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U. S. DEPARTMENT OF LABOR
CHILDREN'S BUREAU
JULIA C. LATHROP, Chief

SUMMARY OF
CHILD-WELFARE LAWS
PASSED IN 1916

®

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BUREAU OF LAND MANAGEMENT
SUMMARY OF
CHILD WELFARE CASES
PASSED IN 1916

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LETTER OF TRANSMITTAL.

U. S. DEPARTMENT OF LABOR,
CHILDREN'S BUREAU,
Washington, February 3, 1917.

SIR: I transmit herewith a summary of child-welfare laws passed in 1916. The summary relates new provisions to those which they supplement or supersede and gives exact legal references for all material included. The summary is based on an outline of topics which was originally prepared as the basis for the bureau's reference index of legislation in various States and which is appended to the summary.

The summary of current legislation was prepared by Miss Anna Rochester and Miss Lulu L. Eckman, with the assistance of Miss Ella A. Merritt. The outline index was planned by Miss Emma O. Lundberg, with the assistance of other members of the staff.

Respectfully submitted.

JULIA C. LATHROP, *Chief.*

Hon. WILLIAM B. WILSON,
Secretary of Labor.

THE HISTORY OF ST. LOUIS

SUMMARY OF CHILD-WELFARE LAWS PASSED IN 1916.

INTRODUCTION.

Laws affecting the welfare of children were passed during the year 1916 by each of the 11 State legislatures holding a regular session,¹ by the legislatures of the Philippine Islands and Porto Rico, and by the Federal Congress. The acts of 11 extra sessions held in 10 States² between October 1, 1915, and December 1, 1916, have also been examined. This report summarizes the changes in child-welfare legislation found in these session laws³ and compares the new provisions with those which they supersede and, in some cases, with related provisions in the same State. Exact legal references are given for each statement, but these references do not attempt to cover the entire field of the subject under discussion.

The main divisions of this summary follow the main divisions of the index outline of child-welfare legislation⁴ prepared by the Children's Bureau, with certain modifications made necessary by the present less detailed plan of analysis. Thus the two subjects (E) Education laws and (F) Child-labor legislation, which the index outline separates, have been combined under the heading "Child labor and school attendance," and only such education laws have been included as directly affect employment, viz, those relating to compulsory school attendance, school census, length of school term, and attendance at part-time continuation schools. Laws which the index outline divides under three main headings—(G) State care of children, general provisions for administration, supervision, and maintenance; (H) Delinquent, dependent, and neglected children; and (I) Defective children—are given in the section entitled "Defective,

¹ Georgia, Kentucky, Louisiana, Maryland, Massachusetts, Mississippi, New Jersey, New York, Rhode Island, South Carolina, Virginia.

² California, Connecticut, Illinois (2 extra sessions), Massachusetts, Minnesota, Oklahoma, South Dakota, Tennessee, Vermont, Wisconsin.

³ Two changes in child-welfare legislation—one in Louisiana and one in Maine—made effective by referendum vote between Oct. 1, 1915, and Dec. 1, 1916, have been included.

⁴ For scope and text of this index outline, see Appendix, page 63. The subdivisions under the main headings are not arranged in the order in which they are found in the index outline.

delinquent, and dependent children." Two divisions of the index outline have been entirely omitted: (B) Guardian and ward, and (J) Minor's capacity or incapacity to acquire rights and to incur liabilities. In other divisions topics which are legal rather than social, or which concern adults primarily and children only indirectly, have not been included. For example, in the section entitled "Parent and child," changes are noted only in provisions regarding abandonment and neglect; abuse; care and support; custody of child; void and voidable marriages, with effect on legitimacy of child; adoption; and illegitimacy. Similarly, in the section on "Health and sanitation," no general health laws in which minors are not specifically mentioned have been included except provisions regarding venereal disease, infantile paralysis, visiting nurses, and town physicians (as distinct from health officers). But all laws concerning infant blindness, hospitals specified as for children or mothers, midwives, birth registration, and official divisions of child hygiene are covered. Recreation laws are placed in the section on health and sanitation, as in the index outline. Under the title "Defective, delinquent, and dependent children" only such laws relating to delinquents and dependents are included as specifically refer to minors, but all changes in provisions concerning mental defectives are summarized. In the last section, entitled "Miscellaneous provisions affecting children," are included a few laws not closely related to any of the subjects of the index outline.

The laws summarized under the heading "Child labor and school attendance" cover the same topics as those published by the Children's Bureau in the bulletin entitled "Child-Labor Legislation in the United States," and this review of 1916 laws may therefore be used as a supplement (in summary) to that volume. Three types of laws not given in the earlier publication, however, are included, viz: Provisions specifying a required length of annual school term are summarized; reference is made to provisions for investigations, a type of temporary legislation quite outside the scope of the other publication; and all provisions of workmen's compensation laws which specifically affect minor employees are indicated. The earlier bulletin referred only to such provisions of compensation laws as affected minors illegally employed; and those were not given in full, but summarized in the "Introduction." Even in the present summary changes in compensation laws which do not mention minor employees are not included, and none of the benefit provisions are mentioned.

A few local laws, i. e., State laws affecting a single county or city, etc., have been included, but neither the changes in local laws here summarized nor the references relating them to earlier local provisions cover this entire field. Appropriations are referred to

only as they are given in the text of an act establishing new work or creating a new office. Changes in appropriations for work already under way are not noted.

The topical index by States gives chapter references to the 1916 session law volumes.

ABBREVIATIONS USED IN REFERENCES.

[References giving chapter or number for a specified year are in every case to session laws of that year unless otherwise indicated.]

A	Act.
A C	Annotated Code.
art	article.
C	Chapter, Chapters.
C L	Consolidated Laws.
C S	Compiled Statutes.
G L	General Laws.
No	Number.
P	page.
R L	Revised Laws.
s	section.
ss	sections.
St	Statutes.
Stat L	United States Statutes at Large.
Supp	Supplement.
W R L	Wolf's Revised Laws.
v	volume.

LIST OF CODES, REVISIONS, OR COMPILATIONS USED.

United States	United States Statutes at Large.
District of Columbia	United States Statutes at Large.
Georgia	Code 1914.
Kentucky	Statutes 1915.
Louisiana	Wolf's Revised Laws 1904. Wolf's Revised Laws, Supplement 1904-1908.
Maryland	Annotated Code 1911 and 1914.
Massachusetts	Revised Laws 1902.
Mississippi	Code 1906.
New Jersey	Compiled Statutes 1910.
New York	Consolidated Laws 1909. Code of Civil Procedure.
Rhode Island	General Laws 1909.
South Carolina	Code 1912.
Virginia	Code 1904.

PARENT AND CHILD.

ADOPTION.

New York.—The law concerning adoption is amended to provide that in the adoption of an illegitimate child the fact of illegitimacy shall in no case appear upon the record. The amended law specifies

that if the foster parents reside outside the State proceedings must be in the county where the minor resides; otherwise, as formerly, in the county where the foster parents reside.

1916 C 453 amending C L 1909 (Domestic Relations) C 14 ss 112-114 as amended by 1915 C 352, and 115.

DESERTION OF MINOR CHILD.

See also Contributory delinquency, dependency, or neglect, pp. 32 to 33; Juvenile courts, Maryland, p. 36, and Massachusetts, p. 38; and Juvenile delinquents, Mississippi, p. 41.

Kentucky.—A parent willfully deserting an indigent child under 16 years of age is declared guilty of a felony, punishable by imprisonment for not less than one nor more than five years, but it is also provided that the parent, before or after conviction, may be placed on probation, subject to power of court, for a period of five years. By a former statute a parent guilty of willful nonsupport of child under 14 years of age is punishable by a fine of not more than \$20 or imprisonment in county jail or workhouse for not more than six months. Formerly parent deserting child under 6 years of age was subject to imprisonment in penitentiary for not more than three years. Compare provisions in juvenile-court law concerning parent contributing to dependency or neglect of minor.

1916 C 6. See St 1915 ss 328, 329, 331d, 331e.

New Jersey.—A mother who abandons a minor child dependent on her for support is declared guilty of a misdemeanor, but no penalty is specified. [The penalty for a misdemeanor unless otherwise specified is a fine of not exceeding \$1,000, or imprisonment for not exceeding three years, or both.] The act to which this is a supplement defined her as a "disorderly person." According to a former act a father deserting his minor child is held guilty of a misdemeanor and subject to fine of not more than \$100 or imprisonment for not more than one year. Compare the act for welfare of children [1915 C 246—not referred to in the 1916 act], which provides that any parent abandoning or neglecting child or children is to be deemed guilty of "cruelty to or neglect of children" and subject to a fine of not exceeding \$100 or imprisonment for not more than one year in workhouse or penitentiary.

1916 C 45 supplementing C S 1910 v 2 (Disorderly Persons) ss 17-30 p 1931. See also C S 1910 v 2 (Crimes) s 73a p 1770 and 1915 C 246.

MISCELLANEOUS PROVISIONS CONCERNING PARENT AND CHILD.

New York.—The law providing for the annulment of a marriage contracted when one or both parties were under the age of legal consent is amended by adding the provision that an action may be

maintained when either or both parties had not attained the age at which the consent of parent or guardian was not required by the laws of the State where the marriage took place. The amendment specifically applies to marriages heretofore or hereafter contracted.

1916 C 605 amending Code of Civil Procedure ss 1743, 1744.

Virginia.—The father and the mother of a legitimate unmarried minor child are to be equally entitled to the custody, services, and earnings of the child. If either be dead or disabled, or if either refuses to take custody or has abandoned his or her family, the other is entitled to custody, services, and earnings. Formerly the father, if living, had custody of the child.

1916 C 417. See Code 1904 v 2 s 2603.

OFFENSES AGAINST THE CHILD.

OFFENSES AGAINST THE PERSON.

Kentucky.—Pandering is defined and prohibited. Any female involved in the acts so defined is declared a competent witness. A penalty of imprisonment in penitentiary for from one to five years is provided.

1916 C 49. For previous laws applying to abduction, seduction, and assisting in prostitution, not superseded unless in conflict with this act, see St 1915 ss 1156, 1158, 1214-1215a.

Louisiana.—Provision is made for indeterminate sentence for certain offenses, specifically including rape and attempt to commit rape, subject to the minimum and maximum terms defined in the statute under which the prisoner is convicted. The former statutes under which, apparently, a prisoner would be convicted provide death sentence for rape and imprisonment for varying periods for attempt to commit rape. [See references below.]

1916 A 123. Compare W R L 1904 v 1 p 320 (1855 A 120 s 4 as amended by 1878 A 24); and W R L 1904 v 1 p 325 (1855 A 120 s 9 as amended by 1896 A 59 and 1912 A 9). For other penalties for attempt to commit rape, see W R L 1904 v 1 p 369 (1870 Extra Session A 8); W R L 1904 v 1 p 322 (1892 A 26); and 1912 A 192 s 1.

New York.—Seduction of an unmarried female of previous chaste character under pretense of marriage is made punishable by imprisonment for not more than five years, or fine of not more than \$1,000, or both.

1916 C 196 amending C L 1909 (Penal) C 40 s 2175.

Virginia.—The age of consent is raised from 14 to 15 years.

1916 C 478 amending Code 1904 s 3680.

See also law [1916 C 168] forbidding employment agencies to send females to places of bad repute, given under "Child labor," page 27.

MISCELLANEOUS OFFENSES AGAINST THE CHILD.

Louisiana.—It is made unlawful for the owner of a junk shop, or his employee, to purchase goods from a minor under 17 years of age, and a penalty is provided.

1916 A 15.

Maryland.—Any proprietor of a public pool room, billiard room, or bowling alley in Garrett County or Washington County is forbidden to permit persons under 16 years of age to loiter on the premises, to participate in games, or to watch others play. Any minor under 14 years of age is also forbidden to frequent or use tables at any licensed billiard room in Allegany County.

1916 C 140, 205, 479.

Porto Rico.—The admission of any minor to the places within the hippodromes designated for betting is prohibited, and the sale to any minor of a slip or ticket for a bet is forbidden. The penalty for a first offense is a fine or from \$200 to \$500 or imprisonment for from one to three months, or both.

1916 No 42.

The sale or donation of cigars, cigarettes, or tobacco to children under 18 years of age is prohibited, with a penalty for first violation of a fine not to exceed \$100 or imprisonment for not more than 90 days or both fine and imprisonment.

1916 No 21.

Virginia.—The new prohibition law includes the provision that it is a misdemeanor for a minor to have liquor in his possession; the former law concerning the sale of intoxicants forbade furnishing or selling liquor to a minor, employing a minor in a saloon, and granting a license for the sale of liquor to a social club having minors among its members. The new law provides also that "wife, child, parent, guardian, employer, or other person who shall be injured in person or property or means of support by any intoxicated person" has a right of action against the person who, by selling, bartering, or giving away intoxicating liquors, shall have caused the intoxication.

1916 C 146 ss 41, 74. For former liquor law see 1910 C 190.

HEALTH AND SANITATION, INCLUDING RECREATION.**BIRTH REGISTRATION.**

Maryland.—The vital statistics law is amended in several particulars. The amendments include the following changes: The State registrar is now permitted to combine two or more registration dis-

tricts in any county into one registration district without the former restriction that the population of the combined districts may not exceed 100,000; the city of Baltimore is now included in the provision, applying formerly to the remainder of the State, that originals of all certificates of birth or death shall be transmitted at least monthly to the State registrar.

1916 C 691 amending A C 1911 v 3 (1914) art 43 ss 8, 9, 12, 17.

New York.—The birth-registration law is amended by making the penalty apply specifically to any physician, midwife, or other person charged with filing a record of birth (formerly the penalty applied to “any person required by law” to report births, which included physician or midwife); and by adding the provision that action to recover penalty may be brought by State commissioner of health in any court of competent jurisdiction. [Another section of this law, not amended in 1916, provides that commissioner of health may report violations to district attorney, who shall institute proceedings.]

1916 C 58 amending C L 1909 (Public Health) C 45 s 392 as added by 1913 C 619.

HEALTH.

Louisiana.—It is made unlawful for a nurse or midwife to administer an anesthetic except by direction and under supervision of a physician. Violation of this provision is a misdemeanor subject to a fine of not exceeding \$1,000, or imprisonment for not exceeding six months, or both.

1916 A 163.

Maryland.—The county commissioners of Cecil County are authorized to appropriate not more than \$1,000 for the construction of a maternity department of Union Hospital of Cecil County, and to levy an annual tax for its maintenance.

1916 C 183.

Massachusetts.—The State department of health is authorized to purchase drugs of value in preventing the transmission of syphilis, for free distribution among boards of health, hospitals, dispensaries, and physicians, subject to such regulations as the department may prescribe.

1916 Resolves C 47.

Local boards of health, or the selectmen in towns having no boards of health, are authorized to make regulations to check the spread of infantile paralysis. Local authorities are required to notify the State department of health of any such regulation, and the State department of health has power to revoke or revise any regulation

under this act which it considers unnecessary or unreasonable. Regulations are to be in effect only until January 15, 1917.

