of the Oklahoma Central State Hospital into which all money received by the Central State Hospital, from any source for the support of ex-service persons in the soldiers' ward of the Central State Hospital, is paid. 7/

Amount of Appropriation:

There is appropriated the sum of \$430,900 for the period from July 1, 1935 to June 30, 1937. 6/

Limitation of Funds:

Tubercular Sanatorium 8/

Salaries and maintenance	180,000
For salaries and maintenance in case of an increase in patients.	\$ 30,000
Total.	\$210,000

Soldiers' Relief Commission 9/

Salaries	\$ 12,000
Traveling expenses, communication, office supplies and equipment	8,600
Premium on bonds	300
Child Welfare Assistance <u>10/</u>	200,000
Total.	\$220,900

6. Session Laws (1935), H. B. No. 55, Sec. 1, S. B. No. 30, Sec. 1.

7. Statutes (1931), Sec. 12103.

This money is for salaries, maintenance, improvements and buildings of said soldiers' ward at the Central State Hospital, subject to appropriation by the Legislature. Ibid.

8. Session Laws (1935), H. B. No. 55, Sec. 1.

If the Sanatorium should be leased or sold to the United States Government all of the unexpended funds would be paid into the general fund of the State.

9. Session Laws (1935), S. B. No. 30, Sec. 1.

10. This amount is for aiding the minor dependents of destitute, disabled and deceased ex-service persons of the World War, Spanish-American War, Philippine Insurrection and Boxer Rebellion; to be expended upon a per capita basis not to exceed \$1 per day. Only minor dependents whose parents are, or were at time of demise, citizens of the State for a period of 3 years, may participate in the provisions of this fund. Session Laws (1935), S. B. No. 30, Sec. 1.

COMMISSIONER OF PENSIONS

(Statutory Body)

I. General Powers and Duties

The Commissioner provides for the relief of properly qualified Confederate Veterans. 1/

II. Composition and Appointment of Governing Body

The Commissioner is appointed by the Governor and holds office for a term of 4 years, concurrent with the term of the Governor. He must be an ex-Confederate soldier or a descendent of a Confederate soldier qualified to handle the affairs and records of the office, and physically able to attend the duties thereof. He receives a salary of \$2,000 per annum and necessary and actual expenses. 2/

III. Reports

The Commissioner reports annually to the Governor showing the entire number of pensioners; the number of claims allowed for the past year; the amount of claims disallowed and the reasons therefor, and all other information requested by the Governor. 3/

IV. Executive

See "Composition and Appointment of Governing Body".

V. Staff

The Commissioner appoints a secretary at a salary of \$1,500 per year for a term of 4 years. He must be an ex-Confederate soldier or a descendent of a Confederate soldier. 4/

The Commissioner may appoint necessary clerical help, but he may not expend more than \$2,500 for such in any one year. 3/

VI. Financial Provisions

Funds are appropriated from the general fund of the State. 5/

Amount of Appropriation:

There is appropriated the sum of \$680,150 for the period from July 1, 1935 to June 30, 1937. 5/

Limitation of Funds:

Salaries	\$ 9,400
Contractual services	750
Payment to Confederate Soldiers.	<u>670,000</u>
Total	<u>\$680,150</u> <u>5/</u>

1. Session Laws (1935), Ch. 64, Art. 1, Sec. 1 and Statutes (1931), Sec. 12044
2. Statutes (1931), Sec. 12042.
3. Ibid, Sec. 12043.
4. Ibid, Sec. 12046.
5. Session Laws (1935), S. B. No. 246, Sec. 1.

BOARD OF TRUSTEES OF CONFEDERATE SOLDIERS' HOME

(Statutory Body)

I. General Powers and Duties

(1) The Board of Trustees has the power and authority to make all necessary rules and regulations for the control and maintenance of the Home and for the admission and discharge of the inmates. 1/

(2) The Board may solicit and receive money, gifts, donations, endowments or other property in the name of the State for the use and benefit of the Home. 2/

II. Composition and Appointment of Governing Body

The control and management of the Home is vested in a Board of Trustees consisting of 7 members, each residing in the State. Five of the members must have served as soldiers in the army, or as sailors in the navy of Confederate States of America, during the Civil War, and one member must be a member of the United Sons of the Confederacy of Oklahoma, and one must be a member of the United Daughters of the Confederacy of Oklahoma. All are appointed by the Governor, by and with the consent of the Senate. The members serve 4-year rotating terms. 3/ When vacancies occur they are filled by appointment by the Governor for any unexpired term. The Board meets at the Home, twice a year, and is allowed its actual expenses. The treasurer of the Board receives \$300 per year. 4/

The Board biennially elects a president, treasurer and secretary from its number and fixes the amount of bond which the treasurer is required to give, which bond must be approved by the Governor. No member of the Board may be interested in any contract for the Home. 4/

The president of the Board must, upon confirmation of the Board, appoint an executive committee consisting of 3 members of the Board who must meet once every 3 months at the Home for the purpose of transacting all such business as the Board may order, the appointment to be made at the annual meeting in March of each year. 5/

1. Statutes (1931), Sec. 12034.

In 1909 the Confederate Soldiers' Home, formerly under the control and management of the Confederate Veteran Home Association, was made a charitable institution of the State. At that time the State agreed to maintain the Home for 25 years or for such time as the State has citizens who need and are entitled to the care of the Home. Ibid, Sec. 12032.

2. Statutes (1931), Sec. 12036.

3. Ibid, Sec. 12033.

4. Ibid, Sec. 12034.

5. Ibid, Sec. 12037.

III. Reports

The Board must furnish a detailed report of its work to the Legislature every 2 years on or before the first Wednesday of January. The report must be accompanied by a statement made under oath of the treasurer of the Board of the financial transactions of the 2 preceding years, giving a detailed statement of all moneys and property, emoluments, gifts and endowments received on account of the Home and an itemized account of all its disbursements. 6/

IV. Executive

See "Executive Committee" under "Composition and Appointment of Governing Body".

