THE HISTORY OF LEGISLATIVE PROVISION
FOR DEFECTIVES IN MISSOURI.

by

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THE HISTORY OF LEGISLATIVE PROVISION
FOR DEFECTIVES IN MISSOURI.

For purposes of this study, "history" means the topical arrangement and statement of facts with due regard to the time element; "defectives" means the insane, the deaf and dumb, the blind, the feeble-minded, and epileptic; "Missouri" means the Territory, as well as the State, of Missouri.
CHAPTER I.

THE INSANE.
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THE INSANE.

The class of defectives first provided for by legislation in Missouri was the insane or "persons of unsound mind", as they were called. This priority of legislative provision is probably accounted for by the fact that the insane outnumbered all other classes of defectives in the State.

LEGISLATION FROM 1817 TO 1847.

Guardians: The earliest law relating to the insane (1817) empowered the circuit courts to appoint, for persons of unsound mind, guardians to serve a term not longer than one year. Within thirty days after appointment, a guardian was to publish (for four weeks) in some newspaper in the state the fact of such an appointment, and to advertise it in the township by posting up three notices in the most public places.

The law of 1825 was exhaustive on the subject of guardians and their duties. A guardian, after entering into a bond with the State, was to have control of all property of his ward; to render to the court account of all receipts and expenditures and of other matters touching

his guardianship; to give public notice of his appointment; to prosecute or defend all actions for or against his ward; to notify the court of the conditions of the person's income, and, if ordered, to conduct such sales of the estate as the court might deem necessary; to declare all contracts entered into by the insane person, null and void.

The law of 1835 provided that all inventories made by the guardian should be made in the presence of two credible witnesses of the neighborhood and be verified by the oath of the guardian.

By the law of 1845 it was provided that, in a case where a guardian and his ward (a minor, idiot, or lunatic) were both non-residents of the state and the ward was entitled to property in the state, the guardian could demand or sue for and remove any such property to the residence of himself or of his ward.

Court Jurisdiction: The territorial law of 1817 provided that, upon information in writing being given to the circuit court that any person in the county was of unsound mind, and upon an application that the fact be inquired into, it was the duty of the court to institute such

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(1) R.S. 1825. p. 429.
(2) R.S. 1835. p. 322.
(3) R.S. 1845. p. 554 amended in 1849 to the effect that benefits of this act should not apply to citizens of other states in which a similar law did not exist. (Missouri Laws, 1849. p. 55.)
an inquiry by jury or otherwise; and, if it were found that such person was of unsound mind and incapable of managing his affairs, the court should appoint a guardian. The court was empowered to order sums to be paid from the county treasury for the support of an insane person. The law of 1825 gave the probate court control over the restraint, safe keeping and support of a person of unsound mind, over his family and the education of his children. The court by jury or otherwise was to inquire into the condition of his mind, and, if it found that such a person were restored, he was to be discharged from custody, and from the services of his guardian.

In the law of 1835 the several county courts were given power and jurisdiction over appointment and control of guardians.

The legislation of 1843 made it discretionary with the county court whether or not the person alleged to be insane should be brought before the court. And the information in writing might, by this law, be presented to the presiding justice of the county court in vacation, and he might thereupon call a special term to hold an inquiry.

Care of the Insane.—The title of the territorial act of 1817 showed the early attitude in Missouri toward the

(2) R.S. 1825, p. 429.
(3) R.S. 1825, p. 429.
insane. "An Act for the Restraint, Support, and Safe-keeping of Persons of Unsound Mind." That law provided that if the estate of such a person were not sufficient for his support or that of his family, the court should order such a sum, as it deemed just, to be paid from the county treasury to his guardian. The person of unsound mind could have no rights such as the drawing up of contracts, disposing of land - and if he had assumed any such rights, they were to be declared null and void by the guardian.

The law of 1825 provided that an insane person was to be brought before the probate court and his condition investigated, before a verdict would be reached as to his state of mind. But in 1843 it was made discretionary with the court whether or not such person was to be brought before said court. The law of 1825 also provided that the restraint and safe-keeping of a person of unsound mind was to be in the power of the court; but that he should not be detained in custody for want of bail, although he might be confined in some suitable place until the next sitting of the probate court. If the income of the estate of such person was insufficient for his maintenance and the sale of property made it still insufficient, then he could be provided for out of county funds for a

(2) R.S. 1825. p. 429.
(3) Missouri Laws 1843. p. 72.
period of one year. When he, or some other person by oath with one or more competent witnesses could satisfy the court that his mind had been restored, he should be released from custody and from the care of a guardian.

In 1835 a law provided that in case of the death of an insane person his property should descend and be distributed in the same manner as if such person had been of sound mind. It was further provided that, "In all cases of appropriations out of the county treasury for the support and maintenance or confinement of an insane person, the amount thereof may be recovered by the county from any person, who, by law, is bound to provide for the support and maintenance of such insane person, if there be any such of sufficient ability to pay the same."

(1) R.S. 1825. p. 429.
(2) R.S. 1835. p. 322.
CHAPTER II.

THE INSANE. (Continued)

LEGISLATION FROM 1847 to 1871.
CHAPTER II.

THE INSANE (Continued).

LEGISLATION FROM 1847 TO 1871.

The year 1847 marks the beginning of State institutions for the insane; and although the year 1871 does not mark particularly the close of a period, yet it does indicate the beginning of a new era in the care of this class of defectives.

Institution: - Although there had been thirty years of legislation for the insane, it was not until 1847 that an institution was provided for them. In that year three commissioners were elected (by joint vote of both houses) to purchase, or receive by gift, not less than one hundred or more than five hundred acres as a site for an asylum, the situation to be confined to the counties of Callaway, Howard, Boone, Chariton, Saline, Cooper, Moniteau and Cole. The form of subscription papers and what donations might be accepted, how they were to be used, and the meetings of the commissioners, were regulated by the act. A superintendent, employed by the commission and under its control, was to do and perform all things needful for the speedy erection of the buildings. The building was to have the capacity of one hundred insane persons, to be of stone and brick and constructed "in a neat, substantial, economical and workmanlike manner." The commission was empowered to send some suitable person to Columbus, Ohio, or elsewhere, to examine
the structures of buildings, procure information and plans, in order that the buildings might be constructed in the most approved manner. The Governor was to appoint some competent and skilled physician as Superintendent of the institution who should be required to give bond for the faithful performance of his duties.

But the law of 1849, the plans and contract were transferred from the control of the superintendent for the erection of the buildings, to the commission. All details as advertising, bids, and payments, were specified. The commissioners might employ a superintendent possessing qualifications as an architect, to aid them in the adoption of plans and the choice of material. The commissioners were to receive $2 per day as compensation for time engaged in the discharge of their duties.

In 1851 the legislation on the subject of government and management, provided that the institution should be known as the "State Lunatic Asylum." The same law provided that the term "asylum" and "institution" should be construed to mean "state lunatic asylum."