1916 C 313.

Provision is made for an investigation by the State department of health of nonpulmonary tuberculosis with special reference to children and adolescents. This investigation is to determine the number of cases, the number of hospital beds now available for such cases and the number needed, and the department is to report to the legislature in January, 1917, its conclusions and recommendations with drafts of proposed legislation. Not exceeding \$500 may be spent upon the investigation.

1916 Resolves C 62.

Mississippi.—An act for the prevention of infant blindness is passed, which provides that all cases of inflamed or sore eyes occurring at any time within two weeks after birth shall be reported within six hours by the physician, midwife, parent, or other person in attendance to the local health officer, who shall investigate the cases and report to the State board of health. The State is required to furnish, if necessary, daily inspection and gratuitous treatment. The act provides also for the free distribution of a scientific prophylactic with directions for use to all physicians and midwives; and the use of a prophylactic in the eyes of the new born is required in all cases of childbirth in a maternity home, hospital, or institution, and in every case under the care of a midwife. The State board of health is required to publish information on the subject and to furnish copies of the law to all physicians and midwives and may make further regulations to be followed by local health officers. An appropriation of \$300 is made for the year 1916 and one of the same amount for the year 1917 for carrying out the provisions of the act. Failure to comply with any provision of the act constitutes a misdemeanor punishable by a fine of from \$50 to \$200.

1916 C 115.

New Jersey.—Municipalities are authorized to employ visiting nurses.

1916 C 202.

New York.—Any town containing a village which has no resident practicing physician within its boundaries or within a radius of 8 miles is authorized to appoint a town physician at a salary of not more than \$1,000, to be paid from tax money, whose duty it shall be to render medical relief to poor persons within the town. If the physician is also a local health officer, he is to receive in addition to this salary the compensation fixed for a health officer.

1916 C 413 amending C L 1909 (Town) C 62 by adding s 142.

Philippine Islands.—The sum of 1,000,000 pesos (\$500,000) is appropriated for a campaign to protect early infancy, to be conducted in cooperation with the Liga Nacional para la Protección de la Primera Infancia, and it is provided that officers and employees of the insular, provincial, and municipal governments, when so directed by the Governor General, shall serve gratuitously in connection with the work.

1916 No 2633.

Rhode Island.—The city of Providence is authorized to make an appropriation of \$5,000 toward the support of the Providence District Nursing Association.

1916 C 1405.

South Carolina.—The State board of health is instructed to appoint a county health officer for Greenville County at a salary of \$1,800, to be paid from the county funds. [Qualifications are not specified.] His duties include the examination of all children in the county under 12 years of age, unless they have been examined by a physician, to ascertain whether they have physical defects which might be remedied by treatment, and in case he discovers need of treatment the facts are to be communicated to the parents, guardian, or custodian of the child. The former health officer received a salary of \$1,000. His specific duties did not include examination of children.

1916 No 399 repealing 1914 No 390.

The State board of health is required to make the Wassermann test free of charge.

1916 No 531.

RECREATION.

United States.—Congress by special act incorporates the Boy Scouts of America, of which the purpose is stated as follows: To promote, through organization and through cooperation with other agencies, the ability of boys to do things for themselves and others; to train them in scoutcraft; and to teach them patriotism, courage, self-reliance, and kindred virtues, using the methods which are now in common use by Boy Scouts. The national organization was formerly a corporation under the laws of the District of Columbia.

39 Stat L C 148 p 227 (Act of June 15, 1916).

Louisiana.—In redrafting the school law provision is made [s 65] authorizing the Orleans Parish School Board to maintain playgrounds and social centers.

1916 A 120 repealing 1910 A 39 and 1912 A 214.

Maryland.—The mayor and city council of Baltimore are authorized to use the public-school buildings and other city property for any public purpose which will not materially interfere with the purpose for which such property was primarily designed.

1916 C 231 adding paragraph 32 to s 6 of Revised Charter of Baltimore city. See A C 1911 v 2 (1911) art 77 ss 121, 123.

In redrafting the school law for the State outside of Baltimore city, Maryland amends the provisions concerning the use of school buildings for other than school purposes by providing that when application is made by 25 citizens in the district for the use of a school building for a nonpartisan gathering for discussion of public questions, or for other civic, social, or recreational activities, the school authorities shall allow free use of buildings or grounds. The law formerly provided that school officials should "have authority to allow" such use.

1916 C 506 s 34 amending A C 1911 v 3 (1914) art 77 s 34.

Massachusetts.—The law permitting the use of school buildings in Boston for social and civic purposes is amended by eliminating the provision that in case of such use no admission fee shall be charged. This proviso had previously been eliminated from the law applying to the rest of the State.

1916 Special Acts C 86 amending 1912 C 195 s 1. Compare 1913 C 391 as amended by 1914 C 538.

New Jersey.—Any commission, board, or other local authority having control of parks, playgrounds, or other public property is specifically permitted to authorize their use for athletic purposes or as playgrounds, subject to reasonable regulation.

1916 C 59. For former provision concerning playgrounds managed by board of playground commissioners, compare 1911 C 308.

New Jersey adds to the provision permitting the use of school buildings and grounds for social and recreational purposes specific permission to improve and equip school property for such purposes.

1916 C 227 amending 1913 C 309.

New York.—A specific provision concerning land for athletic fields and playgrounds is added to the law concerning the acquisition by villages of lands for parks and squares. Villages are also authorized to equip and maintain parks, athletic fields, or playgrounds on leased land.

1916 C 42 amending C L 1909 (Village) C 64 s 169.

Rhode Island.—The school committee of Providence is authorized to permit the occasional use of school buildings for certain specified purposes, including civic, social, and recreational meetings and entertainments. No admission fee is to be charged unless the proceeds are

for an educational purpose connected with the school, and no political or religious meeting is to be permitted. Formerly the use of such buildings was permitted only for activities under auspices of school committee or board of recreation.

1916 C 1414. See 1912 C 858 and 1913 C 980.

CHILD LABOR AND SCHOOL ATTENDANCE.

CHILD LABOR.

United States.—Congress enacts a Federal child-labor law, to be effective September 1, 1917, forbidding the shipment in interstate or foreign commerce of the product of a manufacturing establishment or of a mine or quarry in the United States in which, within 30 days prior to the removal of the product from such establishment, mine, or quarry, children have been employed contrary to the following provisions: (1) No child under 14 to be employed at any time in any mill, cannery, workshop, factory, or manufacturing establishment; (2) no child between the ages of 14 and 16 years to be employed in establishments specified in (1) more than eight hours in any day, or more than six days in any week, or between 7 p. m. and 6 a. m.; (3) no child under 16 to be employed at any time in any mine or quarry. The Attorney General, the Secretary of Commerce, and the Secretary of Labor constitute a board to make regulations for carrying out the provisions of the act. The Secretary of Labor and his deputies have authority to inspect at any time establishments covered by the act. A dealer is protected from prosecution by establishing a guaranty issued by the manufacturer or producer. The producer, manufacturer, or dealer is protected from prosecution for violation if at the time of employment of the child the producer or manufacturer had in good faith procured and has since kept on file a certificate issued according to regulations of the board (of Secretaries), showing the child to be of such an age that shipment of the product was not prohibited. The board may designate States in which an employment certificate issued under State law shall be accepted as fulfilling this provision.

The district attorney is to cause proceedings to be commenced in a Federal court for the enforcement of the penalties provided by the act upon receiving a report of a violation from the Secretary of Labor or upon receiving satisfactory evidence of violation from any State factory or mining or quarry inspector, State medical inspector, school-attendance officer, or any other person.

The penalty for violation, including obstruction of entry or inspection authorized by the act, is as follows: For each offense prior to first conviction, a fine of not more than \$200; for each offense subse-

quent to first conviction, a fine of from \$100 to \$1,000, or imprisonment for not more than three months, or both.

39 Stat L C 432 p 675 (Act of Sept 1, 1916).

The Adamson Act provides that in contracts for labor and service eight hours shall be deemed a day's work and the measure or standard of a day's work for the purpose of reckoning compensation of all employees [whether minors or adults] actually engaged in the operation of trains used for the transportation of persons or property on interstate railroads, except railroads independently owned and operated not exceeding 100 miles in length, electric street railroads, and electric interurban railroads. The President is to appoint a commission of three to observe during a period of six to nine months the operation of the eight-hour day, and within 30 days thereafter the commission shall report its findings to the President and Congress. The sum of \$25,000 is appropriated for the necessary expenses of the commission. Pending their report and for 30 days thereafter the compensation of railroad employees subject to the act shall not be reduced below the present standard day's wage, and for all necessary time in excess of eight hours such employees shall be paid at a rate not less than the pro rata rate for such standard eight-hour workday. Violation of any provision constitutes a misdemeanor, punishable by fine of from \$100 to \$1,000, or by imprisonment not to exceed one year, or by both.

39 Stat L C 436 p 721 (Act of Sept 3, 5, 1916).

Congress amends the act limiting the hours of service for employees [whether minors or adults] upon interstate railroads to not more than 16 hours' continuous service with 10 consecutive hours off duty, by making the penalty for violation a fine of not less than \$100 nor more than \$500, instead of "not to exceed \$500," as formerly.

39 Stat L C 109 p 61 (Act of May 4, 1916) amending 34 Stat L C 2939 s 3 p 1415 (Act of Mar 4, 1907).

Georgia.—The commissioner of commerce and labor is given authority to appoint one factory inspector to aid in the enforcement of the child-labor law and such other laws as may come under jurisdiction of the department of commerce and labor. Formerly there was no specific provision for appointment of factory inspectors.

1916 No 547 p 113. See Code 1914 (Political) s 2141.

Kentucky.—The child-labor law is amended by the addition of a provision that "nothing in this act shall prevent" employment of children under 16 not residents of the State to perform in a duly licensed theater, provided the child is accompanied to and from the theater by a parent, guardian, or other adult custodian who remains in the wings during the performance. The law to which this proviso

is added forbade the employment of any child under 14 on the stage and provided that children 14 to 16 years of age must have regular employment certificates for all work in theaters and must not be employed in such work between 6 p. m. and 7 a. m.

1916 C 23 amending St 1915 s 331a.1. See also St 1915 ss 331a.2-331a.6.

Louisiana.—The law fixing a maximum 10-hour day and 60-hour week for females and for persons under 18 employed in specified occupations, and prohibiting night work for boys under 16 and girls under 18, is amended by eliminating the former exemption of stores and mercantile establishments for 20 days before Christmas. The former exemption of such establishments from these regulations on Saturdays is now limited to those employing more than five persons.

1916 A 177 amending W R L Supp 1904-1908 v 3 p 414 (1908 A 301 ss 4, 5).

Louisiana rewords and strengthens the law forbidding women and minors to serve in saloons and other specified places where liquors are sold.

1916 A 220 amending W R L Supp 1904-1908 v 3 p 872 (1908 A 176 s 5).

Maine.—The law passed by the legislature of 1915 limiting hours of work in specified occupations for all females and for boys under 16 years of age to 9 hours per day, with exceptions, and 54 hours per week, and prohibiting in the same occupations work of minors under 16 between 6 p. m. and 6.30 a. m., is adopted by referendum vote.

Referendum of Sept 11, 1916 adopting 1915 C 350.

Maryland.—An amendment to the child-labor law adds to occupations prohibited under 14 years of age work in mercantile establishments, stores, offices, boarding houses, places of amusement, clubs, and in the distribution or sale of merchandise. The minimum age for employment in these occupations was formerly 12, but another section of the child-labor law, still in effect, prohibited any employment under 14 during school hours unless child had fulfilled the legal requirements concerning school attendance. The minimum age in canning and packing establishments is left at 12 years. The new law adds to the occupations and processes prohibited under 16 years of age operating crosscut saws, or "any machine operated by power other than foot or hand power," and work in any establishment where "tobacco or tobacco products are prepared, manufactured, assorted, or packed" [instead of "in assorting, manufacturing, or packing tobacco," as formerly], and work in a theater or motion-picture establishment by omitting the former provision authorizing the chief of the bureau of statistics and information to issue to children under 16 years of age, at his discretion, permits for employment in connection with theatrical exhibitions. The age below which

females may not be employed at occupations requiring constant standing is lowered from 18 to 16 years.

The law permits the issuing of employment certificates by county issuing officials only in the county where the child resides, not, as formerly, also in the county where the child is employed; and it adds to the papers which the child must present before an employment certificate may be issued to him an employment ticket signed by the prospective employer stating the occupation, industry, and place in which child will work. The latter requirement was implied in the former law but was not specifically mentioned. Formerly there were no educational requirements for obtaining a vacation certificate; the new law specifies that the child must be able to read and write English.

The provision as to posting of hours is made more explicit but affects only establishments employing children under 16 instead of 18, as formerly. The requirement that lists of children of specified ages shall be posted is omitted.

The minimum age for newsboys in cities of 20,000 or over is raised from 10 to 12, except for boys over 10 already licensed, and a special badge and permit may be issued to boys over 10 for delivering papers on a regular route between 3.30 and 5 p. m. Formerly there was no restriction upon the age of boys serving routes outside of school hours. Street-trades permits and badges must be renewed one year from date of issuance instead of annually on January 1.

Certain minor changes are made in the office procedure to be followed by certificate-issuing officials.

The hours of work of all children under 16 in all occupations for which the minimum age is 14¹ are limited to 8 hours per day, 6 days per week, and 48 hours per week, and work in these occupations between 7 p. m. and 7 a. m. is prohibited. Formerly there was no regulation of hours of labor specifically applying to children under 16, except a 10-hour day in stores and mercantile businesses in Baltimore and in factories throughout the State, and a prohibition of night work from 8 p. m. to 8 a. m. for messengers under 16. [For 10-hour day for females in specified establishments and for all boys under 21 and females in certain factories, see A C 1911 v 3 (1914) art 100 ss 1-3, 51, 53-55.]

1916 C 222 amending A C 1911 v 3 (1914) art 100 ss 4, 5, 7-9, 11-16, 23, 25, 26, 28, 29-31, 37, 39-43, 46, 48, and adding s 22A to same article. Compare A C 1911 v 1 (1911) art 23 s 375; and A C 1911 v 3 (1914) art 27 s 239.

The provisions concerning the evidence of age required for employment certificates are amended. The law now provides that only a birth certificate, passport, or baptismal record will be ac-

¹ Including, among other establishments and occupations, factories, workshops, mechanical and mercantile establishments, and messenger service, but not canning and packing establishments.

cepted as documentary evidence, whereas formerly other documentary evidence was admitted. In case the specified evidence is not available the law now permits the issuance of a temporary permit, good for 10 days, pending inquiry by issuing officer as to available evidence and the acceptance of a physician's certificate of age. Formerly a child who was unable to present satisfactory documents could not secure any permit until after he had waited 10 days for a physician's certificate of age.

1916 C 701 amending A C 1911 v 3 (1914) art 100 s 13.

A State board of labor and statistics (three commissioners appointed by the governor) is created and is given all the duties and powers of the former bureau of statistics and information and of the former inspectors of female labor, both abolished by the same act. The board's duties include the administration and the enforcement of the child-labor law and of the law limiting the hours of work of women, but county school superintendents or their deputies retain the right to issue employment certificates outside of Baltimore city. One commissioner is designated by the governor as chairman of the board and receives a salary of \$2,500; the other two receive \$500 each. The board is authorized to appoint deputies, inspectors, assistants, and employees subject to the approval of the governor.