V. Staff

The Board provides for the necessary employees of the Home. 6/

VI. Financial Provisions

Funds are appropriated from the general revenue fund of the State. 7/

The Board of County Commissioners or the friends of the applicants must pay the expenses of sending the applicants to the Home. 8/

Amount of Appropriation:

There is appropriated the sum of \$76,600 to the Confederate Home for the period July 1, 1935 to June 30, 1937. 9/

Limitation of Funds:

Salaries	\$28,000
Maintenance	<u>48,600</u>
Total	<u>\$76,600</u> <u>9/</u>

6. Statutes (1931), Sec. 12034.

7. Ibid, Sec. 12039.

All moneys received by the treasurer, or by any authorized financial officer of the Home, from any source, excepting such as may arise from the sale or exchange of the products of the Home, must be immediately transmitted to the State Treasurer, and he on receipt of the moneys, must pay the same into the Oklahoma Confederate Home Fund.

8. Statutes (1931), Sec. 12038.

9. Session Laws (1935), H. B. No. 406, Sec. 1.

BOARD OF TRUSTEES OF UNION SOLDIERS' HOME

(Statutory Body)

I. General Powers and Duties

(1) The Board has the power and authority to make all necessary rules and regulations for the control and maintenance of the Home, and for the admission and discharge of the inmates. 1/

(2) The Board may receive moneys, gifts, endowments or other property in the name of the State for the use and benefit of the Home. 2/

II. Composition and Appointment of Governing Body

The management and control of the Home is vested in a Board of Trustees, consisting of 5 members, each residing in the State and at least 2 of whom must have served in the Union Army or Navy, during the Civil War, and must be members of the Grand Army of the Republic. One of the members must belong to the Women's Relief Corps of the State. One must be a member of the United Spanish War Veterans' Department, and one must be a member of the State Department of the American Legion. The members are all appointed by the Governor with the consent of the Senate. 3/ They are allowed their actual expenses out of the funds appropriated for the Home. 4/

No member of the General Assembly is eligible to the office of trustee. The members of the Board hold rotating terms of 3-years, a new member is appointed each year. In case of vacancy the Governor has the power to fill such vacancy for the unexpired portion of the term. No trustee is eligible to act as Superintendent. 5/

The Board biennially selects a president and secretary from its number. No trustee or officer of the Home may in any way be interested in any contract for the Home. 6/

The president of the Board appoints an executive committee consisting of 3 members who meet once every 3 months at the Home for the purpose of transacting all such business as the Board may order by by-laws, resolution or otherwise; the appointment is made at the annual meeting in May of each year. 7/

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1. Statutes (1931), Sec. 12024.
 2. Ibid, Sec. 12026.
 3. Ibid, Sec. 12020.
 4. Ibid, Sec. 12022.
 5. Ibid, Sec. 12021.
 6. Ibid, Sec. 12023.
 7. Ibid, Sec. 12027.

III. Reports

The Board must on October 1 prior to the meeting of the Legislature, make a full and detailed report to the Governor of the State showing the condition of the Home, the number of members, the order and discipline enforced, and its condition financially and otherwise. 8/

IV. Executive

See "Executive Committee" under "Composition and Appointment of Governing Body".

V. Staff

The Board provides for the necessary employees for the Home. 9/

VI. Financial Provisions

No appropriation was made for the Union Soldiers' Home at the 1935 session of the Legislature. (See material under footnote 10, below)

The expense of transportation of anyone who becomes a member of the Home and is unable to pay, is borne and paid by the county in which he resided at the time of his application, and when a member of the Home is dismissed or voluntarily leaves, or is adjudged insane, his residence must be deemed that of the county where he lived at the time of his admission to the Home. 10/

8. Statutes (1931), Sec. 12023.

9. Ibid, Sec. 12024.

10. Ibid, Sec. 12029.

All moneys donated for the benefit of the Home, including such as may arise from the sale or exchange of products of the Home, by order of the State Board of Public Affairs, must be immediately transmitted to the State Treasurer and placed in the proper account in the State depository. All such moneys must be placed in a revolving fund to the benefit of the Home, the fund to be operated under rules and regulations prescribed by the State examiner and inspector, and in the manner and procedure of other revolving funds now existing in the State, so far as applicable. Ibid, Sec. 12028.

PROVISIONS FOR THE CARE OF CRIPPLED CHILDREN 1/

THE OKLAHOMA HOSPITAL FOR CRIPPLED CHILDREN

The Hospital for Crippled Children is under the management of the Oklahoma University Hospital 2/ which is governed by the Board of Regents of the University. The Hospital for Crippled Children furnishes all materials and costs and provides necessary care and treatment for the crippled children committed to it by the Juvenile Court. 3/ The Hospital is financed by State funds and its fiscal management is controlled by the State Board of Public Affairs. 4/

COMMISSION FOR CRIPPLED CHILDREN

The Commission conducts diagnostic clinics throughout the State. It is authorized to cooperate with the Federal authorities in the administration of provisions for the care and treatment of crippled children. The Commission consists of the Dean of the Medical School of the Oklahoma University, the Commissioner of Health and the Superintendent of Public Instruction. 3/ There is a secretary of the Commission whose salary is paid out of the fund appropriated to the Hospital for Crippled Children. 5/

COMMITTEE ON STANDARDIZATION

The Committee passes upon the qualifications of all physicians, surgeons and hospitals desiring to care for crippled children committed to hospitals by the Juvenile Court. The Committee is composed of 5 physicians and/or surgeons who are appointed by the Governor. They are paid \$10 per diem and expenses out of the fund appropriated to the Hospital for Crippled Children. 6/

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1. These provisions deal primarily with public health rather than welfare functions and have therefor not been abstracted.
 2. Statutes (1931), Sec. 7231.
 3. Session Laws (1935), Ch. 14, Art. 2, Sec. 3, 6.
 4. Ibid, H. B. No. 406, Sec. 1.
 5. Ibid, Ch. 14, Art. 2, Sec. 9.
 6. Ibid, Sec. 7.