In 1852 the enlargement of the building was provided for. Four new wings were to be added (two for the violent

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(1) Missouri Laws 1847. p. 60.
(2) Missouri Laws 1848-49. p. 57.
(3) Missouri Laws 1850-51. p. 219. By that date the institution had been located at Fulton, Callaway.
patients) and a chapel; recreation grounds, a library, and a carriage and horses for the female patients, were provided for, besides other improvements.

Government and Management. - In 1847, the year of the establishment of the asylum, the Governor appointed a Superintendent to be under the direction of the commission. He was to employ, if necessary, an assistant physician, nurses, and attendants; and, together with the commissioners, was to make detailed reports to the next General Assembly. It was the duty of the commission, as the occasion required, to make requisitions in favor of the superintendent for the expenses of the asylum, and to keep true and accurate accounts of its expenditures.

The General Assembly of 1850-51 worked out a more detailed method of government and management. These were vested in a board of seven managers, four of whom were to reside within thirty miles of Fulton; three were to hold office for four years, and four for two years. This board was to hold in trust for the State, any lands, money, or other personal property given or bequeathed for the benefit of the asylum. It was given general direction and control of the affairs of the institution - power to direct expen-

(2) Missouri Laws 1847. p. 60
panditures; to prescribe rules and by-laws; to control appointment, duties, salaries, and terms of office of treasurer, superintendent, steward, and matron. The superintendent was to be a "physician of knowledge, skill and ability in his profession" and with experience in the management and treatment of the insane. He was to devote himself, exclusively, of all other business, to the asylum; to employ nurses, attendants, and servants, and to assign their duties; to receive and discharge patients; to forward printed copies of rules and regulations governing admission to the clerk of each county court as well as the statement of the number of admissions to which each county is entitled; also to forward every six months to the county courts having patients in the asylum an account of the sum due the asylum for maintenance of such patients; and to provide an official seal. He, with the other officers, was exempt from service as a juror. The officers were, from time to time, to make reports to the managers; the superintendent and treasurer to make full reports to the board of managers at its annual meeting; the managers to make a full report, accompanied by the reports of the superintendent and treasurer, to the next meeting of the legislature. The institution was to be visited monthly by two of the

(1) All of whom were to reside in the asylum, except the treasurer, and he to reside in Fulton.
managers together, quarterly by a majority together, and annually by the board as a whole. Actions for debt were to be maintained in the name of the treasurer. The managers were to receive no compensation except expenses incurred in performing their duties.

The legislation of 1852 which provided for the enlargement of the asylum, also provided that to all contracts made for the discharge of the above, the managers were to be parties on behalf of the State, their duties with reference to such contracts being specified.

In the session acts of 1854-55 appeared all the laws on the subject of the insane with revisions and additions, of which the following are the most significant ones:—Of the board of managers, five were to reside within fifteen miles of the asylum, and all to hold office for four years. The employees of the asylum, besides being exempt from acting as jurors were also exempted from working the roads and highways, but not from paying any property or road tax. The superintendent and treasurer were to make biennial reports which were to accompany the annual report of the board to the legislature.

(2) Missouri Laws 1852 p. 12.
(3) Missouri Laws 1854-55. p. 142.
The General Assembly of 1862-63 authorized the Governor to reorganize the board of managers, appointing "men of known loyalty." And, at the next session, (1863-64), by concurrent resolution, it was resolved that the new board make to the legislature, a full and detailed statement of all its operations since its reorganization.

Insane Persons. - As soon as the asylum, as provided by the act of 1847, was ready for the reception of patients, the superintendent was to notify the county courts that they might send the insane poor of their respective counties to the asylum. These patients were to be sent at the cost of the counties, and each patient to be accompanied with a detailed account of his case. In all cases preference was to be given to the poor, but if there were room for others, any insane person might be admitted at his own expense.

The act of 1851 provided that, all persons afflicted with any form of insanity, might be admitted into the asylum when the board of managers deemed it probable that their condition could be improved. The insane poor were to be charged only the actual cost of keeping and proper care, which included board, clothing, nursing, medicine, and attendance.

(1) Missouri Laws 1862-63. p. 162.
(2) Missouri Laws 1863-64. p. 136.
(3) Missouri Laws 1847. p. 60.
Other patients were to be admitted on such terms as the board might prescribe. Each county court sending a patient should see that he was free from any contagious disease and that he had comfortable clothes and provided with suitable changes of raiment as prescribed by the by-laws. Preference in admission was always to be given the indigent insane over those who had ability to pay; also preference was to be given to cases of less than one year's standing over those of more than one year's. The same act provided that patients applying for admission and not sent by the county court, could enter only after making satisfactory arrangements—payment of one month's charges in advance and offering sufficient bond for all future charges; statement of age, place of birth, full name, place of residence; and certificate of insanity signed by two physicians under oath. These pay patients were required by the act of 1855 to have the same clothing as the indigent patients and each accompanied by some acquaintance from whom essential particulars might be learned. No patient guilty of homicide could be discharged from the asylum without the consent of the superintendent and a majority of the board. By the same act, the

(2) Missouri Laws 1854-55. p. 145.
(3) Missouri Laws 1854-55. p. 147.
the term "insane" and "lunatic" included every species of insanity or mental derangement; "Insane poor" or "indigent insane", when applied to a person without a family, meant one whose estate, after payment of his debts and excluding from the estimate such part of his estate as was exempt from execution, was worth less than $300 in cash; the same words when applied to a person with a family, meant one whose estate, estimated as aforesaid was worth less than $1,000.

In the Revised Statutes of 1855 a new section provided that if any insane person possessing any property be admitted into the State Lunatic Asylum, the guardian should pay the expenses out of the estate of the ward, but that if at any time such person come under the class of indigent insane he should be supported by his county.

An act passed in 1861 provided that if information in writing were given to the county court, and in St. Louis county to the probate court, that any person who was a non-resident of the State, and owned property, in such county, which was liable to be injured, or who was an idiot or lunatic and incapable of managing his affairs, then the court,

(2) R.S. 1855. p. 863.
on the authority of the jury's verdict of insanity could (1) appoint a guardian.

Wagner's Statutes of 1870 required that in case an insane person was left without a guardian, he should be maintained in the asylum by order of the county court, and if, at the time such person was left without a guardian, he was in the institution, he was to remain there under the same forms and proceedings as under which he entered. (2)

Duties of Counties and Courts; - The law of 1848 required the circuit attorney of the second judicial circuit to collect the subscriptions for the new institution established by the act of 1847. The probate court of St. Louis county was given the same power and authority with (4) regard to the insane, as had the county courts. This act was amended in 1851 by requiring the circuit attorney to collect all money due in the subscription lists within six (5) months after the passage of this act. By the same act the several county courts were entitled to send insane patients to the asylum in the ratio of the insane population of their

(1) Missouri Laws 1861. p. 33.
(2) Wagner's Statutes, 1870. p. 712.
(3) Missouri Laws 1848-49. p. 60.
(4) R.S. 1845. p. 554.
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respective counties. The county courts of each county were required to make out a list of all the insane poor in the county, distinguishing such as had been insane less than one year.