1916 C 406 amending A C 1911 v 2 (1911) art 89 ss 1, 2, adding ss 2A and 11-15 to same article, and repealing A C 1911 v 3 (1914) art 100 s 53; 1916 C 407 amending A C 1911 v 3 (1914) art 27 s 240.

The 10-hour law for females employed in specified occupations is amended by omitting the former special provisions concerning seasonal industries in Allegany County, and by adding a new exemption permitting women employed in retail mercantile establishments outside of Baltimore city to work 12 hours on Saturdays and on Christmas Eve and the five preceding working days, provided that on each of those days they have at least two rest intervals of one hour each and provided they do not work more than 9 hours a day during the remainder of the year. This act affects only females 16 years of age and over, as girls under 16 are covered by the provisions of 1916 C 222 [summarized on page 21].

1916 C 147 repealing and reenacting A C 1911 v 3 (1914) art 100 s 51.

Massachusetts.—Provision is made for the issuance of summer vacation employment certificates to children between 14 and 16, subject to the regulations of child labor and to all the requirements for general employment certificates except completion of the fourth grade, which is the educational qualification required for general employment certificates.

1916 C 66 amending 1909 C 514 s 59 as amended by 1913 C 779 s 17 and 1914 C 580.

Special employment certificates are to be issued by the local superintendents of schools to children between 14 and 16 years of age who are attending cooperative courses. These are defined as courses approved by the board of education and conducted in public schools, in which technical or related instruction is given in conjunction with practical experience by employment in a cooperating factory, or manufacturing, mechanical, or mercantile establishment, or workshop. [Contents of certificates are not specified.] Further, pupils in cooperative courses are exempted from the provision requiring a certificate of literacy or attendance at evening school for employment of minors between 16 and 21 years of age.

1916 C 95 amending 1909 C 514 s 17 as amended by 1912 C 191; s 57 as amended by 1913 C 779 s 15; and s 66 as amended by 1913 C 779 s 23.

Massachusetts amends the law fixing a maximum 10-hour day and 54-hour week for women and children under 18 in manufacturing, mechanical, mercantile, and other specified establishments, with certain exceptions and exempting manufacturing establishments where employment is by seasons, by providing that the State board of labor and industries shall determine what employments are seasonal.

1916 C 222 amending 1909 C 514 s 48 as amended by 1915 C 57.

It is provided that in cities [of 50,000 or less population] all children under 16, instead of only those under 14 as heretofore, are to be under the jurisdiction of the school committee with respect to obtaining permits for boot blacking, newspaper selling, and other specified street trades. A special street-trades law applying to cities of over 50,000 population had, before 1916, placed with school officials the licensing of street traders under 16 years of age in such cities. [Cities having over 50,000 population by the Federal census of 1910: Boston, Brockton, Cambridge, Fall River, Holyoke, Lawrence, Lowell, Lynn, New Bedford, Somerville, Springfield, Worcester.]

1916 C 242 s 4 amending R L 1902 C 65 s 17 as amended by 1910 C 419; 1916 C 242 s 5 amending R L 1902 C 65 s 18. For street-trades law applying to cities of over 50,000, see 1913 C 831 ss 11-15, 19, 22-25.

An act providing for special one-day licenses for street selling and soliciting on behalf of a charitable organization states that no person under 16 shall serve as the accredited agent of such organization.

1916 C 188.

The act establishing a minimum-wage commission is amended to provide that one of the three members shall be an employer of female labor and that one member may be a representative of labor. The only former provision as to the personnel of the commission, that one member may be a woman, is retained.

1916 C 303 amending 1912 C 706 s 1.

The State board of labor and industries is directed to investigate hours and conditions of labor in hotels and restaurants and to report in January, 1917, upon the advisability of legislation providing for one day's rest in seven for hotel and restaurant employees. These are specifically exempt from the existing law requiring one day's rest in seven for employees, with certain exceptions, in manufacturing and mercantile establishments.

1916 Resolves C 74. Compare 1913 C 619.

The special commission on social insurance¹ [appointed by 1916 Resolves C 157] is directed to study and report on hours of labor in continuous industries and to present drafts of such laws as it may deem expedient to recommend.

1916 Resolves C 164.

Mississippi.—The 10-hour law applying to all persons employed in manufacturing or repairing establishments is amended by permitting 30 minutes (instead of 20 minutes) overtime the first five days of the week, provided such overtime is deducted from the working hours on Saturday. The law as amended provides further that persons working only at night may work 11¼ hours each night from Monday to Friday and 3¾ hours on Saturday night and specifically exempts employees of railroads or public-service corporations. This law does not apply to all minors employed in manufacturing or repairing establishments, since other acts further regulate hours of boys and girls under specified ages in certain occupations.

1916 C 239 amending 1912 C 157 s 1 as amended by 1914 C 169. See 1908 C 99 as amended by 1912 C 165 and 1914 C 163, 164, 165.

New Jersey.—Provision is made for the issuance of special employment certificates by the commissioner of education and the commissioner of labor for pupils above the age of 14 years attending vocational schools and working part time in factories, workshops, mills, and all places where the manufacture of goods is carried on, designated by the board of education. [Contents of certificates are not specified.] A proviso, the significance of which is not clear, states that "nothing in this act shall be construed to permit children to be employed for more than eight hours in any one day or more than six days in any week and in accordance with the provisions of chapter 252, P. L. 1914." The earlier act referred to contains the provisions fixing a minimum age of 14 and maximum hours of eight per day in factories and a minimum age of 16 in certain dangerous occupations, and requiring employment certificates.

1916 C 242 supplementing C S 1910 v 3 (Labor) ss 16-25 p 3023 as amended by 1914 C 60, 236, 252. Compare 1913 C 294.

¹ See p. 57.

The department of labor (whose duties include the enforcement of the child-labor law) is reorganized with eight bureaus, including a bureau of inspection and a bureau of hygiene and sanitation.

1916 C 40 and 54. Compare C S 1910 v 3 (Labor) s 60 p 3034 as amended by 1912 C 117, C S 1910 v 3 (Labor) s 61 p 3035, and 1914 C 236 s 3 for provisions concerning former organization of the department with reference to enforcement of the child-labor law.

New York.—The employment-certificate provisions of the child-labor law are amended, amendments to take effect February 1, 1917. A child who is 14 years of age but under 15 may not receive an employment certificate unless he has completed the course of the public elementary schools or its equivalent. Children 15 but under 16 may receive certificates if they have completed only the sixth grade as formerly required for children of both 14 and 15. The former specific permission to accept a certificate of graduation as evidence of age is omitted. The officer issuing certificate upon documentary evidence of age other than birth certificate, graduation certificate, passport, or baptismal certificate was formerly instructed to file with the local board of health for its approval a signed statement showing the facts "together with such affidavits or papers as may have been produced before him constituting evidence"; the words "affidavits or" are now omitted. Formerly the evidence had to be approved by the board of health at a regular meeting; now the commissioner of health, or, if officially authorized, the issuing officer himself may approve the evidence, a record of which must be entered on the minutes of the next meeting of the board. As before, in first-class cities [New York City, Buffalo, and Rochester], if no satisfactory documentary evidence of age can be produced, a physician's certificate as to age may be accepted as evidence, but the waiting period after an application for such a certificate is reduced from 90 to 60 days. The literacy requirement which the issuing officer must state that the child has satisfied is changed from "to read and legibly write" simple English sentences to "to read and write correctly" simple English sentences.

1916 C 465 s 1 amending C L 1909 (Labor) C 31 s 71 as amended by 1912 C 333; 1916 C 465 s 2 amending C L 1909 (Labor) C 31 s 163 as amended by 1913 C 144. See also C L 1909 (Labor) C 31 ss 73, 165, both as amended by 1913 C 144.

New York provides that posing in connection with making of a motion-picture film is prohibited to a child under 16 unless a special permit is secured from mayor of city or president of board of trustees of village. Formerly this provision for permit applied only to children under 16 employed in theatrical exhibitions or as musicians in concerts. The application for permit for a child to be employed in making of a motion-picture film must be accompanied by detailed statement of just what the child is to be required to do.

1916 C 278 amending C L 1909 (Penal) C 40 s 485.

Rhode Island.—It is provided that a child's employment certificate shall be kept on file at the issuing office until that office receives a written statement from the employer agreeing to employ the child lawfully and to return the certificate to the issuing office within five days after termination of employment. The certificate shall be then delivered to the employer and in no case to the child. Formerly the certificate was delivered to the child upon issuance, and, if he so demanded; given back to him by the employer upon termination of employment. The compensation for each of the two physicians appointed to examine applicants for certificates in Providence is increased from \$750 to \$1,200 per annum.

1916 C 1358 and 1378 both amending G L 1909 C 78 s 1 as amended by 1915 C 1253.

South Carolina.—The minimum age for employment in a factory, mine, or textile establishment is raised from 12 to 14 years. [The section of the former act which required work permits for children under 14 is not changed, and the amended act includes no provision for work permits for children 14 and over.]

1916 No 361 amending 1912 Criminal Code C 16 s 422. See also 1912 Criminal Code C 16 s 426.

The law fixing maximum hours of not more than 11 per day and 60 per week for work in cotton and woolen manufacturing establishments, except for certain employees [mechanics, engineers, firemen, watchmen, teamsters, yard employees, or members of clerical force], is amended by placing restrictions upon the making up of lost time and by adding a new provision for posting regular hours and special hours to be worked under exemption clauses.

1916 No 547 amending Criminal Code 1912 C 16 s 421.

South Carolina limits to 10 hours per day the work of any employee [whether minor or adult] of an interurban railway operating 40 miles or less, and permits exemption in case of accident or unavoidable delay.

1916 No 544.

Virginia.—Among the amendments to the law regulating employment agencies is the provision that any bureau or agency which knowingly sends any female to any place of bad repute shall be deemed guilty of a felony, punishable by fine of from \$100 to \$1,000, or imprisonment of from 1 to 10 years, or both fine and imprisonment. [Compare with other provisions according to which any person over 18 years of age who sends or causes to be sent any child under 18 to any house of prostitution is guilty of a misdemeanor and subject to fine of not more than \$500, or imprisonment not exceeding one year, or both.]

1916 C 168 amending 1910 C 155. Compare 1914 C 350.

For provisions making unnecessary the law prohibiting employment of a minor in a saloon [1910 C 190], see new law prohibiting sale of liquor [1916 C 146, summarized on page 14].

COMPENSATION FOR INJURED MINOR.

United States.—Congress, in the workmen's compensation act applying to Federal employees, enacted in 1916, provides [s 6] that "in the case of persons who at the time of the injury were minors * * * and who were not physically or mentally defective, the commission shall, on any review after the time when the monthly wage-earning capacity of such persons would probably, but for the injury, have increased, award compensation based on such probable monthly wage-earning capacity."

39 Stat L C 458 p 742 (Act of Sept 7, 1916).

Kentucky.—A workmen's compensation law is passed which includes the following provisions: A minor, unless employed in willful violation of a State law regulating employment of minors, shall be deemed sui juris for purposes of the act, and no other person shall have cause of action by reason of the employee's minority, but in the event of the award of lump-sum compensation to such minor payment shall be made to his guardian. In case of a minor employed in willful and known violation of a State law, his statutory guardian or personal representative may claim compensation under terms of the act or may sue to recover damages as if the act had not been passed.

1916 C 33 ss 11, 30.

New York.—In the revision of the workmen's compensation law it is provided [s 2 of amended act] that a minor employee shall be deemed sui juris for the purposes of election as to accepting provisions of the act.

1916 C 622 amending 1913 C 816 as reenacted by 1914 C 41.

Porto Rico.—A workmen's compensation law is passed which specifically provides [s 32] that a child or a woman who is employed is on the same footing as a man in regard to the provisions of the act.

1916 No 19.

SCHOOL ATTENDANCE.

Georgia.—School attendance is required of all children between the ages of 8 and 14 years for four months each year, beginning with opening of the first term, but exemptions are permitted under the following conditions: (1) If child has completed the fourth grade; (2) if because of poverty his services are necessary for the support of a parent or other member of his family dependent on his services;

(3) if the parent is too poor to provide textbooks and clothing; (4) if child's mental or physical condition renders attendance inexpedient; (5) if there is no school within 3 miles; or (6) if "for other good reason (the sufficiency of which shall be determined by the board of education of county or city or town in which child resides) the said board excuses the child from such attendance." School boards are specifically authorized to take into consideration the seasons for agricultural labor and the need for such labor in authorizing the excuse of children in farming districts. A parent, guardian, or other person willfully failing to send child to school is guilty of misdemeanor and may be punished by fine not exceeding \$10 for first offense and \$20 for each subsequent offense. Punishment may be suspended by court if parent immediately places child in school. It is the duty of the principal or teacher in charge to report monthly to board of education having supervision of school on attendance of pupils, and the duty of the county or municipal board of education to investigate attendance and nonattendance and to institute proceedings for violations of act. No provision is made for attendance officers. Heretofore Georgia had no compulsory school-attendance law.

1916 No 576 p 101.

Kentucky.—In the revision and codification of the common-school law provision is made for a biennial school census instead of an annual one, as formerly.

1916 C 24 repealing and reenacting certain sections of St 1915 C 113 (ss 4363-4535h). Compare 1916 C 24 ss 90, 94, 207 with St 1915 ss 4426a.5, 4432, 4449, 4523. See also St 1915 ss 2978a.35, 2978c.10.

The title of the chief truant officer in first-class cities [Federal census of 1910, Louisville only] is changed to director of attendance, and the supervision of the school census in his city, under direction of board of education, is included in his duties.

1916 C 121 amending St 1915 s 2978c.6.

Louisiana.—A compulsory school-attendance law applying to the entire State except the parish of Orleans is passed. The law formerly applying outside of the parish of Orleans affected only cities of over 25,000 inhabitants. It required school attendance of children between 8 and 14 years of age with exceptions. The new law requires the attendance of every child between 7 and 14 years of age, both inclusive, for a minimum of 140 days, or for the entire session if that is less than 140 days. Children must enter not later than two weeks after the beginning of the term. Children who in the judgment of the parish school board are within the following classifications are exempted: (1) Children mentally or physically inca-

pacitated; (2) those who have completed the elementary course; (3) those who live more than $2\frac{1}{2}$ miles from a school of suitable grade and for whom free transportation is not furnished by the school board; (4) those for whom adequate school facilities are not provided; and (5) those whose services are needed to support a widowed mother. The law specifies a penalty for the parent in case of violation, but provides that nonattendance due to truancy of child instead of to neglect of parent shall be considered delinquency, and that in such cases the child shall be brought before the juvenile court. The new law, like the old, contains no provision for enforcement or for appointment of attendance officers. The compulsory school-attendance law for the parish of Orleans, which is not affected by the legislation of 1916, applies with certain exemptions to children 8 to 14 years of age, inclusive, and to those from 14 to 16 who are not regularly and lawfully employed at least six hours daily. It provides for the appointment of attendance officers and has no poverty exemption clause.