EASTERN AND WESTERN TUBERCULOSIS SANATORIA 1/

The Tuberculosis Sanatoria 2/ are under the joint supervision of the Board of Health and the Board of Public Affairs. 3/ The Board of Health has supervision of admission, treatment and discharge of patients, and the Board of Public Affairs is vested with the fiscal and business supervision of the Sanatoria. In addition to State funds appropriated for the general maintenance of the Sanatoria 3/, there is a "Tuberculosis and Public Health Fund" into which the proceeds from annual county tax levies are placed to defray the county expenses in the promotion of public health. 5/

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1. These institutions have not been abstracted because they are supervised by the Board of Health.
 2. Statutes (1931), Sec. 5276.
 3. Ibid, Sec. 5277.
 4. Session Laws (1935), H. B. No. 406, Sec. 1.
 5. Ibid, Ch. 26, Art. 4, Sec. 2.

BOARD OF COMMISSIONERS FOR THE BLIND

(COMMISSION FOR THE ADULT BLIND)

(Statutory Body)

I. General Powers and Duties

(1) The members of the Board constitute a body corporate under the name and seal of the Board of Commissioners for the Blind with the right to sue. 1/

(2) The Board receives all applications for blind assistance, and must investigate the facts set forth in any petition. If the Board is satisfied that an applicant is entitled to relief, it must petition the county court for an order directing the payment of such relief. 2/

(3) Through the secretary, who serves as field worker, the Board must obtain information concerning the adult blind in the State, find employment for them and perform such other duties as may tend to make them more efficient. 3/

(4) The Board, by and with the consent of the Superintendent of Public Instruction, must introduce and carry on any branch of industries that may be deemed conducive to the welfare of the inmates of the School for the Blind. 4/

(5) If the Board, upon examination, find that a recipient or claimant for relief may have his disability benefitted or removed by proper surgical operation, or medical treatment, according to the evidence of a qualified ophthalmologist, and such person files his consent in writing, then the Board may expend for such operation or treatment all or any portion of the relief which the Board may award any such person for one year. 5/

(6) The Board must make examinations of all recipients of relief annually or more often in its discretion, and in case any person is found no longer needy or the disability has been removed, or there is any other reason why the relief should not be continued, in whole or in part, then the Board must reduce or discontinue the amount. 6/

1. Statutes (1931), Sec. 4363.

2. Session Laws (1935), Ch. 24, Art. 1, Sec. 5.

Any person interested may at any time apply to the Commission for the Adult Blind, in behalf of any wholly or partially blind person who is without means of support and incapable of self-support and ask for the relief provided by the Board. Ibid, Sec. 2.

3. Statutes (1931), Sec. 4362.

4. Ibid, Sec. 4365.

5. Session Laws (1935), Ch. 24, Art. 1, Sec. 12.

6. Ibid, Sec. 14.

II. Composition and Appointment of Governing Body

The Board of Commissioners for the Blind consists of 5 members, appointed by the Governor, their term of office to be concurrent with that of the Governor. The president of the State Association for the Blind of Oklahoma is ex officio member of the Board of Commissioners and is appointed by the Governor as other members are appointed. 7/

The Board meets once quarterly and at other times when called by the Governor, by the president of the Board or by any 3 members. 8/

III. Reports

It is the duty of the secretary to render quarterly to the State auditor and to the State Board of Affairs, and annually to the Governor, current accounts of all cash transactions and of money received with proper verified vouchers. 9/

IV. Executive

The Board elects an executive secretary from its own body, who also serves as field worker. He receives \$125 per month and all necessary and actual expenses incurred in the performance of his duties. 10/

V. Staff

The Board may employ a stenographer, a home teacher, and a home teacher for negroes. The stenographer receives a salary of \$1,200 per annum, the home teacher a salary of \$1,500 per annum and all necessary traveling expenses and in addition, \$240 for employing a guide. The home teacher for negroes receives \$1,000 per annum and all actual and necessary traveling expenses incurred in the performance of duty. 10/

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7. Statutes (1931), Sec. 4359.
 8. Ibid, Sec. 4361.
 9. Ibid, Sec. 4364.
 10. Session Laws (1935), Ch. 24, Art. 2, Sec. 1.

VI. Financial Provisions

On or before June 15th of each year, the Commission for the Adult Blind must forward to the Board of County Commissioners and the Excise Board of each county, of the State an estimate of the amount of money the Commission finds is necessary for carrying into effect in the respective counties the provisions for caring for the blind for the ensuing year and each Board of County Commissioners must include in its estimate for the poor fund of the county and each Excise Board must appropriate and levy an amount sufficient to meet the amount of the estimate of the Commission for the Adult Blind. 11/

Amount of Appropriation:

There is appropriated from the general revenue fund of the State the sum of \$15,130 for the period July 1, 1935 to June 30, 1937. 12/

There is also appropriated to the Commission for the Adult Blind, out of moneys in the State Treasury not otherwise appropriated, the sum of \$8,800 for the period July 1, 1935 to June 30, 1937. 13/

Limitation of Funds:

Salaries	\$10,880
Supplies	550
Traveling	3,000
Materials	<u>700</u>
Total	\$15,130 <u>12/</u>

The second appropriation of \$8,800 is to be used to employ more help, pay traveling and other expenses that the Commission finds necessary to carry on its work. 13/

11. Session Laws (1935), Ch. 24, Art. 1, Sec. 8.

12. Ibid, S.B. 246, Sec. 1.

There is a revolving fund of the Commissioners of the Blind, which is used solely for the purchase of materials and equipment for resale to blind workers of the State at current wholesale prices. Laws (1935), Ch. 24, Art. 2, Sec. 2.