By the legislation of the session of 1845-55 the counties sending indigent patients were charged only for the clothing and the transportation expenses to and from the asylum, and in case of death, for burial expenses. The procedure in declaring an indigent person insane was minutely worked out in this act, and a trial by jury was required, with great precaution that no one should be adjudged insane unjustly. The relatives of the insane person might be allowed to convey such person to the asylum instead of the sheriff, and receive compensation. It was the duty of the sheriff to effect the removal of a patient from the institution; it was also his duty, in case of the escape of a patient from the asylum back to the county from which he was committed, to return such person, upon notification from the superintendent. The sheriff was allowed mileage to and from the asylum, for himself and for an assistant.

In the year 1861 a statute was passed which required the county courts, upon sufficient information, and after

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(2) Missouri Laws 1854-55. p. 152.
a jury had been shown a non-resident person owning property liable to be injured, to be of unsound mind, to appoint a curator of the estate of such person. No appropriation could be made out of the county treasury for the support of such persons. The law of the next year prohibited a charge to the county exceeding $2.50 per week for each patient.

At the first session of the twenty-fourth General Assembly, 1867, a law was passed authorizing the county court of St. Louis county to issue bonds at a specified rate for the completion of its Insane Asylum. At the session of the legislature of 1870 the same court was authorized to provide for the safe-keeping and medical treatment in the county lunatic asylum, of all idiots, lunatics or persons of unsound mind, who were at that time confined in the city workhouse, or who had been permitted to go at large. In Wagner's Statutes of the same year, it was provided, that, in case of resignation of the guardian of an insane person, the county court should maintain such insane person in the asylum.

(1) Missouri Laws 1861. p. 33.  
(3) Missouri Laws 1867. p. 106.  
(4) Missouri Laws 1870. p. 452.  
Legislation for Specified Individuals. - One of the laws passed at the session of 1852-53 provided that one Theodore McGready (an idiot) should be placed in a lunatic asylum during his natural life or until he was restored to reason. The officers of the institution were "to receive, clothe, support, maintain and humanely treat him in all respects, so far as his condition would warrant, as lunatics are treated in the institution." His guardians were required to pay down, in cash, the sum of $1,000, to be expended by the board in improvements for the buildings and grounds of the institution, also the guardians were required to dispose of all the property of their ward. This act was repealed in 1855, and the managers were directed to pay to his heirs or their guardians, the sum of $800.

In 1857 the managers of the asylum were authorized to accept Mary Terrill, then a county patient in the institution, as a patient for life on the condition that the sum of $500 be paid to the treasurer.

The legislature of 1856-59 authorized the guardian of Jacob Coultherd, an insane person, to complete certain sales which had been left incomplete by the death of a

(2) Missouri Laws 1854-55. p. 5.
(3) Missouri Laws 1856-57. p. 10.
former guardian. The next legislature also authorized the guardian of a certain lunatic in the State to sell a specified piece of land.

At the session of 1869 the Governor was given authority to place Sarah Griffin, an insane person, in the asylum, as soon as she had been declared insane by the proper method. Her expenses including transportation were to be paid from money in the State treasury not otherwise appropriated.

Appropriations. - The first appropriation of this legislative period was in 1847. It was for that amount accruing to the State under the provisions of an act of Congress, to be used for the purchase of land and the building of an asylum for the insane of the State.

Following are the appropriations for the years of this period:

1848 - $15,000 for the erection of the asylum.
1850 - $25,000 for specific items - payments not to be made oftener than quarter annually and for a sum

(1) Missouri Laws 1858-59. p. 422.
(2) Missouri Laws 1859-60. p. 650.
(3) Missouri Laws 1869. p. 201.
(4) "An Act to appropriate the proceeds of the sales of the public lands and to grant pre-emption rights." September 4, 1841.
(5) Missouri Laws, 1847. p. 60.
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(1) not to exceed $4,000.

(2) 1852 - $37,300 for support of the asylum.

1854 - $50,000 for indebtedness and current expenses, plus $10,000 for finishing additions and for improvements.

1857 - $67,000 for support and enlargement of the building with certain provisions, with an additional sum of $45,000 for a new wing. A special annual tax of 1/16 part of 1 %, after 1857, was required to be levied upon the assessed value of all the taxable property of the State, real and personal, for the future support of the asylum to be known as the "State Lunatic Asylum Fund."

(6) 1859 - $50,000 for hospitals and other additions.

(7) 1862 - $10,000 annually for the asylum.

(8) 1863 - $15,000 for enumerated purposes.

1865 - $20,000 for debt incurred by the legislature of 1861 appropriating the amount provided by law for the support of the asylum to the military fund. Also, $16,000

(2) Missouri Laws 1852-53. p. 11.
(3) Missouri Laws 1854-55. p. 5.
(5) Certain County Courts, in 1859, were required to levy and collect, as arrearsages on this special tax, 1/60 of 1 % on the assessed value of taxable property. Missouri Laws, 1858-59. p. 11.
(6) Missouri Laws, 1858-59. p. 11.
annually (paid semi-annually) for support of asylum.

1868 - $16,000, besides the annual grant, for enumerated purposes.

1869 - $10,000 was added to the regular appropriation for specified items.

1870 - $60,000 for support and improvements.

(1) R.S. 1865. p. 304.
(2) Missouri Laws 1868. p. 10.
(3) Missouri Laws 1869. p. 5.
CHAPTER III.

THE INSANE (Continued)

LEGISLATION FROM 1871 TO 1907.
CHAPTER III.

THE INSANE (Continued)

LEGISLATION FROM 1871 TO 1907.

The year 1871 marks the beginning of a new period in the care of the insane in Missouri. After that date there are found three additional State institutions established; statutory provision for the care of such persons in city and county institutions; the probate court succeeding the county court in control of insane persons; and scientific treatment, embodying the idea of cure, supereeding "restraint, support and safe-keeping." Although the last statement is true, yet it was not until recently that the name of the institutions was changed from "asylum" to "hospital."

Institutions. - The General Assembly at its regular session of 1871-72 passed an act to establish an insane asylum to be known as "The North-western or South-western Missouri Lunatic Asylum." Five commissioners were appointed by the Governor with specified duties. No location was to be considered unless it contained at least one hundred and twenty acres. Other determining factors were:—salubrity of soil, cheapness and excellence of building material, easy access from different parts of the state, abundant pure water

(1) i.e. the county court, in the main, had had control in the preceding period, although in a few instances, already cited, the circuit and probate court had had some supervision.
supply, and cost of land for the institution. Gifts and bequests were to be received in aid of the institution. A competent architect and superintendent, employed by the commission was required together with the commission to see that the buildings were constructed upon the most improved yet economical plans, that they were built as nearly fire-proof as practicable with such facilities for egress as would afford safety and protection in case of fire; and that they were completed in fifteen months after the awarding of the contract. An amendatory act was passed in 1874, by which the new institution was to be known as "State Lunatic Asylum No. 2."