1916 A 27 repealing 1914 A 91. See also 1910 A 222 as amended by 1912 A 232.

Maryland.—The laws relating to public education are amended and codified. The following amendments and additions are included:

The State board of education shall prescribe, with advice of the State superintendent of schools, the rules and regulations for taking a biennial school census of all children 6 to 18 years of age, inclusive. This census shall be taken under the direction of county boards of education and county superintendents. The only former school-census provision, requiring in Baltimore city an annual census of all children 6 to 18 years of age, inclusive, is not changed by the new law. The State superintendent of schools may cause the census of Baltimore city or of any county to be retaken if he believes it has not been correctly taken.

At least one attendance officer shall be appointed in each county by the county board of education on nomination of the county superintendent and subject to the written approval of the State superintendent. The law formerly permitted but did not require the appointment of attendance officers except in Baltimore city. The Baltimore provisions are not changed by the 1916 law.

Elementary schools for white children shall be kept open for not less than 180 school days, and, if possible, for 10 months each year. The law formerly required "for 10 months each year if possible." The minimum annual term for colored elementary schools is fixed at 140 school days, or 7 months. There was formerly no minimum term for colored schools.

The school-attendance requirements outside of Baltimore city are amended. It is now provided that every child "being 7 years of age and under 13 years of age" shall attend school the entire session. Every child 13 or 14 years of age shall attend at least 100 days, beginning not later than November 1, and if such child is not regularly and lawfully employed at home or elsewhere he (or she) shall attend school the entire session. Every child 15 or 16 years of age is subject to the same provisions as those applying to children 13 or 14, except that a child 15 or 16 who has completed the work of the elementary school is exempt. None of these provisions apply to children whose mental or physical condition renders school attendance inexpedient. Any person having a child under his control who fails to comply with these provisions shall be guilty of a misdemeanor and fined not more than \$5. The former school-attendance provisions outside of Baltimore city, which were less comprehensive and from which six counties were specifically exempted, applied only to counties where the board of county school commissioners had adopted them and had appointed an attendance officer. On April 1, 1916, the old provisions were in force in nine counties.

1916 C 506 amending A C 1911 v 2 (1911) art 77 and A C 1911 v 3 (1914) art 77; amended sections include ss 43, 73, 75, 131, 153A (now 162), 156; certain sections including ss 12F, 21B, 25M are added. Compare A C 1911 v 3 (1914) art 77 §§ 153, 159.

Massachusetts.—Provisions concerning the school census are amended to make the attendance officers responsible for its accuracy and completeness. Private schools are required to report registrations to the city or town superintendent of schools. A definite method for using school census in enforcing compulsory school attendance is prescribed. The school committees' reports to the commissioner of education shall state the number of minors of specified ages as of the 1st day of April instead of the 1st day of September.

1916 C 102 amending R L 1902 C 43 ss 3, 4, both as amended by 1914 C 443.

Married women are exempted from the provision requiring all illiterate minors 16 to 21 years of age to attend evening or other school.

1916 C 82 amending 1913 C 467 s 1.

Mississippi.—A special commission is to be appointed to study school laws of other States and other countries and to compile a complete code of school laws to be submitted to the Mississippi Legislature in January, 1918. [The Mississippi laws include no provisions for school census or for compulsory school attendance.]

1916 C 603.

S1573°—17—3

DEFECTIVE, DELINQUENT, AND DEPENDENT CHILDREN.**CONTRIBUTORY DELINQUENCY, DEPENDENCY, OR NEGLECT.**

See also Desertion of minor child, p. 12; Juvenile courts, Maryland, p. 36, and Massachusetts, p. 38; and Juvenile delinquents, Mississippi, p. 41.

Louisiana.—Contributory delinquency, dependency, or neglect on the part of parent, guardian, or other person having custody or control of a child under 17 is defined, and it is provided that any person coming under that definition shall be deemed guilty of a misdemeanor and shall be punishable by a fine of not more than \$1,000, or by imprisonment for not more than one year, or both. [According to the State constitution, art. 118, the juvenile court, parish of Orleans, and district courts outside of said parish, sitting as juvenile courts, have jurisdiction over "all persons charged with contributing to the neglect or delinquency of children under 17 years of age." This article contains, however, no special definition of contributory neglect, etc., and provides no penalty therefor.]

1916 A 139.

Maryland.—The procedure to be followed in case of a parent, guardian, or other person having custody, control, or supervision of a child defined by law as "a minor without proper care or guardianship" is specified, and it is expressly provided that the act shall be liberally construed in favor of the State for the protection of a child not only from neglect on the part of the parents or guardians but "from the effects of the improper conduct or acts of any person which may cause, encourage, or contribute to dependency, neglect, or delinquency of such child, or to the conditions which render it a minor without proper care or guardianship, although such person is in no way related to such child." Jurisdiction is given to circuit courts in counties; in Baltimore city the preliminary hearing at which all persons named in the petition are present [apparently including the minor] is to be before the magistrate for juvenile causes, and this magistrate has concurrent jurisdiction with the criminal court of Baltimore city if the accused waives his right to trial by jury. The court is given wide discretion in dealing with cases of contributory delinquency, etc.; it may place the adult on probation, or impose a fine not exceeding \$500, or sentence to imprisonment in house of correction for not exceeding two years, or impose both fine and imprisonment. This act shall not prevent proceedings under any other statute which is applicable, and gives the court authority to direct the State's attorney to prosecute under criminal laws.

State-wide provisions earlier than 1916 specifically concerned with adult's contributory delinquency, dependency, or neglect related only

to father's desertion of wife and minor child and to parent's abandonment of child under 3 years of age. Contributory delinquency, dependency, or neglect was previously defined and declared a misdemeanor in certain local juvenile-court laws, and is so declared and defined in the new juvenile-court act, State wide except for Baltimore city [summarized on page 36].

1916 C 674. See A C 1911 v 3 (1914) art 27 ss 75-78. For certain local laws see 1914 C 171, 367, 701. Compare also 1916 C 326.

DEAF, DUMB, AND BLIND.

Kentucky.—The name of the Kentucky Institution for Education of the Blind is changed to the Kentucky School for the Blind.

1916 C 84. See St 1915 ss 299-311.

Louisiana.—The State schools for the deaf and dumb and for the blind which were formerly under separate special boards are placed under the control of the State board of education.

1916 A 237. Compare W R L 1904 v 1 p 576 (1898 A 145) as amended by W R L Supp 1904-1908 v 3 p 201 (1908 A 238 s 1); and W R L 1904 v 1 p 579 (1898 A 166) as amended by W R L Supp 1904-1908 v 3 p 202 (1908 A 239 s 1).

The governor is authorized to appoint a nonsalaried commission of five residents of the State to consider the advisability of establishing an institution for the care and training of colored deaf, dumb, and blind persons. If commission recommends establishment of institution, its report shall include details as to location, cost, and working plans.

1916 A 72.

Massachusetts.—Provision is made for the interchange of information concerning needy blind persons between the Massachusetts Commission for the Blind and the State board of charity, and the city and town overseers of the poor throughout the State. The former provision requiring the bureau of statistics to report to the commission all blind persons found in the decennial census is retained. Further, the law now authorizes the commission to keep a register, not only of blind persons, as formerly, but of persons who have seriously defective sight, and to take measures, in cooperation with other authorities, for the prevention of blindness and for the education and vocational guidance of persons having defective sight.

1916 C 160 amending 1906 C 385 s 2 and adding s 2A to same chapter. See also 1907 C 173 and compare 1916 Resolves C 75.

The commission on economy and efficiency is directed to investigate the advisability of providing pensions for needy blind and to report to the legislature in January, 1917.

1916 Resolves C 139. Compare 1906 C 385 s 6.

New Jersey.—The commission for ameliorating the condition of the blind is authorized to make inquiries concerning the causes of blindness, to learn what proportion of the causes of blindness are preventable, and to cooperate with the State board of health and other officials in adopting and enforcing preventive measures. Formerly the commission had power only to report and recommend methods of preventing blindness.

1916 C 22 amending C S 1910 v 2 (Deaf-mutes, Blind, and Feeble-minded) ss 41-43 p 1903 as amended by 1911 C 82.

The commission for ameliorating the condition of the blind is authorized to lend State money to provide capital and tools for blind persons who wish to earn a living by any form of business or productive activity.

1916 C 17.

A former act appropriating a specified per capita sum for the care and instruction of certain dependents, including blind persons, in institutions is amended to include the provision that blind babies and young children too frail or backward to enter institutions for the blind shall have necessary hospital care, and the per capita allowance for these children is fixed at \$450 instead of \$300.

1916 C 134 amending C S 1910 v 2 (Deaf-mutes, Blind, and Feeble-minded) s 1 p 1896 as amended by 1915 C 297.

DEPENDENT CHILDREN.

See also Juvenile courts, pp. 35 to 40; Juvenile delinquents, Mississippi, p. 41; Mothers' pensions, pp. 51 to 52; and Miscellaneous provisions affecting defective, delinquent, and dependent children, pp. 52 to 53.

Mississippi.—The board of supervisors [of each county] is authorized to commit dependent children to any orphan asylum in the State or to any organization in the State caring for dependent children, and to appropriate from the county funds not more than \$100 to pay the expenses of placing a child. The law also retains the provision authorizing the board to bind out poor children, which was formerly the only method of handling such cases. The board of supervisors has power to change the commitment of any child, and also, as formerly, to revoke articles of apprenticeship. The law now requires that every master of apprentices to whom a child has been bound out and every asylum or organization to which a child has been committed shall report annually to the board concerning the welfare of each child. The age above which healthy children may not remain at a poorhouse is reduced from 10 to 7.

1916 C 227 amending Code 1906 ss 3582, 3584-3586.

New York.—The administration of county charities and corrections in Westchester County is reorganized and provision is made for

a department of child welfare, with a director whose duties shall be prescribed by the county commissioner of charities (an office created by this act) and the county board of supervisors.

1916 C 242. See C L 1909 (Poor) C 42 art 2, 3, 4 (especially ss 5, 6, 14G), 5; Code of Criminal Procedure s 910; C L 1909 (State Charities) C 55 s 450; 1911 C 843.

The law permitting the county board of supervisors to abolish or revive the distinction between town and county poor is amended by a provision specifying that such action may be taken for persons over 16 years of age only or for persons 16 years and under only, or for all persons. Formerly in abolishing or reviving the distinction between town and county poor no difference in the treatment of the two age groups was permitted.

1916 C 379 amending C L 1909 (Poor) C 42 s 138.

Virginia.—The former provisions requiring maternity hospitals and persons receiving or boarding children to obtain licenses issued by the local boards of health on the recommendation of the State board of charities and corrections are extended to include persons receiving children under 17 years of age, instead of only those under 5 years as formerly.

1916 C 436 amending 1912 C 43.

JUVENILE COURTS.

See also Juvenile delinquents, pp. 40 to 43.

District of Columbia.—Congress provides that no judgment of conviction against any child which is of record in the Juvenile Court of the District of Columbia shall operate as a disqualification for civil life.

39 Stat L C 92 p 56 (Act of Apr 27, 1916).

Georgia.—Provisions for court procedure in juvenile cases (children under 16) are extended to cover the entire State. The juvenile-court law, passed in 1915, applied formerly only to counties having a population of 60,000 or more [Federal census of 1910, Chatham and Fulton Counties]. The law now provides that in all other counties the judge of the superior court shall designate an existing court of record to act as a juvenile court, and that in counties having a population of between 35,000 and 60,000 [Federal census of 1910: Bibb, Floyd, Laurens, Muscogee, Richmond Counties], upon recommendation of two successive grand juries, he shall appoint a special judge, "whereupon it shall be considered that a special juvenile court has been established in said county." All provisions of the act of 1915 concerning authority, procedure, probation officers, and detention are to apply in every county whether the court be designated or special. The new law, however, amends

the provisions regarding the court's disposition of a child by eliminating the permission to commit to any institution that may care for children within or without the State and substituting specific permission to commit to the Georgia State Reformatory, to the Georgia Training School for Girls, or to any other State institution already existing or hereafter to be established for the correction, reformation, or protection of children.

Outside of the two counties having juvenile courts there was formerly no special procedure in regard to delinquent minors, but certain provisions (not juvenile-court laws) permitted commitment of destitute, abandoned, and neglected children by the ordinary of the county; by the mayor, recorder, or other magistrate; or by the judge of the superior court or of a court of record.

1916 No 575 p 58 amending 1915 No 210 p 35. Compare Code 1914 (Civil) ss 2849, 2850, 2862.

Louisiana.—Provisions concerning procedure in juvenile cases are made State wide in their application. These formerly applied only to parishes containing an incorporated town of more than 7,000 population, unless the governor issued a proclamation extending them to a parish not in this classification, after receiving an application from the police jury of such parish. [Federal census of 1910: Fifty-three parishes without incorporated town or city of more than 7,000; 7 parishes with such town—Caddo, Calcasieu, East Baton Rouge, Iberia, Orleans, Ouachita, Rapides.]

1916 A 13, adopted by popular vote Nov 7, 1916, repealing s 5 of art 118 of State constitution.

Maryland.—Provision is made for the organization of a "circuit court sitting in juvenile causes," with a specially designated judge, in each county of the State outside of Baltimore city. A special magistrate sitting in juvenile causes had been previously provided for Baltimore city, and the new law, State wide except for Baltimore city, follows closely the provisions of local laws passed in 1914 for Baltimore County and Harford County. It is not required that such a "circuit court sitting in juvenile causes" shall be organized, but the judges of each judicial circuit shall decide for the counties within their circuit. When such a court is organized it has jurisdiction exclusive of justices of the peace in all cases of trial or commitment to any juvenile institution of any dependent, delinquent, or neglected boy under 20 or girl under 18 years of age and plenary jurisdiction to hear and determine all cases of such children and to provide for their control and maintenance until they are 21 years of age. The definition of children subject to provisions of the act includes a child "who is feeble-minded or otherwise mentally deficient." The former procedure in regard to minors now brought under the jurisdiction of this act is changed by expressly giving to any resident

of the county or any agent of a society incorporated for the care of children the right of petition to initiate proceedings in cases of delinquent, dependent, or neglected children. Hearings and trials are to be conducted without regard to technicalities of procedure.

No justice of the peace in any county in which a circuit court sitting in juvenile causes has been organized shall commit to jail any child under 14 years of age; such children if unable to give bail shall be committed, pending trial by the juvenile court, to the care of a probation officer or to the custody of some society or institution organized for the care of children.

A circuit court sitting in juvenile causes is required to keep separate records of juvenile cases, and to appoint one or more probation officers, either men or women, except that two adjacent counties may with the consent of the judges of their circuit or circuits arrange for a joint probation officer to serve both counties. The duties of probation officers specifically include taking charge of children before or after trial as the court may direct.

A minor charged by petition with a criminal offense may pray jury trial, but pending information, indictment, or trial by criminal procedure the juvenile court retains its powers over his person.

A circuit court sitting in juvenile causes has authority to leave at his home on probation any child whom it deems dependent, delinquent, or neglected, or to place him under custody of some agency or in an institution, State or otherwise, and to change its disposition of the child at its own discretion. The agency or institution to which a child is committed has the right to place him in a family home and in this case must visit him at least once in three months and report to the court. The court may require the parent or other person legally charged with the support of any dependent, neglected, or delinquent child to pay, in full or in part, the cost of maintaining the child and may assess against him the cost of proceedings. The cost of proceedings may not be assessed against the petitioner unless the court is satisfied that the case was instituted through prejudice or without reasonable grounds. Costs, except as thus specifically provided, are to be met by the county commissioners.