There is the Market Revolving Fund of the Commissioners of the Blind which is used solely to create, establish and maintain a market for the products of blind workers of the State by purchasing their products for resale. Ibid, Sec. 3.

There is an Adult Revolving Fund which with any amounts paid in it by counties of the State is expended by the Commission in paying pensions or relief. The sum of \$30,000 was appropriated out of any moneys in the State Treasury not otherwise appropriated for the fiscal year ending June 30, 1936. Laws (1935), Ch. 24, Art. 1, Sec. 7.

13. Laws (1935), Ch. 24, Art. 1, Sec. 6.

NOTE ON INSTITUTIONS FOR BLIND AND DEAF

The State agencies which provide care for the blind and the deaf are: the Board of Commissioners for the Blind 1/, the School for the Blind 2/, and the School for the Deaf. 3/

The School for the Blind and the School for the Deaf, being primarily for the education of the deaf and blind, have not been outlined as welfare agencies in this digest.

The School for the Blind is under the direction and control of the State Board of Education. 4/ The School is maintained for education of blind people, between the ages of 6 and 21, who cannot be educated in the public schools of the State. Persons may be continued in the School after reaching the age of 21, or children under 6 years may be admitted as pupils in the School at the discretion of the Superintendent and faculty. 5/ The School received an appropriation of \$174,000 for the period July 1, 1935 to June 30, 1937. 6/

The Oklahoma School for the Deaf is under the government and management of a Board of Control, consisting of the State Superintendent of Public Instruction, and 3 trustees appointed by the Governor. 7/ All deaf residents of the State, and those deaf and dumb to such an extent that they cannot acquire an education in the common schools of the State, are entitled to an education in the School for the Deaf, without charge. 8/ The School received an appropriation of \$256,000 for the period July 1, 1935 to June 30, 1937. 9/

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1. Session Laws (1935), Ch. 24, Art. 2, Sec. 1, 2, 3.
(See "Board of Commissioners for the Blind".)
 2. Statutes (1931), Sec. 5268.
 3. Ibid, Sec. 5254.
 4. Ibid, Sec. 5270.
 5. Ibid, Sec. 5271.
 6. Session Laws (1935), H. B. 406, Sec. 1; and S. B. 389, Sec. 1.
 7. Statutes (1931), Sec. 5258.
 8. Ibid, Sec. 5256.
 9. Session Laws (1935), H. B. 406, Sec. 1.

JUVENILE COURT

(Statutory Body) 1/

I. General Powers and Duties

(a) Judge:

(1) The court, upon the filing of a petition regarding a child, who appears to be a ward of the State, must issue a summons requiring the person, having custody or control of the child, to appear with the child at a specified place and time. The parents, guardian or near relative of the child, as the case may be, must be notified of the proceedings and in any case the judge may appoint some suitable person to act on behalf of the child. 2/

(2) Pending the final disposition of the case, the court may order the child to be retained in the possession of the person having charge of him, or any other person, or to be kept in some suitable place provided by the city, county, or State authorities. 3/

(3) When any male child under the age of 16 years and any female child under the age of 18 years, is found to be dependent, or neglected, the court may make an order committing the child to the care of a suitable State institution or to the care of some reputable citizen of good moral character, or to the care of some training school or industrial school, or to the care of some accredited association willing to receive it, embracing in its objects the purpose of caring for or obtaining homes for neglected or dependent children. The court may, when the health or condition of the child requires it, cause the child to be placed in a public hospital or institution for treatment or special care, or in a private hospital or institution which will receive it for like purpose without charge. 4/

1. Statutes (1931), Sec. 1730.

The county courts of the several counties of the State have jurisdiction in all cases concerning dependent, neglected, or delinquent children. Ibid. For convenience, the court in the trial and disposition of such cases is called the "Juvenile Court". Ibid, Sec. 1731.

2. Statutes (1931), Sec. 1734.

Any reputable person being a resident of the county, having knowledge of a child in his county who appears to be either neglected, dependent, or delinquent may file with the clerk of the county court, a petition setting forth facts verified by affidavits. Ibid, Sec. 1733.

3. Statutes (1931), Sec. 1736.

4. Session Laws (1935), Ch. 14, Art. 1, Sec. 2.

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

(4) In any case when the court awards a child to the care of any association or individual, the child becomes, unless otherwise ordered, a ward and is subject to the guardianship of the association or individual to whose care it is committed. The assent of the association or individual is sufficient to authorize the court to enter the proper order or decrees of adoption. 5/

(5) In the case of a delinquent child, the court may continue the hearing from time to time and commit the child to the care or custody of a probation officer, or any other person, or may allow the child to remain in its home, subject to the visitation of the probation officer, the child to report to the probation officer as often as may be required. 6/

(6) The court may cause the child to be placed in a suitable family home, subject to the friendly supervision of a probation officer, and to the further order of the court, or it may authorize the child to be boarded out in some suitable family home in case provision is made by voluntary contribution or otherwise for the payment of the board of the child until suitable provision may be made for the child in a home without such payment. 6/

(7) The court may commit the child, if a boy, to a training school for boys, or, if a girl to an industrial school for girls; or it may commit the child to any institution in the county incorporated under the State laws that may care for delinquent children or that may be provided by a city or county, suitable for the care of delinquent children. The court may commit the child to the care and custody of some accredited association that will receive it, embracing in its objects the care of neglected or dependent children. In no case may a child beyond the age of 16 years be committed to an institution. 6/

5. Session Laws (1931), Sec. 1738.

Such association or individual has authority to place the child in a family home with or without indenture, and may be made a part to any proceeding for the legal adoption of a child and may by its or his attorney or agent, appear in any court where such proceedings are pending and assent to such adoption. This guardianship does not include guardianship of the estate of the child. *Ibid.*

"Delinquent child" means any child under the age of 16 years who violates any law of the United States or of the State, or any city or town ordinance or who is disorderly, immoral or incorrigible. Session Laws (1935), Ch. 14, Art. 1, Sec. 1.