The Governor was authorized, in 1879, to appoint a commission of three persons with plenary powers for rebuilding Asylum No. 2 (as a consequence of it having burned).

"State Lunatic Asylum No. 3" was established under the provision of an act passed in 1885. It was to be located south of township line 44 and west of range 15 in south-west Missouri. The commission, appointed by the Governor, was authorized to select a tract of land containing not more than one hundred and sixty acres and to cause to be erected thereon suitable buildings.

(1) Missouri Laws 1870-71. p. 160
(2) located at St. Joseph.
(3) Missouri Laws 1874. p. 177.
(4) Missouri Laws 1879. p. 115.
The Revised Statutes of 1899 provided for the establishment of "State Lunatic Asylum no. 4." It was to be located in some one of the counties embraced within the territory south of township line 44 and east of range line 6 and west of the 5th principal meridian. The commission, the choice and purchase of the land, and the erection of buildings were provided for by the act as had been done in previous cases.

The same year, cities of the first class, were required to provide for the support, maintenance, and confinement of insane persons.

A law of 1889 authorized the county courts, in counties containing 100,000 inhabitants or more, to purchase not more than eighty acres of land, and to build and maintain thereon an insane asylum. If the provision was carried out it was to be the duty of the county so doing, to remove to that asylum all the insane of the county including the indigent insane at any state institution. The government, rules and regulations were placed in the hands of the respective county courts, and the general law governing asylums, should, as far as practicable, apply to such asylums. The State was not bound to make for them appropriations. This

(2) R.S. 1899, Vol. II. p. 1254 division XIII.
(3) Missouri Laws 1889. p. 80.
law was amended in 1899, providing that when not less than one hundred qualified voters of any county petitioned their county court for an election to authorize the issue of bonds for the purchase of land and the erection of buildings for such an asylum, the court might order such an election.

By an act of 1901 the institutions for the care and treatment of the insane ceased to be termed lunatic asylums and were to be known as "Hospitals for the Insane". The hospital near Fulton was to be known as the "State Hospital for Insane No.1;" the one near St. Joseph, as "State Hospital for Insane No.2;" the one near Nevada, "State Hospital for Insane No.3;" and the one near Farmington, "State Hospital for Insane No.4." But in 1903, by an amendatory act the words "for Insane" were struck from the names of the hospitals. It was further provided that the hospitals for the insane, with certain other institutions, should be known as the eleemosynary institutions of the State.

**Government and Management:** The management of the asylum established in 1872 (now State Hospital No. 2) was placed in the hands of a board of managers, composed of five men appointed by the Governor. They were required to reside within thirty miles of the asylum, and two of them were re-

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(2) Missouri Laws 1901. p. 45.
quired to be practitioners of medicine. In order of appointment, two were to hold office for one year, two for two years, and the remaining one for three years. This asylum was to be governed as the asylum already in existence was governed. An amendatory act was passed in 1874 making the term of office of the managers four years.

The board, governing and managing the affairs of the institution established in 1885 (now State Hospital No. 3) was to consist of five members appointed by the Governor, the first two for a period of two years, and the others for three years. They were given the same powers, privileges, and duties as had the managers of the other established asylums.

The superintendents of the insane asylums were authorized, by the law of 1887, to notify the Board of Distribution of Human Bodies, of the death of persons in their charge required to be buried at public expense. The object of this act was the promotion of medical science.

(2) Missouri Laws 1874. p. 177. There were also some minor regulations with reference to the commissioners.
(4) Superintendents of poor houses were also included.
In 1895, the right to parole a patient from an asylum, was granted to the superintendent, if to him it seemed expedient.

The government and management of Asylum No. 4 was made identical with that of the other asylums in 1899.

Duties of Counties and Courts. - By an act in 1873 it was provided that if any county court or city council, refused to perfect or consummate a donation of its county or city, for Asylum No. 2, such court or council might be proceeded against by writ of mandamus to be sued out of the supreme court.

In 1877 the county courts were authorized to discount or sell their warrants, whenever it became necessary, to raise money for the support and maintenance of their insane poor.

In the same year there was required from the Insane Asylum of St. Louis county, biennial reports to the General Assembly; but in 1879 that section was repealed.

In the Revised Statutes of 1879 the county's juris-

(1) Missouri Laws 1895. p. 42.
(3) Amendatory to act of 1872 establishing an insane asylum.
(4) Missouri Laws 1873. p. 90.
(6) Missouri Laws 1877. p. 263.
(7) Missouri Laws 1879. p. 115.
diction over the insane was transferred from the county court to the probate court. It was made the duty of the latter to notify the party alleged to be insane of the proceedings of the court, unless the reason for not notifying were spread upon the court records, or the person were brought before the court.

In 1895 an act provided that no county court could remove from an asylum any indigent insane person. This section was the result of the first part of the act which stated that insane persons must be cared for in an asylum, there being no option in the matter.

The law of 1899 provided that demands against the estate of an insane person should be presented to the probate court, notice having been previously served upon the guardian. If the estate were insufficient to pay all demands, it was the duty of the probate court to pro-rate the assets equally among the holders of the demands. The guardians were under the control of the probate courts in all matters relating to their wards.

In 1903 the probate court was prohibited from jurisdiction over the inquiry of insanity of a person of no pro-

(2) Missouri Laws 1895. p. 42. (amending Sec. 473, Art. I. Chapter 9, and repealing Sec. 501 of Art. I. Chap.0. R.S. 1889.)
(4) Missouri Laws 1899. p. 222.
perty, except thru the means of a jury.

The law of 1907 provided that the probate judge
or clerk should record in a book kept for the purpose
all inventories of insane persons' estates.

Insane Persons and their Guardians. - The pro-
visions in Wagner's Statutes of 1870 for the sale of the
real estate of the insane and the duties of the guardians
were detailed. But in the Revised Statutes of 1879 it was
provided that all sales of the real estate of insane per-
sons were to be conducted as those of minors; also that
sales for non-resident insane should be regulated as those
for non-resident minors.

In 1881 it was provided that if it were found that
an insane person had been restored to his right mind, he
should be discharged from custody, and from the care of the
guardian; but if it was found that such a person had not
been restored to his right mind, the person at whose in-
stance the inquiry was had, might be required, in the dis-
cretion of the court, to pay the costs of such a proceeding.