Any person willfully contributing to delinquency or dependency of a child or willfully neglecting a child for whose care or support he or she is responsible is guilty of a misdemeanor and "shall be fined or imprisoned, or both." [But compare 1916 C 674, summarized on page 32.]

The act expressly states that it confers additional powers and jurisdiction on the circuit courts and is not a substitute for other powers possessed by these courts under existing general or local laws. It repeals all laws or parts of laws in conflict with its provisions to the extent of the conflict but no further.

Power to commit to various institutions for delinquent minors was formerly lodged with circuit courts and with justices of the peace, except in certain counties where it was otherwise ordered in local laws. Under the new act justices of the peace retain their jurisdiction in counties for which no juvenile court is organized, and in these counties the forms of commitment by justices of the peace are not to be affected. A former provision for commitment of minors who are without proper guardianship (including definitions corresponding to present definitions of dependent and neglected children) gave jurisdiction to circuit courts and to justices of the peace concurrently, except in certain counties where it was otherwise ordered in local laws.

1916 C 326. See A C 1911 v 3 (1914) art 27 ss 343, 345, 414, 415, 418, 476, 477, 513-520, 540-550, 568-570, 589-591, 593-595, 602, 611-613, 616-622. Also A C 1911 v 1 (1911) art 42 ss 18-20. Compare 1916 C 674. For local laws, Baltimore County and Harford County, see 1914 C 171, 367.

Massachusetts.—Certain provisions concerning the trial and commitment of delinquent children, which are State wide in their application except as they have been specifically superseded by the Boston juvenile-court law, are amended. Juvenile cases must now be heard in rooms not used for criminal trials, and unless a separate juvenile-court room is provided, hearings shall, so far as possible, be in chambers. The court has power to exclude all persons who have no direct interest in the case. The former provisions applying outside of Boston stated only that the juvenile session should be separate from the sessions for criminal trials, and should so far as practicable be held in a room not used for such trials; private hearings were not provided for.

The State-wide provisions concerning juvenile cases appealed to superior court are amended to require a juvenile session of the superior court with a separate trial list and docket. No decision shall be rendered in such cases until the superior court is supplied with report of any investigation made by a probation officer of the lower court.

In the case of delinquent boys under 15 and girls under 17 the court is to commit to the Lyman School for Boys or the State Industrial School for Girls, not, as formerly, until 21, but until discharged by the trustees, and in no case for a longer period than until the child attains the age of 21 years. [This change in the juvenile-court law apparently corresponds to an earlier statute providing that the board of trustees of industrial schools "may grant an honorable discharge to any person in their custody who, in its opinion, for meritorious conduct is worthy and deserving of such a discharge, and whom the trustees believe to be permanently reformed."]

The definition of contributory delinquency on the part of an adult is strengthened. The court, however, is now given authority to release adult on probation or to suspend sentence. In Boston the juvenile court is to have concurrent jurisdiction with the municipal court in complaints against adults under this section.

1916 C 243 amending 1906 C 413 ss 5, 6, 8, 13. Compare 1906 C 489; 1915 C 113.

New Jersey.—Provisions regarding the use of court records of juvenile delinquents are amended. The former provisions concerning the use of such records in evidence are retained, except that where formerly the record might be offered as evidence in a subsequent criminal action in any juvenile court, now this clause is omitted and provision is made that “record may be used in evidence in any civil or criminal proceeding within two years after the discharge * * * from any institution to which * * * defendant may have been committed by juvenile courts.” The act further provides that the record of a juvenile delinquent shall be destroyed at the close of his probationary period or at the expiration of two years after his discharge from an institution, unless in the meantime he is convicted of an offense. [This act amends section 2 of act, p 477, Acts of 1903, contained in C S 1910 v 2 (Criminal Procedure) s 207 p 1887, and both the amended and amending acts refer to records of the judge of the court of common pleas sitting as a juvenile court. An intervening act (1912 C 353), creating a separate court to be known as a juvenile court in first-class counties (Federal census of 1910: Essex, Hudson, and Passaic Counties), makes no provision as to the subsequent use of records as evidence in proceedings, or as to the destruction of records, and it is not clear whether or not the new law (1916 C 212) applies to these first-class counties.]

1916 C 212 amending C S 1910 v 2 (Criminal Procedure) s 207 p 1887. See also 1912 C 353, especially s 23.

New York.—The law concerning the children’s court in Syracuse is amended by adding a specific provision that all trials in that court shall be held by the justice without jury. Provisions concerning jurisdiction of the court and of the justice thereof are reworded.

1916 C 487 ss 1 and 3 amending 1910 C 676 ss 1, 2, 24, 30.

Porto Rico.—Any juvenile-court judge may require the physicians employed in the sanitation service or in any insular penal institution to make, without charge, such physical or mental examinations of children brought before the court as he may deem necessary. The judge may also hear the report of any other physician. The court may order commitment of children to a public institution upon the occurrence of a vacancy; formerly it had authority only to “recommend the commitment” to such institutions. The confinement of

neglected children in places where delinquent children are confined is permitted when "absolutely necessary"; formerly such confinement was prohibited without exception. No delinquent children are to be confined in the boys' or girls' charity schools.

1916 No 10 amending 1915 No 37.

JUVENILE DELINQUENTS.

See also Juvenile courts, pp. 35 to 40, and Miscellaneous provisions affecting defective, delinquent, and dependent children, Maryland, p. 53.

Kentucky.—A separate house of reform for girls is provided, with a board of managers to consist of two men and three women appointed by the governor and serving without compensation. This house of reform will receive any girl between 10 and 18 years of age committed to it by a court, but no girl shall be so committed who has a contagious disease or is a paralytic or appears to be feeble-minded, epileptic, or insane. It is the duty of the court to have the girl examined by a physician before commitment. If within six months after any girl is committed it develops that she has a contagious disease or is epileptic, insane, feeble-minded, or a paralytic, she may be returned to the county from which she was committed. Commitment shall be made for an indeterminate period, subject to parole at the discretion of the superintendent and board of managers; and the board has authority to place a girl in a suitable home subject to supervision by an agent of the institution. Certain earlier provisions applying to the house of reform at Greendale, to which girls as well as boys were formerly committed, are by the present act made applicable to the new house of reform for girls. The juvenile-court law, in effect since 1908, contains special provision for caring for diseased children coming under its jurisdiction.

1916 C 85. Compare St 1915 ss 331e.8, 2095b.

The office of court matron for police courts in first-class cities [Federal census of 1910, Louisville only] is created. The matron is to be appointed by the police judge at a salary of \$75 per month. She must have had experience and training in social work, and her duties include the investigation of histories, surroundings, character, and habits of all women and girls brought before the court and the supervision of those "under suspended sentence until final disposition of charge." [She will be concerned only with girls and women 18 years of age and over, since the juvenile court has jurisdiction over delinquent girls under 18 years of age.]

1916 C 3 amending St 1915 C 89 (ss 2774-3716) by adding s 2928b. See also St 1915 s 331e.

Maryland.—A curfew law is enacted to apply to incorporated towns of Kent County, forbidding the presence of any minor under 15 on the streets or in public places after 9 p. m. from October 1 to June 1, and after 10 p. m. during the other months, unless he is accompanied by an adult or is going to or from home or place of employment in the course of his occupation.

1916 C 2.

Massachusetts.—The State board of charity is instructed to investigate whether it would be desirable for the Commonwealth to assume the control and care of all juvenile offenders and to acquire the buildings and grounds of the Suffolk School for Boys [formerly used as truant school in Boston]. The board is to report in January, 1917, with drafts of such legislation as it may recommend.

1916 Resolves C 46.

Mississippi.—An act is passed providing for special court procedure in the case of any "destitute, abandoned, or delinquent" child under 18, and authorizing the establishment of a State school for such children. [This act applies, therefore, not only to "delinquent" but to "neglected" children, and is closely related in some respects to the acts classified under "Juvenile courts." The procedure, however, is optional, and the act is chiefly concerned with delinquents.] There was formerly no special procedure or institution for delinquent minors. A State industrial and training school is to be established, to which any child under 18 who is delinquent, destitute, or in evil environment may be committed. The school is to be governed by a board of five trustees appointed by the governor with advice of the senate, two for a term of two years and three for a term of five years, who shall report biennially to the State legislature. Women are specifically eligible to appointment as members of the board.

Court proceedings in cases concerning children under 18 years of age may be by petition to a chancery or circuit judge, any one of whom has jurisdiction over any case from any county in his district with power to act in vacation as well as during term of court. Juvenile cases are to be given precedence over all others except habeas corpus proceedings. The parent or guardian named in the petition is summoned to appear with the child for a hearing, from which the public may be excluded; and the clerk may, at his discretion, direct an officer of the court to bring the child at once, in which case he may admit child to bail or arrange for his custody; in no case shall he place the child in jail pending trial. The clerk of the court or the chief probation officer, if there be one, may arrange for detention rooms with any person or association, or the board of county supervisors may provide permanent detention rooms from county funds.

The judge is given wide discretion in dealing with a child; he may commit to the State industrial and training school or to any other institution subject to inspection of the court; he may release on parole or probation; or he may remand the case of a delinquent child to the circuit court for investigation by the grand jury. In the last case the judge may commit the child to jail.

Court costs are to be taxed against parent or guardian, and in case of commitment to any person or to any institution other than the Mississippi Industrial and Training School a sum for maintenance may be required of parent or other person having custody of the child at the discretion of the judge.

When a child under 18 is brought before any court for misdemeanor or violation of law, the case may be transferred to the chancery judge. Separate records shall be kept for all juvenile cases.

A child sent to the State industrial and training school may be released subject to approval of the committing judge or paroled by the superintendent at any time; if committed after conviction for crime, however, commitment is for a definite period and child may be released or paroled only by order of the court. No child shall be kept at the school after the age of 21 years.

Probation officers may be appointed at the discretion of the chancellor for any or all counties of his district, or by the municipal authorities for any municipality.

Any adult, whether parent, guardian, or other person, responsible for or contributing to delinquency or neglect of a child may be required by the court before which the child is brought to do or omit to do any acts which the judge considers necessary for the welfare of the child, under penalty of punishment for contempt of court.

Appeals from decisions of the court concerning custody of child shall be in the manner provided in civil cases.

1916 C 111.

New York.—Provision is made for the complete separation of minor prisoners from adult prisoners in county penitentiaries.

1916 C 394 amending C L 1909 (Prison) C 43 by adding s 325.

South Carolina.—All matters relating to the management of the South Carolina Industrial School [for white boys] are placed under the exclusive supervision and control of its board of trustees; and the dismissal from the institution of boys under the age of 21 now may be granted only by board of trustees upon recommendation of superintendent of the school. Dismissal was formerly permitted by the board of trustees alone or by a judge of the supreme court or of a circuit court.

1916 No 509 amending 1912 Criminal Code s 992, s 993 as amended by 1912 No 298.

Virginia.—The number of negro minors under the charge of the Negro Reformatory Association of Virginia for whose care compensation may be charged to the Commonwealth is increased from 150 to 200.

1916 C 35 amending Code 1904 s 4173e subsection 5 as amended by 1908 C 371.

MENTAL DEFECTIVES.

See also Juvenile courts, Maryland, p. 36, and Porto Rico, p. 39.

Kentucky.—The governor is authorized to appoint a nonsalaried commission of five persons to study feeble-mindedness in the State. This commission is to determine the number of feeble-minded persons, the cost to the Commonwealth of maintaining them, the causes of feeble-mindedness, the effect of marriage of defectives and delinquents upon the problem, and the means the State should employ to lessen the seriousness of the problem. The commission has power to employ a salaried investigator, but it is expressly provided that neither salary of investigator nor expenses incurred by the commission shall be paid by the Commonwealth. The commission is to report to the governor with recommendations concerning legislation not later than June 1, 1917.

1916 C 146.

Maryland.—More specific provisions are made for securing from parents, guardians, or others legally liable for support, payment for the maintenance, in whole or in part, of such inmates of the Maryland Asylum and Training School for Feeble-minded as are not totally indigent. The duty to secure information as to the financial condition of patients and relatives and to determine the amount to be paid in each case (not to exceed, however, \$20 per month), together with authority to enforce collection, is placed with the orphans' court or with the county commissioners of the county in which the patient resides. [Both the orphans' court and the county commissioners formerly had and still retain the right to commit patients to this institution.]

1916 C 566 ss 3 and 5 amending A C 1911 v 2 (1911) art 59 by adding ss 3A, 3B, 46A, 46B.

A State commission, consisting of the State lunacy commission and the State board of public works, is appointed to report to the legislature of 1918 on the advisability of purchasing, for a State hospital for insane and feeble-minded persons in western Maryland, the property in Allegany County now being used as a county home for insane and feeble-minded [the last such county home in the State]. The county commissioners of Allegany County are authorized to sell the property.

1916 C 642.

Massachusetts.—The State board of insanity is abolished and there is substituted for it a commission on mental diseases, which has all the powers and duties of the former board. This commission is to consist of five members appointed by the governor. The director and at least two associate members shall be physicians expert in the care of the insane. The director shall receive not more than \$7,500 salary and the others shall serve without compensation. The board of insanity had three members, all salaried, one of whom was an expert. In addition to performing duties of former board of insanity, commission shall inspect every institution under its supervision at least once a year, and oftener if the governor directs, and every patient shall be given opportunity for an interview with the visiting members or agents of the commission. Every private hospital for the feeble-minded, epileptic, etc., must be licensed annually by the commission. The former law (1914) provided for an annual license of such hospitals established thereafter, but did not require the annual licensing of older institutions.

1916 C 285. Compare 1914 C 762.

The procedure for the commitment of feeble-minded persons to the Massachusetts School for Feeble-minded [at Waverley] and to the Wrentham State School is amended. Any physician who certifies to a judge of probate [court having jurisdiction in commitment] concerning the mental condition of an alleged feeble-minded person shall have examined the patient within 5 days of signing the certificate; the certificate must bear a date not more than 10 days earlier than the order of commitment; and the order of commitment is void if the patient is not received at the school within 30 days after the date of the order. The law includes a similar amendment concerning a physician's certificate for a voluntary patient. The inmate himself is now permitted to make application for release.

1916 C 122 amending 1909 C 504 ss 63, 64, 78-80.

The State board of insanity [commission on mental diseases] is authorized to establish at Belchertown a new school for the feeble-minded. An appropriation of \$150,000 is made, but it is provided that no expense shall be incurred until the plans of construction and an outline plan for future development have been approved by the governor and council. The labor of patients under the control of the trustees of the Massachusetts School for the Feeble-minded shall be utilized so far as possible. Massachusetts has already two State schools for the feeble-minded, the Massachusetts School for the Feeble-minded at Waverley and the Wrentham State School.

1916 Resolves C 160. Compare 1909 C 504 ss 14, 59-65. See also 1916 C 285, summarized above.

The construction of a recreation building at the Massachusetts School for the Feeble-minded is authorized, and the sum of \$23,700 is appropriated for the purpose.