No court or magistrate may commit a child under 12 years of age to a jail or police station, and if the child is unable to give bail it may be committed to the care of the sheriff, police officer, or probation officer, who must keep the child in some suitable place which must be provided by the city or county outside the enclosure of the jail or police station. When any child must be sentenced to confinement in any institution to which adult convicts are sentenced it is unlawful to confine the child in the same yard or building in which adult convicts may be present. Session Laws (1931), Sec. 1741.

6. Statutes (1931), Sec. 1739.

A child committed to such an institution must be subject to the control of the Superintendent and the Superintendent has the power to parole such children under conditions that he may prescribe. *Ibid.*

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

(8) Every child who has been adjudged delinquent, whether allowed to remain at home, or placed in a home, or committed to an institution, must continue to be a ward of the court until he has been discharged, or has reached the age of 21 years. The court may during the period of wardship cause the child to be returned for further or other proceedings, including parole, or release from an institution. The court may in its discretion cause the child to be proceeded against in accordance with the laws that may be in force governing the commission of crime. 7/

(9) Any judge of a juvenile court, may on his own motion, and must on complaint filed in the court by any qualified elector of the State, alleging that the child named has been a resident of the county for a period of 6 months prior to the filing of the complaint, is under 21 years of age and is afflicted with some deformity, or suffering from some malady that can probably be cured or remedied, and the parents or other person legally chargeable with the support of the child are unable to provide means for its medical and surgical treatment and hospital care, direct the county superintendent of health, or county physician-surgeon of the county, to examine personally the child with respect to its malady or deformity. 8/

(10) The judge has the power to cause other physicians or persons to be summoned and to appear and give testimony in such cases. The court may waive examination if the complaint as filed is accompanied by a written report, giving the history of the case, diagnosis and recommendation for treatment, the report being signed and attested by a physician regularly practicing under the State laws. 8/

7. Statutes (1931), Sec. 1740.

The notice of all applications to the court for such parole or release must be given to the Superintendent of the institution at least 10 days before the time set for the hearing thereof, or the consent in writing of the Superintendent to the parole or release must be filed. Ibid.

8. Session Laws (1935), Ch. 14, Art. 2, Sec. 1.

The Superintendent of Health or county physician-surgeon must make a written report to the juvenile judge, giving such history of the case as will likely aid the medical or surgical treatment of the malady or deformity, describing the same in detail and stating whether or not, in his opinion, it can be remedied. Ibid.

The report of the physician must be made in triplicate, one copy to remain on file with the court, one copy, together with certified copy of the order of the court committing the child, must be sent to the hospital with the patient, and the other copy of it together with a certified copy of the order of the court, must be sent to the executive secretary of the Oklahoma Commission for Crippled Children. Ibid.

I. General Powers and Duties (Cont'd)

(a) Judge: (Cont'd)

(11) Upon the filing of the report the court must hear the complaint and cause the parents, guardian, or other person having the legal custody of the child, to be served with a notice of the hearing, and must proceed in the manner provided in the juvenile laws of the State relating to dependent and neglected children. If the court finds that the child is eligible for treatment, the court may enter an order directing the child be sent to the Oklahoma Hospital for Crippled Children for free medical and surgical treatment, or the court may order the child be sent or taken to a hospital within the State which has been approved by the Committee on Standardization: provided that the hospital is willing to accept the child. 9/

(12) Upon the recommendation of the attending physician or surgeon and with the consent of the parent, parents, or guardian, the court making the original commitment of any crippled child to a hospital, may issue an order transferring the patient from the hospital to a convalescent home which is willing to accept the patient, and which has been approved by the Committee on Standardization. 10/

(b) Clerk and Probation Officers:

The clerk of the court must notify the probation officer in advance, if practicable, when any child is brought before the court and it is the duty of the probation officer to make such investigation as may be required by the court. The probation officer must be present in court when the case is heard, to furnish the court with such information and assistance as the judge may require and take charge of any child before and after trial, as may be directed by the court. 11/

II. Composition and Appointment of Governing Body

There is elected at each biennial general election in each county, a county judge for a term of 2 years. He must be a qualified voter and a resident of the county at the time of his election, and a lawyer licensed to practice in any court of record of the State. 12/ The salaries of county judges range from \$1,500 per year in counties having a population of 14,500 or less, to \$5,000 per year in counties having a population in excess of 200,000. 13/

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9. Session Laws (1935), Ch. 14, Art. 2, Sec. 2.
 10. Ibid, Sec. 5.
 11. Ibid, Sec. 7845.
 12. Constitution, Sec. 13563.
 13. Statutes (1931); (1934 Supp); Sec. 7832(a).

III. Reports

Between the 1st and 30th days of October of each year, the clerk or judge who acts as clerk of the county courts must submit to the Commissioner of Charities and Corrections a report in writing, upon blanks to be furnished by the Commissioner, showing the number and disposition of delinquent children brought before the court, together with such other useful information regarding the cases and the parentage of such children as may reasonably be obtained at the trials. The name or identity of any such child or parent may not be disclosed in the report. 14/

IV. Executive

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

V. Staff

In counties having a population of over 116,000 persons, and in counties having a population of not less than 30,179 and not more than 30,181, the county judge is authorized to appoint one discreet person of good character to serve as juvenile or probation officer, and one clerk of the juvenile court, the probation officer to receive a salary of not more than \$150 per month, and the clerk to receive a salary not more than \$150 per month. The county judge may with consent of the board of county commissioners of such county, when necessity arises, appoint such other and necessary assistant officers as are required to conduct properly the juvenile work of the county, which officers when appointed may be paid a salary out of the court fund of the county. Probation officers, while engaged in the business of the county, are entitled to their actual expense of gasoline and oil used while operating their own cars upon such business. 15/