The act of 1895 made treatment in an asylum for an

(2) Missouri Laws 1907. p. 299.
(4) Missouri Laws 1881, p. 141.
insane person compulsory. The act of 1899 required the
guardian, within thirty days after appointment, to give
public notice of his appointment. He should require all
persons having claims against the estate of his ward to
exhibit them for allowance to the probate court within two
years after the date of publication of the appointment.

The law of 1907 required every guardian of an in-
sane person, when making an inventory of the estate, to
cause the appraisement of the personal property by two dis-
interested residents of the county, drawing up a list of
the articles with their value - the guardian administering
the oath.

Insane Criminals. - The first legislative enactment
relating to insane criminals was in 1847. They were re-
quired to be sent to the new institution, when acquitted on
the grounds of insanity, on the same conditions as were
other insane persons.

At the session of 1854-55 an act was passed which
provided for this class. When a person was acquitted of

(1) Missouri Laws 1895. p. 42.
(2) R.S. 1899. p. 227.
(3) Missouri Laws 1907. p. 299.
(4) The laws of 1847 and 1855 are included in this chapter
 because they form only a small portion of the legisla-
tion, also to make this division a unit.
(5) Missouri Laws. 1847. p. 60.
any crime or misdemeanor on the grounds of insanity, if he were not a poor person and unsafe to go at large, he was to be sent to the asylum, by permission of the superintendent. His expenses were to be paid out of the proceeds of such person's estate. If the prisoner were a poor person, he should be dealt with as the insane poor; provided that the examination into the insanity should take place before the county court. If it were necessary for him to be taken into custody, before the action of the county court, he should be confined in the county jail or in the alms-house. If any person, after conviction of a crime or misdemeanor, should become insane, then the governor should inquire into the facts and might pardon or suspend for a time, the execution; and by his warrant to the sheriff or the warden of the penitentiary, order such lunatic to the asylum.

In 1881 a statute provided for a suitable building for the treatment of the insane criminals, upon the premises of Asylum No. 1 at Fulton, and under the authority of the board of managers of that institution.

In 1883 it was provided that if a person indicted of a crime, should become insane before his trial, the circuit or criminal court, wherein such person stood charged, should suspend proceedings, ordering a jury to decide as to

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(1) Missouri Laws 1854-55, p. 151.
(2) Missouri Laws 1881, p. 123.
his state of mind. If he were found to be insane, he must be sent to the asylum. After his cure and removal the court proceedings should be continued.

A law of 1903 provided that, whenever a convict in the penitentiary, having served 2/3 of his sentence and having become insane and been sent to an asylum, had recovered his sanity (the fact certified to by the superintendent of the asylum) it should be the duty of the Governor to grant a complete discharge from the sentence of the court, and not requiring his return to the penitentiary.

Appropriations. - In 1871 the board of managers was empowered to charge all patients in the asylum, at the rate of $2.50 per week. Besides redirecting a sum formerly appropriated for another purpose, the legislature appropriated $12,000 for repairs and other uses.

An annual appropriation of $16,000 provided in 1865 and increased to $20,000, to be paid annually, by Wagner's Statutes of 1870, was in this year (1871) required to be paid semi-annually.

The legislature of 1871-72 provided for the sale of $200,000 worth of State bonds, running for twenty years.

(1) Missouri Laws 1882. p. 79.
and bearing 6% interest, for the purpose of establishing
an asylum. The same legislature, resolving that whereas
St. Louis county had erected an insane asylum which was a
great relief to the overcrowded State institution at Ful-
ton, having been established for eighteen months, and
"being the home for the uncured and unfortunate insane,
without any expense whatever to the State", the legisla-
ture appropriated for the St. Louis Insane Asylum the sum
of $15,000 annually.

1873 - $58,000 for repairs and an enumerated list -
the annual appropriation again was increased to $25,000.

1874 - $81,140 for completion and furnishing
Asylum No. 2.

1875 - $1,551.27 for salaries and $2,250 for in-
surance of buildings of Asylum No. 2. Also $63,150 for
support of same institution. The annual grant to St.
Louis Asylum was increased to $25,000.

1877 - $70,000 for Asylum No. 1.
1877 - $70,000 for Asylum No. 2.
1877 - $35,000 for St. Louis Asylum.

(2) Missouri Laws 1871-72. p. 11.
(3) Missouri Laws 1873. p. 90.
(6) Missouri Laws 1875. p. 70.
1879 - $60,000 for support of Asylum No. 1 plus $15,800 for salaries; $30,000 for support of Asylum No. 2 (1) plus $10,500 for salaries. The sum of $75,000 for re-building Asylum No. 2, also $8,570 for supplies for patients (2) then provided by law to be kept by Asylum No. 2.

1881 - $50,000 for support of Asylum No. 1 plus $15,800 for salaries; $25,000 for support of Asylum No. 2 (3) and $12,200 for salaries; $30,000 for St. Louis Asylum.

1883 - $258.33 for salary of assistant physician (4) of Asylum No. 2; $2,585.88 for salaries due at Asylum No. 1. The appropriation for Asylum No. 1 was $90,275; for Asylum No. 2 $57,600; for St. Louis Asylum $50,000. (5)

1885 - $200,000 for new asylum, No. 3; $70,000 for Asylum No. 1 and for salaries and repairs $30,700; $25,000 for No. 2 plus $22,000 for salaries and improvements; $50,000 for indigent insane in St. Louis Asylum belonging to (6) the State outside of St. Louis. Also, $98,000 was appropriated

(1) Missouri Laws 1879. p. 5.
(2) Missouri Laws 1879. p. 115.
(4) Missouri Laws 1881. p. 5. (Sum $15,000 for building for criminal insane on premises of Asylum No. 1.)
(6) Missouri Laws 1883. p. 5.
(8) Missouri Laws 1885. p. 5.
for additions to Asylum No. 2 the board of managers to ap-
point a committee of three constituting the executive com-
mittee of the board to have entire supervision over the ad-
ditions.

1887 - $149,000 for additions to Asylum No. 3;
$70,000 for support of Asylum No. 1 plus $113,600 for salaries;
$70,000 for support of Asylum No. 2 plus $55,700 for salaries
and improvements; $34,000 for support of Asylum No. 3 and
$14,127 for salaries; $70,000 for the indigent insane in
St. Louis Asylum.

1889.

Asylum No. 1 Support $50,000
Salaries 19,200
Repairs 5,000

Asylum No. 2 Support $50,000
Salaries 20,200
Improvements 17,300

Asylum No. 3 Support $50,000
Salaries 19,200
Improvements 23,900
Deficit 6,000

St. Louis Asylum $70,000

(2) Missouri Laws 1887. p. 15.
(3) Missouri Laws 1887. p. 5.
These amounts were to be payable monthly. St. Louis Asylum management was to make biennial reports to the legislature. The sum of $525 was appropriated for the physician of the criminal insane.  