1916 Resolves C 127.

New Jersey.—The establishment of State colonies for feeble-minded males is authorized. These patients formerly were cared for at the village for epileptics, though by an act of 1915 admission of feeble-minded males to the State home for feeble-minded women was permitted. The colonies are to be under a nonsalaried board of managers, consisting of the commissioner of charities and corrections and four other persons appointed by the governor. Admission shall be in the manner already provided by law for the admission of feeble-minded persons to institutions. The act includes an appropriation of \$25,000.

1916 C 61. Compare 1911 C 229; 1915 C 151.

It is provided that the cost of maintaining those patients committed to the village for epileptics who are not indigent shall be paid in whole or in part from the patient's estate or by certain specified relatives. The amount is to be determined in each individual case by the committing court, and in no case shall it exceed the minimum paid by private patients.

1916 C 95 supplementing C S 1910 v 4 (State Village for Epileptics) ss 1-31 p 4961 as amended by 1914 C 224.

The commission for the study of mental defectives is continued, and it is directed to report to the legislature of 1917.

1916 Joint Resolution No 1. See 1913 Joint Resolution No 5 and 1915 Joint Resolution No 1.

New York.—The superintendent of the Rome State Custodial Asylum [for feeble-minded and idiots] is authorized to grant to groups of inmates parole or leave of absence to do domestic, agricultural, or forestry work under specified State supervision, such action to be subject to the approval of the board of managers of the asylum. The expense connected therewith is to be met by the asylum. Formerly there was merely a general provision for parole by the superintendent subject to rules of the board of managers of the asylum.

1916 C 71 amending C L 1909 (State Charities) C 55 s 95 as amended by 1912 C 448 by adding subdivision 11.

It is made a misdemeanor to entice away or assist in the escape of an inmate of any public charitable institution for the feeble-minded, epileptic, or insane, or of a reform school; or, knowing a person to be such an inmate, to promise to provide a home for, or to pay for

services of, or to marry him or her without approval of the board of managers of the institution.

1916 C 320 amending C L 1909 (Penal) C 40 by adding s 1250-a.

Rhode Island.—The name of the Rhode Island School for the Feeble-minded is changed to Exeter School.

1916 C 1381 amending G L 1909 C 103.

Virginia.—The duties and powers of the State board of charities and corrections are extended, with special reference to the feeble-minded. [For a provision concerning the duties of the board in relation to dependent children, see 1916 C 436, summarized on page 35.] It is now specified that this board shall license and inspect private institutions caring for the feeble-minded and supervise the placing out of feeble-minded children. The board formerly had these duties in relation to dependent and delinquent children, but feeble-minded persons were not specified. Further, the board is now required to visit from time to time all feeble-minded children placed in homes and is given the right to place them elsewhere if the rules laid down by the board are not followed. It is required to keep a register of the feeble-minded; to take such legal steps as may be necessary to protect feeble-minded persons in any town or county; to institute proceedings for commitment and registration of all feeble-minded persons; to give notice and instructions confidentially to parents and guardians of such mentally defective children as are not dependent upon the care of the State and are not a menace to themselves and others. The board is instructed also to deport such nonresidents of Virginia as may be found within the State and liable to become charges upon the State when in the judgment of the court deportation is necessary.

1916 C 104. For duties of State board of charities, see 1908 C 276; 1910 C 289; 1912 C 309; 1914 C 147, 350.

A law concerning the commitment of feeble-minded persons is enacted. Formerly such commitment was subject to the provisions concerning the insane except in so far as special procedure was set forth in the act (1912) governing the colony for feeble-minded white persons or in the act (1914) governing the colony for feeble-minded colored persons. The new law is a substitute for the sections relating to commitment in these acts and includes, with amendments, the special procedure of these earlier acts, incorporates with it certain provisions from the laws governing the insane, and adds certain new provisions. The procedure set forth in the present act is summarized below, and provisions which did not formerly appear in any statute are indicated as new. [It should be noted that the act of 1914 was more detailed than the act of 1912, and certain provisions not desig-

nated as new in the following summary applied formerly to colored patients but not to white patients.]

A feeble-minded person is defined [new] as "any person with mental defectiveness from birth or from an early age, but not a congenital idiot so pronounced that he is incapable of caring for himself or managing his affairs, or of being taught to do so, and is unsafe and dangerous to himself and to others and to the community, and who, consequently, requires care, supervision, and control for the protection and welfare of himself, of others, and of the community, but who is not classable as an 'insane person,' as usually interpreted." When a person is supposed to be feeble-minded, any reputable citizen may file a petition with the circuit or corporation court, or, in vacation, with the judge thereof, or before a justice in the city or county in which the alleged feeble-minded person lives, setting forth the facts under oath ["under oath" new] and stating [new] the person's financial condition, and the names and financial condition of the persons, if any, having custody over him, and of his parents, guardians, brothers, and sisters.

The judge or justice shall issue a warrant ordering the alleged feeble-minded person to be brought before him and shall summon as witnesses not only two physicians (one of whom shall when practicable be the family physician of the feeble-minded person and neither of whom shall be related to him) and other persons competent to testify, but also [new] the persons named in the petition. The judge or justice and the two physicians shall constitute a commission to determine whether or not the person is feeble-minded; and, if they find that he is feeble-minded and is not under such care as to insure the welfare of himself and of others, they shall file with circuit or corporation court a written report containing their conclusions and recommendations.

If commission reports that the person is not feeble-minded, he is discharged and the petition dismissed. If he is deemed feeble-minded, the court, or the judge in vacation, may appoint a guardian of the feeble-minded person and also the same or a different person as guardian of his property, or he may commit the person to a State institution for the feeble-minded or [new] to a private institution approved by the State board of charities and corrections. Pending admission into an institution the person may be committed to the custody of the city or county superintendent of the poor. The person adjudged feeble-minded has right of appeal to the supreme court of appeals. [Formerly appeal was allowed from unlawful confinement, but court was not specified.]

If person is committed to an institution, the clerk of the court shall send a copy of the order of commitment to the State board of charities and corrections and two copies to the superintendent of the in-

stitution, who shall receive the patient as soon as there may be room for him. The superintendent shall examine the papers and return them for correction if he discovers any irregularity in the papers or has reason to believe that the person is illegally committed. Upon receiving the patient the superintendent indorses the commitment papers and returns one copy to the court. The superintendent is to be notified of time and place of hearing upon any petition for the removal of the patient or for variations in the order of commitment. [Provisions for filing of papers with State board of charities and corrections and for examination and indorsement of papers by superintendent are new.]

Before being delivered to an institution the patient must be clean, properly clothed, and free from contagious disease, and he must have been successfully vaccinated against smallpox. He shall be delivered, at the expense of the county or corporation from which he is committed, at the nearest railroad station or steamboat landing. The superintendent shall appoint an attendant to conduct the patient to the institution; female attendants [new] shall be provided for female patients. The cost of conveying the patient shall be paid from funds appropriated for his support.

Upon admission to an institution the patient shall be under special observation for not less than two months ["two months" new], and his mentality shall be tested by the superintendent and by an expert approved by the board of directors of the institution. Expert was formerly approved by State board of charities and corrections. If after observation and examination the patient is considered to be not feeble-minded or not a suitable subject for care and treatment, he shall be returned to the city, county, or institution from which he was committed.

The superintendent shall provide training, suitable employment, and [new] such medical and surgical care as may better the condition of the inmates.

Any person maliciously contriving the commitment of a person who is not feeble-minded or any person violating any provision of the act shall be guilty of a misdemeanor and subject to fine of not more than \$1,000, or to imprisonment for not more than one year, or both [new].

Specific provision [new] is made for transfer of patients from an institution for the feeble-minded to an institution for the insane and vice versa.

Furloughs may be issued by the superintendent, at his discretion, if the cost is met by the inmates granted furloughs or by their friends; and [new] if they can not pay the cost of a furlough the institution may do so.

Voluntary patients may be received by a State institution provided [new] no indigent person who has been committed is thereby denied admission. The receiving of any voluntary patient shall be reported to the commissioner of State hospitals and the special board of directors [of the institution]. Charges for voluntary patients shall be fixed by the commissioner of hospitals and the general board of directors of State hospitals and may not exceed the cost of care, maintenance, and treatment.

Forms for papers used in carrying out provisions of the act shall be prepared by a committee consisting of the superintendents of the State colonies for the feeble-minded, the secretary of the State board of charities and corrections, and the commissioner of State hospitals for the insane.

As soon as room is available at the appropriate institution, no feeble-minded woman of childbearing age shall be received as an inmate of any almshouse [new].

This act includes a provision [given more fully in 1916 C 312, summarized below] concerning examination of prisoners of doubtful mentality, who have been brought before a court for any cause.

Former provisions are repealed only in so far as they are inconsistent with the present act, and apparently any points affecting commitment of the feeble-minded not otherwise specifically provided for are subject to the general provisions concerning the insane.

1916 C 388. For former law governing colony for feeble-minded white persons, see 1912 C 196; for former law governing colony for feeble-minded colored persons, see 1914 C 346. For provisions in law governing the insane not found in either 1912 C 196 or 1914 C 346 but included (with amendments) in 1916 C 388, see Code 1904 ss 1669 as amended by 1910 C 102, 1671-1673, 1675-1677, 1685, 1688, 1690, 1697, 1698 as amended by 1912 C 168, 1699-1702; 1914 C 248. For general law governing the insane, see Code 1904 ss 1660-1713c and the following acts amendatory and supplementary thereto: 1906 C 115, 189; 1908 C 184; 1910 C 102, 319, 320, 321; 1912 C 168; 1914 C 248, 313, 334.

The judge of any court [specifically including the juvenile court] is authorized to direct some officer of the court or other suitable person to institute proceedings leading to inquiry concerning the mental condition of any person brought before the court for any cause, who appears to be feeble-minded. The act provides for care and detention pending inquiry and for observation of mental condition for from 60 days to 6 months, and specifies that in certain cases the test of mentality shall be applied with assistance of expert designated by State board of charities. Former statutes permitted mental examination only of criminals suspected of insanity and of children brought before a juvenile court.

1916 C 312. For juvenile-court provision, see 1914 C 350 s 4; for provisions for criminal insane, see Code 1904 s 1660 as amended by 1910 C 319; s 1682 as amended by 1910 C 320 and 1914 C 313; s 1687 as amended by 1910 C 321; ss 4030-4035. See also 1916 C 388 s 10.

Commitment procedure is eliminated from the act governing the colony for feeble-minded white persons (part of the Virginia State Epileptic Colony). [For present procedure, see 1916 C 388, summarized above.] The following changes are made in provisions of the act:

The relation of this colony to the Virginia State Epileptic Colony in regard to management, records, etc., is more clearly defined. Children not under 8 years of age [and, as formerly, women 12 to 45] are to be given preference in admitting patients to colony. The superintendent is specifically instructed to provide for the training, suitable employment, and medical care of patients. A special teacher for children of school age in the colony is to be provided; these children are to be included in the school census. The superintendent is to employ an expert in making mental examinations to test condition of all patients from time to time and to act with State board of charities and corrections in making such tests as law or board may require. The definition of feeble-mindedness is reworded; it now corresponds to that in the general commitment act [see 1916 C 388, summarized above] except that the clause in that act exempting congenital idiots without defining them is omitted, and the following provision is added: "No feeble-minded person of the class commonly known as 'congenital idiots'—that is, whose mentality is not beyond that of a normal child 2 years old—shall be admitted to the said colony until a separate building has been provided for that class of feeble-minded persons." The former law governing the colony for feeble-minded white persons provided that no congenital idiots were to be admitted.

Feeble-minded males are to be cared for at the State epileptic colony until a separate building can be provided for them at the feeble-minded colony.

1916 C 106 amending 1912 C 196. Compare 1916 C 388.

The act governing the colony for feeble-minded colored persons is amended by eliminating the commitment procedure [for present commitment procedure, see 1916 C 388, summarized above] and by rewording the definition of a feeble-minded person to agree with that found in the commitment act [1916 C 388, summarized above] except that the clause in that act exempting congenital idiots (without defining them) is omitted.

1916 C 207 amending 1914 C 346.

The income from the estate of a person committed to a State institution for insane, epileptic, or feeble-minded shall be paid to the steward of the institution for the purchase of extra comforts for the inmate, but must not be applied to the cost of ordinary maintenance. Such payment, however, shall not exceed \$200 annually unless speci-

cally ordered by the court and is not required when inmate has husband, wife, or child lawfully dependent on him or her for support.

1916 C 255.

MOTHERS' PENSIONS.

Maryland.—Provision is made for pensions from county funds, or in Baltimore city from city funds, for widowed mothers of children under 14 years of age, subject to the following conditions: (1) Child or children must be living with the mother; (2) conditions must be such that if relief were not granted the mother would be required to work regularly away from home in order to maintain her child or children (but permission may be granted to a mother receiving a pension to work away from home for a definite number of days each week to be specified in the order giving relief); (3) mother must be "a proper person, worthy and fit, to bring up her children"; (4) mother may not be owner of property, either real or personal, other than her household goods; (5) mother must have resided in the county where application is made, or in Baltimore city if application is made there, at least three years before making application; (6) relief granted on behalf of any child ceases when that child becomes 14 years of age, except that if child is ill or incapacitated for work the pension may continue during his illness or incapacity until he is 16. Amount of pension is fixed as follows: \$12 per month for the oldest child, \$10 per month for the next oldest, and \$6 per month for each additional child; total not to exceed \$40 for any one family. County commissioners in the counties, and in Baltimore city the board of estimate and city council, are empowered and instructed to raise funds to pay the allowances by a tax levy not exceeding one-tenth of a mill, or to provide funds from the general tax levy. The total to be raised is not stated, and the law provides that in case funds are insufficient the neediest mothers shall be selected.

The administration of the law in Baltimore city is placed with the board for mothers' relief (three persons, only two of whom shall be of the same sex) to be appointed by the mayor, or with the supervisors of city charities if, at the discretion of the mayor and city council, such board is not appointed. In the counties the law is to be administered by the county commissioners. Petition for pension is presented to these authorities and investigated by them, but the power to grant and to revoke a pension rests with the juvenile court or, in a county where no juvenile court exists, with the circuit court. The State appropriates \$10,000 for the establishment and maintenance of the board of mothers' relief in Baltimore city; the board is to receive \$5 per day for each member for each day the board shall sit, and it has power to employ a secretary, a stenographer, and three investigators. It also appropriates \$5,000 "for administrative purposes," to be divided among the several counties in proportion

to their population. Recommendations, together with a detailed report of the number of beneficiaries, the amount expended, and the advantages of the system, are to be made to the legislature of 1918 by the authorities administering the law.

1916 C 670.

New Jersey.—It is provided that if any county board of chosen freeholders has appropriated no money or too little money to meet the expenses of certain specified county activities, including widows' pensions and work of the State board of children's guardians [care and supervision of dependent children], then the board may raise the money to meet the deficiency by adding the amount thereof to the appropriations for the current year, which may be raised by taxation or by a temporary loan bond.

1916 C 201 supplementing C S 1910 v 1 (Chosen Freeholders) ss 70-74 p 492. See C S 1910 v 2 (Infants) ss 62-74 p 2819 and 1913 C 281 as amended by 1915 C 118 and 238.