In Seminole County (79,621 - 1933 population) there is a juvenile officer appointed by, and at the discretion of, the county judge. The juvenile officer receives a salary of \$1,500 per month and all necessary expenses while away from the county seat, on duty for the county. The juvenile officer works under the direction and instructions of the county judge, and may be removed from office, at the discretion of the court. 16/

In Washington County (27,777 - 1933 population) whenever, in the judgment of the county judge, the public business requires it, he may appoint a juvenile officer 17/ who acts as county truancy and county probation officer, and assists in the apprehension of juvenile offenders, and when not otherwise engaged, he acts as bailiff for the county court. 18/ He receives a salary of \$100 per month. 19/

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14. Statutes (1931), Sec. 1732.
 15. Ibid, Sec. 7845.
 16. Ibid, Sec. 8343.
 17. Ibid, Sec. 8390.
 18. Ibid, Sec. 8392.
 19. Ibid, Sec. 8393.

VI. Financial Provisions

All fees, fines and forfeitures which are under the law, the property of the county, must be deposited, when collected by the court clerk, in a fund in the county treasury designated the court fund 20/, and must be used from year to year, in defraying the expenses of holding district, superior, courts of common pleas, and county court in the county. However, this may not apply to any court where the court clerk of the county is not the clerk of the court. 21/

All claims against the court fund must be paid by the court clerk after due appropriation by the Excise Board. 22/

20. All fines and forfeitures assessed or adjudged by any of the courts of Cherokee County (17470- 1933 population), except in city courts and police courts, must when collected, be paid into the county treasury of the county and must be placed in a separate fund to be known as the court fund of Cherokee County and no part of the moneys may ever be used for any other purposes except as court funds for Cherokee County. Statutes (1931), Sec. 7440.

21. Session Laws (1935), Ch. 35, Art. 5, Sec. 1.

22. Ibid, Sec. 2.

BOARD OF COUNTY COMMISSIONERS

(Constitutional Body)

I. General Powers and Duties

(Only those powers and duties concerning welfare are included.)

(a) Commissioners:

(1) The powers of a county as a body politic and corporate are exercised by its Board of County Commissioners. 1/

(2) The County Commissioners superintend the fiscal concerns of the county and secure their management in the best manner. 2/

(3) The County Commissioners are the overseers of the poor and perform all the duties with reference to the poor of their counties that may be prescribed by law. 3/

(4) The Board of County Commissioners may, if they deem it for the best interest of the county, purchase land for a county home and erect such buildings and make such other improvements as may be necessary to establish a county home for such poor of the county. 4/ The Board is given authority to place all poor and indigent persons, needing and entitled to support from the county, in such home. 5/

(5) The Board has complete authority and supervision over the poor farm 6/ and provides for managing and controlling the same. 7/

1. Statutes (1931), Sec. 7363.

Each organized county is a body corporate and politic. Constitution, Sec. 13689. It may sue and be sued, and do all acts in relation to property and concerns of the county necessary to the exercise of corporate or administrative power. Statutes (1931), Sec. 7361.

2. Statutes (1931), Sec. 7449.

3. Ibid, Sec. 7542, 7543.

The overseers of the poor have the care of all the poor persons in their county so long as they remain a county charge, and must see that they are properly relieved. Ibid.

4. Statutes (1931), Sec. 7544.

Specified limitations are placed on the cost of establishing county homes, which proposition must be submitted to a vote of the people. Ibid.

5. Statutes (1931), Sec. 7544.

Each county must support the poor lawfully settled therein, and those not so settled are temporarily supported pending the ascertainment of their legal settlement. Ibid.

6. Statutes (1931), Sec. 7557.

In counties where there is no common poorhouse, the overseer must give public notice certifying the poor to be provided for and ask for sealed proposals for their maintenance. Ibid.

7. Statutes (1931), Sec. 7553.

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

(6) In making the estimated needs for the county for the fiscal year, the Board may provide an amount not to exceed \$8,000 for the payment of widows' pensions. 8/

(7) In counties of not less than 24,800 persons nor more than 25,100 and in counties of not less than 75,000 persons, the County Commissioners are authorized to provide homes for dependent and neglected children. 9/

(8) The Board has power to erect buildings upon the county poor farm for the isolation and treatment of all indigent persons afflicted with tuberculosis. 10/

(9) The Board is authorized to erect on ground owned by the county, or on the Poor Farm of the county, a building to be used as a hospital for the poor, for convalescents, and chronics, which hospital is open only to county charges, or those who are temporarily entitled to assistance under the law. 11/

(b) Assistants to the Board:

The assistants appointed by the Board in counties of more than 115,000 inhabitants, investigate applications for assistance made by poor or indigent persons, report their findings and recommendations to the Board, keep the necessary records and carry out the orders of the Board. 12/

II. Composition and Appointment of Governing Body

Each county is divided into 3 districts, as equal in population as possible, and one commissioner is elected from each of the districts by the voters of the district. 13/

8. Statutes (1931), Sec. 7598.

9. Ibid, Sec. 7524, 7533.

In counties of not less than 24,800 nor more than 25,100 persons, the Board may put all girls under 17 and boys under 15 years of age who are dependent and neglected in homes for educational purposes and in counties of over 75,000 persons the juvenile court may commit such children under 16 years of age to such homes. The Board may return the children to their parents when it deems it proper. Ibid, Sec. 7527, 7536.

Parentless children may be adopted from these homes with the consent of the Board. Statutes (1931), Sec. 7540.

With the consent of the Superintendent and the Board of Supervisors of such schools the Board of County Commissioners may contract with persons to care for any of the inmates. Ibid, Sec. 7541.