<table>
<thead>
<tr>
<th>Year</th>
<th>Asylum No. 1</th>
<th>Asylum No. 2</th>
<th>Asylum No. 3</th>
<th>St. Louis</th>
</tr>
</thead>
<tbody>
<tr>
<td>1891</td>
<td>$107,500</td>
<td>106,000</td>
<td>70,900</td>
<td>85,000</td>
</tr>
<tr>
<td>1893</td>
<td>56,000</td>
<td>51,000</td>
<td>51,600</td>
<td>50,000</td>
</tr>
</tbody>
</table>

An act was passed that year establishing special funds for the State institutions and from these funds came the following appropriations:

<table>
<thead>
<tr>
<th>Asylum No. 1</th>
<th>$200,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asylum No. 2</td>
<td>225,000</td>
</tr>
<tr>
<td>Asylum No. 3</td>
<td>175,000</td>
</tr>
</tbody>
</table>

(1) Missouri Laws 1889, p. 24—the office created in 1882.
(2) Missouri Laws 1891, p. 20.
(3) Missouri Laws 1892, p. 16.
(4) See Chapter VII (of this paper) Supervision and Maintenance.
1895.

Asylum No.1 - $55,000 + $200,000 from special fund.
Asylum No.2 - 58,000 + 225,000 from special fund.
Asylum No.3 - 45,600 + 175,000 from special fund.
St. Louis
(2) 40,000

1897.

Asylum No.1 - $52,500 + $225,000 from special fund.
Asylum No.2 - 49,250 + 250,000 from special fund.
Asylum No.3 - $55,350 + 200,000 from special fund.
St. Louis
(3) 50,000

1899.

Asylum No.1 - $51,700 + $250,000 from special fund.
Asylum No.2 - 48,500 + 300,000 from special fund.
Asylum No.3 - 40,000 + 250,000 from special fund.
Asylum No.4
(4) 10,000 from special fund.

1901.

Hospital No.1 $61,500 + $300,000 special fund.
Hospital No.2 62,000 + 400,000 special fund.
Hospital No.3 53,300 + 240,000 special fund.
Hospital No.4 145,000 + 150,000 special fund.

(2) Missouri Laws 1897. p. 17
(4) Missouri Laws 1901. p. 4. (The appropriation for St. Louis Asylum vetoed.)
1903.

Hospital No.1 - $78,900 + $300,000 from special fund.
Hospital No.2 - 57,000 + 400,000 from special fund.
Hospital No.3 - 53,000 + 250,000 from special fund.
Hospital No.4 - 150,400 + 200,000 from special fund.

Also sum of $902.23 for tunnel in connection with Hospital No.4.

1905.

Hospital No.1. $60,300 + $350,000 special fund.
Hospital No.2 72,700 + 400,000 special fund.
Hospital No.3 85,275 + 300,000 special fund.
Hospital No.4 144,300 + 200,000 special fund;

and for deficits 18,416.37.

1907.

Hospital No.1. $81,965 + $400,000 special fund.
Hospital No.2 73,700 + 450,000 special fund.
Hospital No.3 97,070 + 350,000 special fund.
Hospital No.4 91,623.85 + 250,000 special fund.

(2) Missouri Laws 1903. p. 20.
(3) Missouri Laws 1905. p. 31.
(5) Missouri Laws 1907. p. 29.
CHAPTER IV.

THE DEAF AND DUMB.
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THE DEAF AND DUMB.

The deaf and dumb constituted the second class of defectives to be provided for by statute in Missouri. The history of legislation for this class can not be divided into periods as easily as can that for the insane, there being no definite turning points; the legislation will, therefore, be treated under topics running thru the whole period from the first enactment of 1831 to the present.

Enumeration. - The first law passed in Missouri providing for the deaf and dumb was in 1831. The clerks of the several circuit courts were authorized "diligently to inquire into the number of deaf and dumb persons under the age of twenty-one years, in their (clerks') respective counties; and to ascertain the name of the father of such deaf and dumb child, his place of residence, vocation and pecuniary condition; and the sex, christian name and age, of each of said children; and to make report of the same, under his hand and seal of the court, to the secretary of state, before the next stated meeting of the General Assembly, for which service said clerks shall not be entitled to claim any fees whatever."

A law in 1841 provided for the enumeration of the deaf and dumb and the blind. It was the duty of the sheriff of each county, in taking the census, to take the name, age, sex and color of each of these persons in his county, and the number that had learned to read and write.

By a law of 1847 the State Superintendent of Common Schools was authorized to report to each regular session of the legislature the number of deaf and dumb whose favor money had been drawn from the treasury.

The Revised Statutes of 1889 required, besides the enumeration of normal children of school age, an enumeration of all deaf and dumb (and blind) persons of school age, designating age, sex, color, and full name of parent or guardian of each, and other particulars. It was deemed a misdemeanor for a parent or guardian to furnish knowingly the name of a person below the age of six or over twenty, or a non-resident of the district. The county clerks were to certify to the Superintendent of the School for the Deaf and Dumb, the names of all deaf and dumb persons of school age in their respective counties.

(1) Missouri Laws 1841. p. 28. Sec. 2.
(3) R. S. 1889. p. 225. Sec. 7049.
State Aid - Outdoor Relief.

1. Individual Cases: An appropriation was made, by the legislature of 1838-39, for the sum of $210 to be paid to Jefferson Ray whose deaf and dumb son had been for two years in a school for the deaf and dumb at Danville, Kentucky. Only half the sum was to be paid, unless the son had been in the school for three years, in which case all the sum was to be paid.

An Act of 1843 provided that Jarrett Cornett, although over the age of eighteen, should be received at the asylum at Carondelet for education "as if he were under the age of eighteen years." Another act of the same year and of the same nature provided for William Anthony, Sr. And another act in 1843 released James Howdeshell Jr. a deaf and dumb person, from paying any poll tax, or tax on any property he might hold, to the amount of $300.

2. Amount of State Aid and Age at which Received: The General Assembly of 1838-39 appropriated the sum of $2,000 for the payment of annual tuition for deaf

(1) Outdoor Relief is taken here to mean outside of a State institution.
(3) A private institution for the deaf and dumb in the State.
(4) Missouri Laws 1843, p. 203.
and dumb persons between the ages of eight and eighteen years, then or thereafter received into the asylum at Carondelet. The sum of $40 was allowed to each pupil. (1) The law of 1847 required that the county clerks, when it was evident to the county courts that there were in their respective counties deaf and dumb persons between the ages of eight and twenty years and were fit objects for charity, should certify such facts to the State Superintendent of Common Schools. After the receipt of such a certificate and upon application of a parent or guardian of a deaf and dumb person, it was the duty of the Auditor of Public Accounts to draw from the State treasury $80 for each deaf and dumb person, above referred to, for educational purposes; but no beneficiary was entitled to more than $160. The sum of $2,000 annually could be drawn from the treasury for such purposes. An amendatory act was passed in 1849 which placed the age limits at ten and thirty years, and the sum each deaf and dumb person was to receive yearly at $60; but the total amount each beneficiary might receive was increased to $240. (3)