New York.—The provision that city commissioners of public charities shall be ex officio members of the city boards of child welfare appointed to administer the mothers' pension law in cities is repealed. An appointed member is to be substituted for such commissioner, and the term of office for all members is lengthened from eight to nine years. The investigation and supervision of persons receiving allowances is to be only by the board; formerly "by the board when consistently possible or by authorities now intrusted with similar work."

1916 C 504 amending C L 1909 (General Municipal) C 24 ss 150 and 152 subdivision 4, both as added by 1915 C 228.

MISCELLANEOUS PROVISIONS AFFECTING DEFECTIVE, DELINQUENT, AND DEPENDENT CHILDREN.

Georgia.—Provision is made that at each regular term of court the grand jury of each county shall appoint from among their own number a special committee of not less than five persons, whose duty it shall be to visit, inspect, and inquire into all private institutions of specified types within the county [institutions in which persons are kept in confinement; orphanages specified in title of act]. The committee is instructed to confer with each inmate to learn how he or she came to be confined in the institution; what labor, if any, is required; and whether he or she desires to remain. The committee is to report publicly to the judge and to the solicitor of the superior court the names of dissatisfied persons and the facts in each case; if any person is illegally deprived of liberty, the committee shall demand his release; if release is refused, the grand jury shall make special presentment for false imprisonment. A previous law, still in force, provides for annual inspection of the Georgia Industrial Home and

other similar institutions for children by a committee of nine from the general assembly.

1916 No 548 p 126. Compare Code 1914 (Civil) s 2865.

Maryland.—The provisions relating to organization and powers of the board of State aid and charities are changed. Provision is now made for appointment by the governor biennially of three members to serve four years, the governor himself to be ex officio the seventh member of the board. Two of the members may be women; not more than three members shall be residents of the same city or county. The salary of the secretary is raised from \$1,800 to \$2,200 and he is required to give full time to the duties of the board. The law now provides also for clerks. Right of inspection is extended to include institutions for dependents and delinquents having contracts with the State as well as such institutions receiving financial aid from the State. Formerly the board had supervision only over the latter. Appeal from decision of the board may be taken to any court of general common-law jurisdiction in the county or city where the office of the board is located. All moneys appropriated to institutions shall be paid on a per capita basis according to rates fixed by the board of public works.

1916 C 705 amending A C 1911 v 2 (1911) art 88A ss 1, 3, 5, 6, and adding s 4A to same article.

A child under 6 months of age may not be separated from its mother for the purpose of placing child in foster home or institution unless (a) two physicians certify that the separation is necessary for the physical good of mother or child; or (b) a court of competent jurisdiction so orders; or (c) the board of State aid and charities considers the separation necessary and consents in writing thereto. A foster home or institution receiving any child under such age without its mother is required to file the physicians' certificate above provided for with the board of State aid and charities. It is the duty of all persons participating in the separation of a child from its mother to find out whether the separation has been duly permitted or ordered. All participating in receiving a child at an institution are required to find out whether the mother is living, and in that case are similarly responsible for verifying the legality of the separation and also for reporting any violation of the act. This board shall investigate the facts in each case of separation coming under its notice, and when it appears that this act has been violated shall report the facts to the authorities charged with the enforcement of the criminal laws. Violation of any provision is a misdemeanor punishable by a fine of not more than \$100, or imprisonment in jail for not more than 100 days, or both.

1916 C 210 amending A C 1911 v 3 (1914) art 27 by adding s 483.

MISCELLANEOUS PROVISIONS AFFECTING CHILDREN.**MILITARY AND PHYSICAL TRAINING.**

Louisiana.—It is required that in all grades of the public schools higher than the eighth instruction in military science and tactics shall be given to all male pupils for at least one hour a week.

1916 A 131.

Maryland.—The governor is authorized to appoint a nonsalaried commission of nine persons (adjutant general and two other officers of militia, three members of veteran organizations, and three persons not members of either), to report on military education, military service, and a military reserve. Two of the subjects specified are the practicability of providing military education for boys between 14 and 21 and the practicability of providing military training for youths in the public schools.

1916 C 23.

Massachusetts.—The governor is authorized to appoint a special nonsalaried board of three persons to investigate the subject of physical training of boys and girls in public schools and to recommend a system which will improve their physical, mental, and moral qualities and provide an adequate basis for a citizen soldiery, with special reference to physical and disciplinary training, military history, and personal hygiene and sanitation; the board is to report to the legislature in January, 1917. The sum of \$1,000 is allowed for expenses. [A similar commission was appointed in 1915 to report in January, 1916, on military training in high schools.]

1916 Resolves C 90. Compare 1915 Resolves C 81.

A law is enacted permitting students in educational institutions where military science is a prescribed part of the course of instruction and students enrolled in a military organization approved by the Secretary of War or the Secretary of the Navy of the United States, and over which an officer of the United States Army or Navy or the Massachusetts volunteer militia has supervision, to drill and parade with firearms in public under the superintendence of their instructors, subject to the approval of the governor and such conditions as he may prescribe.

1916 C 8 amending 1908 C 604 s 170.

New Jersey.—Provision is made for a nonsalaried commission to investigate and report to the legislature on February 1, 1917, upon military training and instruction for national defense in high schools. This commission is directed to consider what instruction would be feasible, the extent to which the Federal Government would cooper-

ate, and the probable expense to the State, giving attention to the experience of other States and nations. It shall consist of one member of the house and one member of the senate, to be named by these bodies; two schoolmen connected with the high schools of New Jersey, to be named by the commissioner of education; and one person in active military service, if possible the national service, to be appointed by the governor. The commission shall expire on June 1, 1917, unless otherwise ordered by the legislature. The sum of \$2,000 is appropriated for expenses.

1916 C 211.

New York.—Provision is made for a permanent nonsalaried military training commission of three members—the major general commanding the National Guard, one member appointed by the board of regents of the University of the State of New York, and one member appointed by the governor; the term of office of appointed members is four years. The commission shall appoint an inspector of physical training at a salary not to exceed \$5,000. An appropriation of \$100,000 is made for expenses.

All boys above 16 and not over 19 years of age are to be given such military training as the commission shall prescribe for not more than three hours weekly, except that any boy may be exempted by the commission, and that boys who are regularly and lawfully employed are not required to take training unless they volunteer and are accepted. For boys attending school or college this training shall be given during the school or college year, but outside of the time assigned to other instruction; for boys who are not pupils it shall be given between September 1 and June 15. This training is to be conducted under the supervision of the commission by such male teachers and physical directors as may be assigned by school and college authorities and accepted by the commission, and by militia officers and men detailed by the major general commanding the National Guard or such officers and men of the United States Army as may be available. Instructors other than United States Army instructors are to be paid by the commission.

The commission shall establish and maintain State military camps for field training of boys between 16 and 19 years of age who are physically fit and who are accepted by the commission; where sufficient money is not available to provide for all, preference will be given first to boys attending secondary schools during the preceding year, and second to those attending State agricultural schools and colleges. Each detachment of boys must remain in camp not less than two nor more than four weeks, as the commission may determine; training and discipline are to be under the major general commanding the National Guard, subject to the supervision of the

commission; militia officers and men are to be detailed as instructors. The commission is to determine the location of the camps, and any organization owning a fairground and entitled to an apportionment of State moneys must, if requested by the commission, allow the use of its grounds for such a camp unless they are needed for its own purposes or have been previously leased to other parties; if it refuses such use, the State appropriation for that year will be withheld.

The commission shall advise with the board of regents as to the physical training to be prescribed for the elementary and secondary schools as provided in the education law [1916 C 567, summarized below], and it shall further recommend to the board of regents the establishment in these schools of such habits, customs, and methods as are best adapted to "develop correct physical posture and bearing, mental and physical alertness, self-control, disciplined initiative, sense of duty and the spirit of cooperation under leadership."

Other powers and duties of the commission include inspecting the work prescribed under this act or under the provisions of the education law [1916 C 567, summarized below]; prescribing the powers and duties of the inspector of physical training; and maintaining and cooperating with colleges in the State and with Federal authorities in maintaining courses of instruction for male teachers, physical instructors, and others who volunteer and are accepted by the commission.

Armories and military property of the State may be loaned to the commission for carrying out these provisions, and the use of school buildings and grounds is permitted. The provisions of the act do not apply to pupils of any college receiving Federal aid and requiring military drill.

1916 C 566 amending C L 1909 (Military) C 36 by adding ss 26 to 29-d.

The education law is amended by providing that all pupils, both boys and girls, above 8 years of age shall receive as a part of the course of instruction in all elementary and secondary schools the prescribed course of physical training which may be adopted by the board of regents of the University of the State of New York after conference with the military-training commission. [See 1916 C 566, summarized above.] This training shall average not less than 20 minutes a day. Attendance at a private school at which a similar prescribed course in physical training is not given shall not be considered equivalent, in satisfaction of the compulsory school-attendance requirements of the law, to instruction in a public school. Regents are responsible for administrative details in making the act effective. State school money is to be apportioned to each district and to meet part of the expense of the prescribed courses.

1916 C 567 amending C L 1910 (Education) C 16 by adding article 26-A (ss 695-697).

POLICEWOMEN.

Virginia.—The appointment of policewomen in cities having 15,000 or more population is permitted.

1916 C 281.

SOCIAL INSURANCE.

Massachusetts.—Provision is made for a special recess commission on social insurance to consist of two senators appointed by the president of the senate, four representatives appointed by the speaker of the house, and three other persons appointed by the governor. The commission is to receive such compensation as shall be allowed by the governor and council, and is to report to the legislature in January, 1917, with drafts of such laws as it may recommend.

1916 Resolves C 157.

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APPENDIX.

OUTLINE FOR INDEX OF EXISTING LEGISLATION AFFECTING CHILD WELFARE.

This index outline does not contain a model list of topics which should be covered by legislation, but is merely a list of topics which have been found to be at present covered by the laws of a number of States. It is not based upon any logical or ideal analysis of child-welfare laws, but upon the topics as they are actually found in existing legislation. In certain cases, as, for example, in the case of laws relating to dependent and to delinquent children, two distinct though related subjects are frequently connected in the laws as they now stand upon the statute books, and this connection has been preserved in the index outline wherever necessary to avoid a large amount of duplication in the references.

The Children's Bureau is preparing a reference index by States of existing legislation on the subjects covered by the outline, specifying for each State those topics given in the index outline upon which that State has legislation, together with references to the sections and acts where such legislation is found. In indexing these laws charter provisions and local and special laws are omitted and court decisions are not at present included.

(A) PARENT AND CHILD:

1. DUTIES AND LIABILITIES OF PARENTS—

- Abandonment—Neglect—Nonsupport.
- Abuse and cruelty.
- Acts committed by child, parental liability for; liability for torts of child, etc.
- Care and support, duty to provide—
 - Duty of father to provide; when duty of mother.
 - (In cases of divorce or separation, *see* "A-3, Divorce.")
 - (For illegitimate children, *see* "A-5.")
- Maintenance, allowance for, out of child's estate.
- Protection (of child from injury; justifiable homicide, etc.).
- Miscellaneous.

2. RIGHTS OF PARENT AND CHILD—

- Actions (for injury to person of child, etc.).
- Custody and control of child's person and property. (*See also* "A-3, Divorce.")
- Legal settlement of children. (*See also* "H-6, Poor relief.")
- Parental rights, termination of—Emancipation, etc.
- Services and earnings.
- Support of parent by child. (*See also* "H-6, Poor relief.")
- Miscellaneous.

(A) PARENT AND CHILD—Continued.**3. MARRIAGE AND DIVORCE—**

Divorce—

- Grounds for, etc.
- Custody and support of children.
- Effect on legitimacy of children, etc.

Marriage—

- Age of consent to marriage, consent of parents, guardians, etc.
- Marriage of feeble-minded, epileptic, insane, etc.
- Void and voidable marriages, what constitutes; effect of on legitimacy of children. (For annulment of marriage, *see* "A-3, Divorce.")
- Miscellaneous: Licenses, etc.

4. ADOPTION—

- Who may adopt; who may be adopted.
- Consent of parent, guardian, etc.
- Court jurisdiction, procedure, records, etc.
- Effect of adoption—
 - Change of name of child.
 - Liabilities of adopting person.
 - Inheritance and property rights of adopted child and others.
- Abrogation of adoption.
- Advertising, etc., for adoption; penalty.
- State control over adoption.
- (For adoption through and from institutions, *see* "H-4"; from boarding homes for infants, *see* "D-3"; and *see also* "H-3," "H-5," and "G.")

5. ILLEGITIMACY—

- Illegitimate children, who are. (*See also* "A-3.")
- Responsibility of father; of mother.
- Illegitimacy proceedings—
 - Disclosure of father.
 - Complaint, warrant, arrest.
 - Bond for support, etc.
- Methods of legitimation—
 - Acknowledgment by father.
 - Subsequent intermarriage of parents, etc.
- Inheritance and property rights and disabilities of parent and child.

6. MISCELLANEOUS.**(B) GUARDIAN AND WARD:**

- Appointment and kind of guardian—
 - "Joint guardianship."
 - Testamentary guardianship, right of father, and of mother to appoint.
 - Miscellaneous.
- Duties, powers, and responsibilities of guardian.
- Rights and liabilities of the ward.
- Termination of guardianship, etc.
- State guardianship; guardianship of institutions and agencies, etc. (For this subject, *see* "G," "H-3," "H-4," and "I-1.")

(C) OFFENSES AGAINST THE CHILD:

1. SPECIFIC OFFENSES—

- Abandonment and neglect. (For same by parents, *see* "A-1.")
- Abduction—Kidnapping—Child stealing.
- Abortion and prevention of conception.
- Abuse and cruelty. (For same by parents, *see* "A-1.")
- Admittance to dance halls, saloons, etc.
- Age of consent. (For this subject, *see* "Sexual crimes" hereunder.)
- Contributing to dependency and delinquency of child. (*See also* "H-1, Adult responsibility for delinquency and dependency," and "H-3.")
- Corrupting and depraving morals.
- Cruelty, societies for prevention of. (*See* "Abuse and cruelty," hereunder, and also "C-2.")
- Disposing of child for unlawful purposes.
- Endangering life, health, or limb.
- Gaming.
- Indecencies with children.
- Infanticide.
- Medicines and poisons, distribution of.
- Obscenity: Literature, plays, pictures, etc.
- Prostitution, procuring girls for, etc.
- Receiving goods from minor unlawfully.
- Sales, gifts, etc., unlawful: Cigarettes, weapons, liquor, etc.
- Sexual crimes; Age of consent, etc.
- Substitution of children.
- Trials, indecent, etc., exclusion of child; of public when child testifies.
- Miscellaneous—
 - Pregnant woman, suspension of execution.
 - Misdemeanor, penalty for, etc.
 - Blindness of infants, failure to report. (For this subject, *see* "D-2.")
 - Concealment of birth. (*See also* "A-5," and "D-5, Births, concealment of.")
 - Unlawful employment of child. (For this subject, *see* "F-1.")