10. Statutes (1931), Sec. 7585.

11. Ibid, Sec. 7591.

12. Ibid, Sec. 7590.

13. Ibid, Sec. 7643.

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

At the first meeting of the County Commissioners in each year they must elect one of their number as chairman. 14/

The County Commissioners receive compensation ranging from \$1,200 per annum in counties with a population of 14,500 or less to \$3,600 per annum in counties having a population of 200,000 or more. 15/

The overseers of the poor receive \$1.50 per day in discharge of their duties. 16/

Each county commissioner must execute a bond for not less than \$1 and not more than \$5,000 as determined by the county judge. 17/

III. Reports

At the end of the year for which he is appointed, the superintendent of the County Poor Farm must file with the county clerk, to be considered by the Board, a complete report of all business transacted by him as such superintendent, and must attach to such report an invoice of all the personal property in his possession as such superintendent. 18/

IV. Executive

See "Composition and Appointment of Governing Body".

V. Staff

The overseer of the poor, at least once a year, must appoint 3 citizens not of kin to nor interested in the superintendent, who must serve without compensation, to visit the poor asylum and report its condition to the overseer. 19/

The Board, in overseeing the poor, selects a superintendent of the county Poor Farm, and fixes his salary which must not exceed \$150 per month, including board and lodging. It may employ such additional help in operating the poor farm as is necessary, and fix their salaries not to exceed \$100 per month, and determine the term of their employment and their duties. 20/

In all counties of more than 115,000 inhabitants, the County Commissioners may appoint such assistants as may be necessary to properly oversee and give relief to poor and indigent persons. Such persons are appointed by an order of the Board, and serve during the pleasure of the Board in the order of appointment, and the salary for each person must not exceed the sum of \$200 per month. 21/

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14. Statutes (1931), Sec. 7648.
 15. Ibid (1934 Supp.), Sec. 7832(a).
 16. Statutes (1931), Sec. 7574.
 17. Ibid, Sec. 7645.

18. Ibid, Sec. 7564.
 19. Ibid, Sec. 7565.
 20. Ibid, Sec. 7592.
 21. Ibid, Sec. 7589.

V. Staff (Cont'd)

The Commissioners are authorized to provide the necessary nurses, at a salary not to exceed \$150 per month, and other employees at salaries not to exceed \$100 per month, to conduct and operate the hospital for the poor according to the best interests of the county. 22/

The Board may employ persons to care for tubercular patients and their quarters under the same terms as provided by law for superintending of county poor farms. 23/

The Board for the County Children's Home appoints a matron and other persons necessary in the management of the Home, and may remove them at will. 24/

VI. Financial Provisions

The County Excise Board levies a property tax for the general fund 25/, and appropriates funds for county purposes. 26/

All counties are authorized to issue bonds for the purpose of purchasing lands and making improvements thereon for the benefit of the poor in said counties 27/, and the officers charged with levying taxes for county purposes must levy annually an amount sufficient to pay the interest due each year on the bonds issued, and in addition levy an amount sufficient to pay the principal as it comes due. 28/

The Board may provide for a special tax each year of not to exceed one-half mill on the dollar, of the assessed valuation of the county, to be applied to the payment of the poor farm and improvements thereon, until the poor farm is paid for. 29/

In all counties having a population of not less than 24,800, nor more than 25,100, the County Commissioners, if they deem it necessary, may levy a tax not to exceed one-half mill upon all the taxable property of the county for the purpose of buying a suitable building site and erecting of a building for the maintenance of all neglected and dependent children. 30/

The Excise Board of each county of more than 75,000 persons may levy annually on all taxable property upon an ad valorem basis not to exceed one-half mill per annum for the maintenance of a home for neglected and dependent children. 31/

22. Statutes (1931), Sec. 7591.

23. Ibid, Sec. 7588.

24. Ibid, Sec. 7526.

In counties of not more than 25,100 nor less than 24,800 persons, the matron, whose salary does not exceed \$50 per month, must be a person of reasonable learning and have had practical experience in the care and discipline of children. In counties of more than 75,000 persons the Board appoints and fixes the salaries of all persons necessary for the proper conduct of the schools. Ibid.

25. Statutes (1934 Supp.), Sec. 12678.

26. Session Laws (1935), Ch. 66, Art. 13,
Sec. 1.

27. Statutes (1931), Sec. 7545.

28. Ibid, Sec. 7551.

29. Ibid, Sec. 7566.

30. Ibid, Sec. 7524.

31. Ibid, Sec. 7534.

COUNTY WELFARE BOARD

(Statutory Body)

I. General Powers and Duties

(1) The administration and distribution of funds, allocated by the State Board of Public Welfare, is under the control, direction and supervision of the County Welfare Board, under uniform rules and regulations promulgated by the State Board of Public Welfare. 1/

(2) The Board has the right to approve or reject any claim for payment out of money allocated to such county. 2/

II. Composition and Appointment of Governing Body

The Board is composed of the County Health Officer and the Board of County Commissioners. The Chairman of the Board of County Commissioners is the ex officio Chairman of the County Welfare Board. 2/

The respective official bonds of the members of the Board stand as security for the faithful performance of their duties as members of the Board. 3/

III. Reports

The Board must submit to the State Examiner and Inspector, on forms prescribed by the State Examiner and Inspector monthly, a report showing the amount spent or given, to whom paid or given and for what purpose the funds were distributed. Upon failure of the Board in any county to submit such report, the State Board of Public Welfare may withhold further allocation of funds until the report has been submitted. 4/

IV. Executive

The Chairman of the Board of County Commissioners acts as executive. 2/

V. Staff

The County Welfare Board, subject to approval of the Federal Emergency Relief Administrator in any county, may appoint any official or employee employed by the Federal Emergency Relief Administration in the county to assist the County Welfare Board. 5/

The Board may also utilize the services and the assistance of any social service director appointed or employed by the Board of County Commissioners. 5/