State Aid - Indoor Relief:

1. Institution Proper: As early as 1839 the legislature of Missouri took a step toward a State institution for this class of defectives. In a memorial to Congress the General Assembly requested a grant of land to aid in educating the deaf and dumb. The following is a part of that memorial:

"The venerable Joseph Rosati, Bishop of St. Louis, procured from Europe a number of the sisters of the order of St. Joseph, who had devoted themselves to this mode of instruction (i.e. of the blind and the deaf and dumb.) On their arrival here, Bishop Rosati established an asylum for the education of the deaf and dumb in the town of Carondelet, in St. Louis county, which he placed under their charge. Their success has been so great, and their pupils have progressed so rapidly, that it is manifest, that funds applied in founding and sustaining an asylum for the education of those unfortunate persons would be a great relief to them, and advance the cause of humanity. But finding the State yet in her infancy, with but little or no surplus means, and many other objects of public utility requiring her fostering aid, your moralists with much

(1) Indoor Relief is here taken to mean care in a State institution.
confidence solicit the Congress of the United States to
donate to the State a township of land to be applied to
the above objects.

But it was not until 1851 that an asylum was
authorized by statutory provision to be established. Forty
acres of the land near Fulton donated to the asylum for
the insane in 1847 with a dwelling house and other build-
ings were to be used for an asylum for the deaf and dumb.
A commission was to be appointed by the Governor, with the
authority to employ a superintendent and a teacher quali-
fied to instruct mutes.

In 1853 the commissioners were required to decide
upon plans for a suitable building, sufficient to accomo-
date 100 pupils, with due regard to the erection to its
future extension.

The government and management of the asylum were
provided for by the Revised Statutes of 1855. A board of
five commissioners appointed by the Governor and holding
office for four years, were to constitute the government.
They were to hold in trust for the State for the use of
the asylum all lands, money, or other personal property

(2) Missouri Laws 1850-51. p. 211.
(3) Missouri Laws 1851. p. 9.
given or bequeathed to the institution; to appoint a superintendent, one or more assistants (not exceeding three) and a matron; all to reside constantly in the asylum, and to prescribe their duties, terms, and salaries; to maintain all actions in their name. All persons employed in the asylum were exempt from serving on juries, from working on roads and highways, but not from such taxes. The commissioners were to keep accurate account of their proceedings; to receive reports from the other officers, and, together with the superintendent, to make biennial reports to the legislature. Two of the commission were to visit the asylum together monthly, a majority quarterly, and all of them yearly. The superintendent was to be a man of "knowledge, skill, and ability in his profession (medicine), and of experience in the management and instruction of mutes", and to be the chief executive officer. Beneficiaries of the State were to receive preference in admission over other applicants.

An amendatory act followed in 1857. It authorized the commissioners to appoint as many assistant teachers as were necessary, though not exceeding five. These might reside in separate buildings, if furnished at the teachers' expense.

(2) Missouri Laws 1857. p. 11.
The legislation of the session of 1863-64 consisted of a concurrent resolution and an act for the government and management of the asylum. The resolution requested a report of the institution from its beginning, including the conditions of its finances, buildings, furniture, library, and grounds. The act authorized the commission to appoint a treasurer for the asylum who was to reside in Calloway County. His duties and term were defined also by this act.

In 1871 it was provided that the commission could appoint such number of assistant teachers as it deemed necessary, yet limiting the number to one teacher for every twenty pupils. In 1874 this was amended—authority being given to the commission to appoint one teacher not only for every twenty pupils, but for every fraction over one half of twenty.

In 1877, the number of teachers was still not to exceed one for every twenty pupils, yet two assistant teachers might be employed to give instruction in articulation. And in 1895 the board was empowered to appoint such number as it deemed best.

(1) Missouri Laws 1863-64. p. 618.
(2) Missouri Laws 1863-64. p. 140.
(6) Missouri Laws 1895. p. 188.
The only legislation of 1872 upon the subject of the deaf and dumb was an act providing for the appointment of an assistant superintendent to have charge of the tuition and board of the pupils. (1)

In 1874 it was enacted that "the Missouri Asylum for the Education of the Deaf and Dumb shall hereafter be designated and known as the 'Missouri Institution for the Education of the Deaf and Dumb'," and wherever the word "asylum" occurred it was to be construed to mean "institution." But in 1899 the name again was changed to the "School for the Deaf and Dumb." (2)

In the Revised Statutes of 1889 the object of the school was clearly set forth in a new section:- The object was to educate this class of defectives in the use of written and sign languages, in the elementary branches, and in mechanical trades and industrial pursuits; to train them in all such trades as would fit them for the practical duties of life and render them self-supporting. Certain industries were required in the school, and all the work necessary to be done for the institution as

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(2) Missouri Laws 1874. p. 171.
printing, painting, stone-cutting, and sewing, was to be done by the pupils under competent supervision. One teacher for every twenty colored pupils or fraction thereof was required - provided that when the number of colored pupils reached twenty, two teachers were to be employed. Two teachers of articulation, and one in painting, drawing and writing also might be employed. The steward was to be the purchasing agent with all duties defined. The salary of the superintendent, steward and matron were fixed by this act - that of the treasurer, by the managers. The superintendent, steward and treasurer were to make biennial reports to the board of managers, who in turn were to make to each General Assembly a report accompanied by those of the above named officers. The board was to furnish annually to the superintendent from the maintenance fund a sum not exceeding $200 for books and papers suitable for the school.

2. - Age for Admission, Years Spent in Institution, and Allowance for Each Pupil: - The law of 1851 provided for the admission of the indigent deaf and dumb, and for the sum of $80 per year for the support of each, yet no one was to receive in all more than $240.

(1) In this act the word "commissioners" is supplanted by "managers". R.S. 1889, p. 1350.
(2) Appointed under an act of 1858-59. p. 12.
But others besides the indigent were to be admitted—all subject to the rules and regulations prescribed by the commission. Deaf and dumb persons from this State, in the Illinois Institute for the Deaf and Dumb, and who were proper objects of charity could receive the above stated amounts. (1)

The law of 1857 provided that any deaf and dumb person might be permitted to remain in the asylum for seven years, thus amending that portion of the act of 1855 which placed the limit on the number of years such a person could remain, at five. (2)

In the Revised Statutes of 1865 it was provided that the commissioners might allow $150 annually for each indigent deaf and dumb pupil remaining in the asylum; but only upon certain certified statements and upon application. (3)

In Wagner's Statutes of 1870 the age limits were fixed at seven and thirty years, and the amount that could be drawn for each person was $150 annually as long as he remained in the asylum. By this act a beneficiary

(1) Missouri Laws 1850-51. p. 211.
(2) Missouri Laws 1856-57. p. 11.
(3) Missouri Laws 1854-55. p. 132.
(4) R.S. 1865. p. 314. In the same statutes p. 466 it was provided that the probate courts might appoint guardians or curators of minors who were deaf and dumb and who were over the age of 14 years.
could remain ten years. And the next year it was enacted that all deaf and dumb persons admitted into the asylum were to be wards of the State.