2. ENFORCEMENT AND ENFORCING AGENCIES.

(D) HEALTH AND SANITATION:

1. ADMINISTRATIVE AND ENFORCING AGENCIES.

(Boards of health—Health officers—Miscellaneous.)

2. BLINDNESS OF INFANTS, PREVENTION OF—OPHTHALMIA NEONATORUM.

3. HOSPITALS FOR CHILDREN (for defectives, *see* "I-1")—

- Boarding homes for infants.
- Children's hospitals.
- County and municipal hospitals, provisions for children in.

(D) HEALTH AND SANITATION—Continued.**3. HOSPITALS FOR CHILDREN—Continued.**

Maternity hospitals.

Tuberculosis hospitals. (Provisions for children are specified.

For schools for tubercular children, *see* "I-1, Diseased, general provisions for.")

Other hospitals, provisions for children in.

Miscellaneous.

4. MIDWIVES—

Registration of.

Regulations for practice of profession; licensing, etc.

Duty to report cases of infected eyes. (*See* "D-2.")

Duties relative to reporting births. (*See* "D-5, Births and deaths, registration of.")

5. VITAL STATISTICS (birth registration, etc.)—

Births and deaths, registration of—

State and local authorities (registrars, etc.) charged with collecting and recording vital statistics; enforcement.

Duty of midwives, physicians, householders, etc., to report births.

Certificate of birth, contents; illegitimacy, stillbirths, infantile blindness, etc., reportable. (*See also* "D-2" and "D-4.")

Births, concealment of. (*See also* "A-5" and "C-1, Miscellaneous.")

Miscellaneous.

6. MISCELLANEOUS HEALTH LAWS—

Adulteration of candy. (Provisions are given where children are specified.)

Antitoxins, etc., free to indigent.

Communicable diseases, where children are specified.

Divisions of child hygiene, establishment of. (*See also* "D-1.")

Milk regulations.

Public health or visiting nurses.

Vaccination of pupils, etc.

(For alcoholics and narcotics, teaching effect of, *see* "E-3"; medical and dental examination of pupils, *see* "E-3"; health and sanitation in schoolhouses, etc., *see* "E-3"; health and sanitation in institutions, *see* "H-4" and "I-1.")

7. RECREATION—

Civic and social centers, use of schoolhouses, public buildings, etc., for.

Dance halls, theaters, etc., regulation of. (For admittance to, of minors, *see also* "C-1.")

Playgrounds and recreation centers.

Public baths.

Miscellaneous.

(E) EDUCATION LAWS:**1. ADMINISTRATIVE SUPERVISION AND CONTROL (indexed briefly)—**

Boards of education, school officers, etc.

School meetings.

Administrative units: Districts, consolidation of districts, etc.

2. FINANCES AND SUPPORT—GROUNDS AND BUILDINGS.

(These laws are not included. For sanitation of schoolhouses, etc., see "E-3.")

3. MISCELLANEOUS PROVISIONS AND REGULATIONS—

Age of children entitled to educational facilities; other requirements.

Arbor day and other holiday provisions.

Alcoholics and narcotics, teaching effect of.

Colored children, separate provisions for.

Exclusion and expulsion of pupils.

Fire drills; fire escapes.

Health provisions and sanitation in schoolhouses.

Liquor traffic; sale of intoxicants within certain distance from schools.

Medical and dental examination of pupils.

School discipline.

Subjects taught.

Subnormal children, special provisions for.

Teachers, special qualifications of; attendance at institutes.

Textbooks, free.

Term, length of.

Transportation of pupils.

(For compulsory school attendance, school census, and truant and parental schools, see "F-2"; civic and social centers and playgrounds, see "D-7"; school children, special aid to, see "H-6"; schools for tubercular children, see "I-1, Diseased, general provisions for"; vaccination of pupils, see "D-6.")

4. SPECIAL SCHOOLS—

Agricultural schools.

Continuation schools.

Domestic science. (*See also* Vocational, trade, and industrial schools hereunder.)

Evening schools.

Kindergartens.

Manual training. (*See also* Vocational, trade, and industrial schools hereunder.)Trade and industrial schools. (*See also* Vocational, trade, and industrial schools hereunder.)

Vocational, trade, and industrial schools.

Miscellaneous.

(F) CHILD-LABOR LEGISLATION (indexed briefly):

1. CHILD LABOR LAWS—

Minimum age (specifying occupations).
 Employment certificates and records.
 Hours of labor (specifying occupations).
 Street trades.
 Public exhibitions.
 Enforcement.
 Violations and penalties.

2. COMPULSORY SCHOOL ATTENDANCE—

Ages between which attendance is compulsory.
 Attendance required.
 Attendance of working children (day, evening, and continuation schools included).
 Enforcement; attendance and truant officers, etc.
 School census.
 Violations and penalties.
 Truant and parental schools.
 (For employment during school hours, etc., *see* "F-1.")
 (For compulsory school attendance of defectives, *see* "I-1.")

3. APPRENTICESHIP—

Who may bind children as apprentices.
 Terms of indenture (including schooling while employed, etc.).
 Duties of parent, guardian, master, and apprentice.
 Penalties for violation; master, apprentice.
 Apprenticing by institutions; by overseers of the poor. (For this subject, *see* "H-4"; "H-6, Almshouses, children in"; and "H-6, Poor relief.")

4. WORKMEN'S COMPENSATION—EMPLOYER'S LIABILITY.

(All provisions in which minors are specified; minor employed, illegally employed, etc.)

5. MISCELLANEOUS.

(In indexing preference is given to title "F-1.")

6. EMPLOYMENT AGENCIES.

(Provisions for children are specified.)

7. EMPLOYMENT OF WOMEN (*see also* "F-1")—

Before and after childbirth.
 Hours of labor.
 Minimum wage.
 Seats, etc., provisions for.

(G) STATE, COUNTY, AND MUNICIPAL CARE OF CHILDREN; GENERAL PROVISIONS FOR ADMINISTRATION, SUPERVISION, AND MAINTENANCE:

1. STATE BOARDS OR DEPARTMENTS (names of boards, etc., specified, and each treated separately)—

Creation and organization.

Jurisdiction, powers, and duties—

Children under direct control of. (*See also* "H-5.")

State and other institutions and agencies under control and jurisdiction of.

Miscellaneous—

Constitutional provisions.

Provisions for creating, etc.; funds for maintenance.

2. COUNTY AND MUNICIPAL BOARDS OR AGENCIES.

(H) DELINQUENT, DEPENDENT, AND NEGLECTED CHILDREN
(*see also* "G"):

1. GENERAL—

Acts which render child delinquent (certain specific acts, smoking cigarettes, carrying weapons, etc.).

Adult responsibility for delinquency and dependency. (*See also* "H-3.")

Capacity to commit crime.

Definitions—classes considered delinquent and dependent.

Delinquent and dependent, bringing into State.

Dependent and neglected, commitment and care of—

Court having jurisdiction, etc.

Certain provisions apart from juvenile court and institutional laws, which do not properly fall under subjects given below.

Miscellaneous.

2. TREATMENT OF DELINQUENT MINORS APART FROM JUVENILE COURT AND INSTITUTIONAL LAWS—

Court having jurisdiction.

Provisions for treatment of minors—

Above juvenile-court age (generally between 16 and 21).

In States having no juvenile-court law.

3. JUVENILE COURTS—

Creation, designation, and organization of court; appointment, term, and qualifications of judge, etc.

Jurisdiction—

Children of certain ages; delinquent and dependent as defined.

Of parents, guardians, etc.; of contributory delinquency and dependency, etc.

Extent of jurisdiction in general.

Probation officers—

Appointment, duties and powers, compensation, etc.

Referees, etc., appointment and duties of.

(H) DELINQUENT, DEPENDENT, ETC., CHILDREN—Continued.

3. JUVENILE COURTS—Continued.

Procedure—

Petition; summons; trial, how conducted, etc.; appeal, etc.
Release pending hearing; recognizance, detention homes, etc.

Final disposition of child—

Placing under probation—leaving child in its home, placing in a family home, etc., or committing to detention home, etc.

Commitment to an institution; powers and duties of institution to which committed.

Advisory board, appointment, organization, and duties of, etc.

Disqualification of child.

Contributory delinquency and dependency.

Miscellaneous—

Civil liability of child; medical care of child during proceedings, etc.

4. INSTITUTIONS FOR DELINQUENTS AND DEPENDENTS—

(Name and kind of institution—State, county, municipal, semi-public, or private—is specified, and each is treated separately.)

Institutions for delinquents (State)—

Establishment, organization, management, and maintenance.

Supervision and inspection by State board, etc. *(See also "G.")*

Health and sanitation—regulations and inspection.

Object and jurisdiction of institution—

Age limitations.

Classes of children committed and received.

Courts or judges committing—

Procedure.

Term of commitment.

Jurisdiction and supervision after commitment.

Examination on entering institution; provisions for treatment.

Expenses and support, liability for (parent, county).

Treatment of inmates—

Exceptional offenders, special provisions for.

Defective children, transfer and removal of.

Correctional methods.

Education and training.

Employment in institutions.

Placing out and apprenticing of children.

Parole—Transfer—Discharge.

Miscellaneous.

(County, municipal, semipublic, and private institutions are treated similarly; provisions for financing, State aid, etc., and for licensing of private institutions are specified.)

Institutions for dependents (State)—

Establishment, organization, management, and maintenance.

Supervision and inspection by State board, etc. *(See also "G.")*

Health and sanitation—regulations and inspection.

(H) DELINQUENT, DEPENDENT, ETC., CHILDREN—Continued.

4. INSTITUTIONS FOR DELINQUENTS AND DEPENDENTS—Contd.

Institutions for dependents (State)—Continued.

Admission—Commitment—

Procedure.

Classes of children received.

Age limitations; how long retained, etc.

Physical and mental examinations upon entrance.

Delinquent children, transfer and removal of.

Expenses and support of child; payment by county, by parent.

Education and training; employment in institution.

Placing out—Apprenticing—Adoption.

Miscellaneous.

(County, municipal, semipublic, and private institutions and agencies are treated similarly; provisions for financing, State aid, etc., and for licensing of private institutions and agencies are specified.)

Institutions for delinquents and dependents.

(In indexing preference is given to the two preceding titles, unless the law clearly indicates that both classes are received in an institution. For subjects covered, see "Institutions for delinquents" and "Institutions for dependents" hereunder.)

Institutions in general.

(Certain constitutional and other provisions applying to institutions in general are specified.)

5. PLACING OR BOARDING OUT OF CHILDREN (by State, county, or municipal boards)—

Classes of children received.

Age limitations.

Authority of board over various classes.

Method of placing.

Placement agents, investigation, supervision, etc.

Provisions for temporary care.

6. COUNTY AND MUNICIPAL RELIEF—

Almshouses, children in.

Children born in institutions, disposition of.

Legal settlement of child. (*See* Poor relief, hereunder.)

Mothers' pensions.

Pensions, miscellaneous.

Poor relief.

School children, special aid to.

Support of family of inmate of penal or other institution.

Miscellaneous.

(I) DEFECTIVE CHILDREN (*see also "G"*):**1. GENERAL PROVISIONS FOR DEFECTIVES—INSTITUTIONS FOR DEFECTIVES—**

(Name and kind of institution—State, county, municipal, semi-public, or private—is specified, and each is treated separately.)

Blind, general provisions for—

- State commission for.
- State aid to, within their homes.
- Education of, in public schools.
- Compulsory school attendance.
- Books and readers for the blind, provisions for, by State.
- Enumeration of, etc.

Blind, institutions for (State)—

- Establishment, organization, management, and maintenance.
- Supervision and inspection by State board, etc. (*See also "G."*)

Health and sanitation—regulations and inspection.

Admission or commitment—

- Procedure.
- Age limitations.
- Classes of children received.
- Compulsory commitment, etc.

Custodial powers.

Expenses and support of child; payment by county, by parent.

Education and training; employment in institution.

Expulsion—Transfer—Parole—Discharge.

Supervision or aid after leaving institution.

Miscellaneous.

(County, municipal, semipublic, and private institutions are treated similarly; provisions for financing, State aid, etc., and for licensing of private institutions are specified.)

Crippled and deformed, general provisions for—

- Education in public schools; State aid to, etc.
- Compulsory school attendance.

Crippled and deformed, institutions and hospitals for (State hospital; State university hospital, etc.)—

- Duties of hospital official.
- Assignment of competent surgeon to case.
- Who may receive treatment—indigent and other children.
- Expenses and support of child; payment by city, county, parent.

Miscellaneous.

(For provisions for treatment and separate departments in institutions for dependents, see "H-4, Institutions for dependents.")

Deaf and dumb, general provisions for—

- Education in public schools; State aid to, etc.
- Compulsory school attendance.

(I) DEFECTIVE CHILDREN—Continued.

1. GENERAL PROVISIONS FOR DEFECTIVES—INSTITUTIONS FOR DEFECTIVES—Continued.

- Deaf and dumb, institutions for—
(For subjects covered, *see* "Blind, institutions for," hereunder.)
- Diseased, general provisions for—
Education of tubercular children in open-air schools; State aid to, etc.
Miscellaneous.
- Diseased, institutions for.
(For this subject, *see* "D-3.")
- Feeble-minded and epileptic, general provisions for—
Commissions for studying treatment, needs, and care of.
Statistics relating to, etc.
Miscellaneous.
- Feeble-minded and epileptic, institutions for.
(For subjects covered, *see* "Blind, institutions for," hereunder.)
- Insane, hospitals for—
General provisions for admittance.
Provisions for children.
Miscellaneous.
- Institutions in general.
(Certain constitutional and other provisions applying to all institutions for defectives are specified; in indexing preference is given to "Institutions in general," under Title "H-4.")
Miscellaneous.

2. PREVENTION OF TRANSMISSION OF DEFECT—

- Asexualization.
- Miscellaneous.
For marriage and divorce of feeble-minded, epileptic, etc., *see* "A-3"; for sexual crimes committed with defectives, *see* "C-1, Sexual crimes.")

(J) MINOR'S CAPACITY OR INCAPACITY TO ACQUIRE RIGHTS AND TO INCUR LIABILITIES:

1. RIGHTS AND DISABILITIES IN GENERAL (MINOR'S CIVIL STATUS, ETC.)—

- Age of majority.
- Capacity in which minor may act.
- Capacity to appoint others to act.
- Capacity to make a will.
- Legal disability, what constitutes.
- Legal disability, removal of.
- Witnesses, minors as.
- Miscellaneous.

**(J) MINOR'S CAPACITY OR INCAPACITY TO ACQUIRE RIGHTS
AND INCUR LIABILITIES—Continued.****2. MISCELLANEOUS RIGHTS AND LIABILITIES—**

Actions. (For real actions, *see* "Real property" hereunder.)

Right of action, who has.

Capacity to sue and be sued; guardian ad litem, necessity and purpose of appointment, etc.

Procedure: Summons, how served, etc.

Effect of attaining majority during action.

Judgment; review of action, appeal, etc.

Limitation of actions.

Citizenship of minor.

Contracts.

Inheritance and testamentary rights. (For adopted and illegitimate children, *see* "A-4" and "A-5.")

Personal property.

Real property. (For care of property by guardian, *see* "B.")

Torts: Wrongs, liability for.

Miscellaneous.