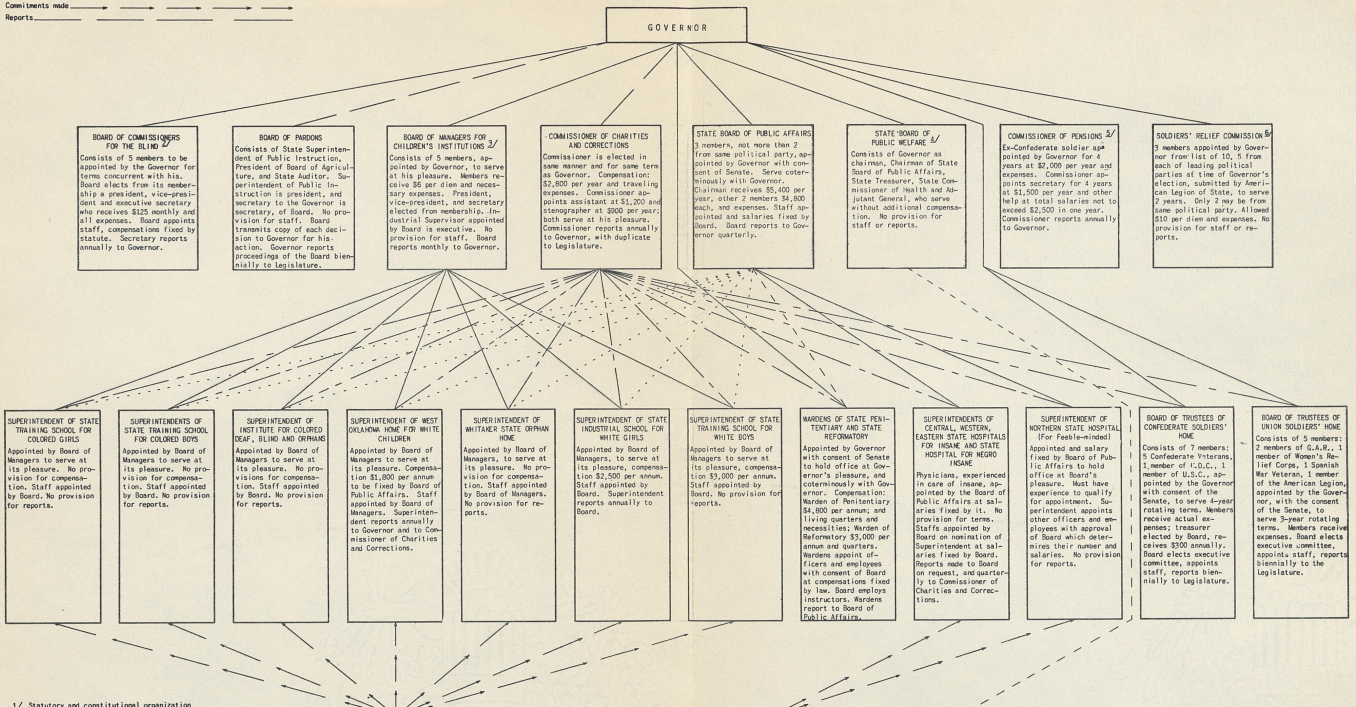
VI. Financial Provisions

See "Financial Provisions" under "State Board of Public Welfare".

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1. Session Laws (1935), Ch. 24, Art. 18, Sec. 4.
 2. Ibid, Sec. 1.
 3. Ibid, Art. 17, Sec. 11.
 4. Ibid, Sec. 9.
 5. Ibid, Sec. 6.

Actual Control _____
 Supervision _____
 Financial management _____
 Inspection, visitation _____
 Commitments made _____
 Reports _____

OKLAHOMA PUBLIC WELFARE AGENCIES, MAY 1, 1936



- 1/ Statutory and constitutional organization
- 2/ Administers Blind Assistance
- 3/ No longer in existence; powers and duties assumed by Commissioner of Charities and Corrections and State Board of Public Affairs
- 4/ Supervises expenditure and distribution of State and Federal funds
- 5/ Administers pensions to Confederate veterans
- 6/ Administers funds appropriated for assistance to minor dependents of destitute, disabled, and deceased veterans of foreign wars of U.S.
- 7/ Administers provisions for Institutional Care of Dependent and Neglected Children. May place children in family homes
- 8/ Commissioners act as overseers of poor in administration of Poor Relief, supervise burial of veterans
- 9/ Administers provisions for Care of Dependent Children in Their Own Homes. May be appealed to on decisions of Board of County Commissioners in regard to Poor Relief
- 10/ Administers funds allocated by State Board of Public Welfare

JUVENILE COURT (SESSION OF COUNTY COURT) 2/
 Judge of County Court acts. Salary ranges from \$200 to \$2500 per year according to county population. Judge may in counties of over 116,000 population and not less than 36,176, appoint a clerk at salary not to exceed \$150 monthly and necessary probation officers. In counties of 27,777 the judge may appoint a juvenile officer at \$300 monthly. Clerk reports annually to Commissioner of Charities and Corrections.

BOARD OF COUNTY COMMISSIONERS 3/
 3 members elected from each district. Pay ranges from \$1,200 to \$3,600 per year according to population of county. Board selects Superintendent of County Poor Farm at \$150 per month and staff at designated salaries and fixes their term. Board, in counties over 116,000, appoints assistants to serve at its pleasure at not exceeding \$200 per month. Superintendent reports annually to county clerk.

COUNTY COURT 3/
 Judge of County Court elected for 2-year term, at general election. He must be a resident voter and a licensed lawyer. Salary ranges from \$1,200 to \$3,000 per year according to county population.

COUNTY WELFARE BOARD 10/
 Composed of Health Officer and Board of County Commissioners. Chairman of Board of County Commissioners is Chairman. County Welfare Board appoints staff from Federal Emergency Relief Administration with Administrator's approval. County Welfare Board reports to State Governor and Inspector monthly.