The law of 1877 placed the age limits at nine and twenty-one years, and the pupil was permitted to remain eight years; the law of 1889 again changed the ages to eight and twenty-one years and added the words "capable of receiving instruction in written and sign language." By this act pupils were permitted to remain ten years unless the superintendent and managers deemed it not beneficial for a pupil to remain in school for that long a period. When parents were unable to pay, and the deaf and dumb person had not attended school, it was the duty of the probate court to certify such facts to the county court which, with the consent of the parents, might send such deaf and dumb person to the school for the deaf and dumb at the expense of the county.

The Revised Statutes of 1899 increased the length of time that a pupil might remain in school to twelve years. In all cases in which suitable clothing and travelling expenses were not supplied by the county, it was

(3) Missouri Laws 1877. p. 264.
the duty of the superintendent to file against such county a claim for an amount not exceeding $40 per annum -
the county court of the proper county should, if neces-
sary, collect the amount from the parents or the estate of such pupil, in case there was ability to pay.

3. Appropriations:— The first appropriation made by the legislature for the deaf and dumb was in 1839. But the first for a State institution was in 1851. The sum of $30,000 was appropriated with an additional sum of

$6,000 for salaries.

(3)

1855 - $16,000 for support, salaries, improvements.

(4)

1859 - 9,400 for benefit of asylum.

(5)

1861 - 7,000 for support, salaries, improvements.

(6)

1865 - 5,000 annually for current expenses and

$2,000 annually to constitute a permanent indigent fund.

(7)

1866 - $8,500 for benefit of institution.

(8)

1879 - $25,000 for new wing and other improvements.

(9)

1870 - $15,000 for additions.

(2) Missouri Laws 1861. p. 9.
(3) Missouri Laws 1855. p. 133.
(7) Missouri Laws 1866. p. 5
(8) Missouri Laws 1869. p. 5.
(9) Missouri Laws 1870. p. 5.
1871 - $16,700 for 15 acres of land and for improvements. Also the annual amount appropriated for the indigent fund was increased to $2,200 and the annual grant for support of asylum was increased to $7,000.

1872 - $9,500 for improvements.

1873 - $30,000 for improvements and chapel.

1875 - $1,500 for philosophical and astronomical apparatus, a small library and maps.

1877 - $91,000 the indigent fund was increased to $5,000 per annum. No money was to be paid for the support of the institution except in pursuance of regular biennial appropriations.

1879 - $91,000

1881 - $90,000

1883 - $93,500

1885 - $102,100

1887 - $107,000

1 Missouri Laws 1871. p. 7.
4 Missouri Laws 1873. p. 10.
5 Missouri Laws 1875. p. 70.
6 Missouri Laws 1877. p. 264.
7 Missouri Laws 1879. p. 5.
8 Missouri Laws 1881. p. 5.
9 Missouri Laws 1883. p. 5.
10 Missouri Laws 1885. p. 5.
(1) 1889 - $124,500.
(2) 1891 - 122,350.
(3) 1893 - 115,725 + $15,000 from the special fund.
(4) 1895 - 43,600 + 15,000 from the special fund.
(5) 1897 - 145,900 + 20,000 from the special fund.
(6) 1899 - 147,500 + 20,000 from the special fund.
(7) 1901 - 170,000 + 20,000 from the special fund.
(8) 1903 - 187,000 + 20,000 from the special fund.
(9) 1905 - 200,092 + 25,000 from the special fund.
(10) 1907 - 247,500 + 25,000 from the special fund.

Also in 1907 the board was authorized to sell 33 7/10 acres of land - a gift for the benefit of the institution in 1880 - for a sum not less than $3,000, the proceeds to go for the purchase of other lands in Calloway County.

(2) Missouri Laws 1891. p. 20.
(3) Missouri Laws 1893. p. 16.
(5) Missouri Laws 1897 p. 17.
(9) Missouri Laws 1905. p. 31.
(10) Missouri Laws 1907. p. 29.
CHAPTER V.

THE BLIND.
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THE BLIND.

The blind take third place in the list of defectives from the standpoint of priority of legislation.

I. LAWS FROM 1841 TO 1851.

This period of legislation for the blind is characterized by its provision for outdoor relief, there being no institution.

Enumeration.- In 1841 the sheriffs, in taking the census of their respective counties, were authorized to specify the number of blind persons (together with the number of deaf and dumb) "with their ages, sexes and colors, and what number of such persons have been taught to read and write." Six years later, the county clerk of each county was authorized to certify to the fact - after the county court was convinced upon satisfactory evidence - that there was a blind (or deaf and dumb) person, or persons, residing in his county.

Reports.- The county clerks were to certify these enumerations to the State Superintendent of Common Schools. The superintendent upon receipt of such certificate and of an application of the parents or guardian of any blind per-

\[1\] Missouri Laws 1840-41. p. 27, Sec. 2.
\[2\] Missouri Laws 1847 p. 48-9. Sec's.1-6 (repealed in 1855)
son, was authorized to certify such fact to the Auditor of Public Accounts. The superintendent was required to make an annual report on this matter to the General Assembly.

**Ages.** - Those blind persons were to be enumerated and to receive state aid, under the law of 1847, who were between the ages of 8 and 20 years, and who were proper subjects of charity. But by an amendatory act of 1849, the age limits were fixed at 10 and 30.

**Amount and Purposes of State Aid.** - The law of 1847 provided that such blind persons in the state as were proper subjects of charity and of the proper age were to receive, from the State treasury, the sum of $80 each year, to be applied to their education. But no one of the beneficiaries was to draw from the treasury more than $160 (the total sum drawn for the blind was not to exceed $1,200 annually.) However, at the next meeting of the General Assembly, the annual grant to an individual was lowered to $60; but each beneficiary might be allowed, in all, $240. This seems to indicate an appreciation by the legislature of the need of a longer period of schooling.

(1) Missouri Laws 1847 p. 48-9 Sec's. 1-6 (repealed 1855)
(2) Missouri Laws 1847 p. 48-9 Sec's. 1-6 (repealed 1855)
(4) Missouri Laws 1847 p. 48-9. Sec's.1-6 (repealed 1855)
II. LAWS FROM 1851 TO 1907.

Prior to the year 1851 the blind, in all legislative enactments relating to them, had been combined with the deaf and dumb; but after that date they are always provided for separately. That year also marks the beginning of the care of this class of defectives in an institution. However, it was not made a State institution until 1855, although having received a State subsidy.

PRIVATE INSTITUTION.

This private institution was created a body corporate and politic under the name of "The Missouri Institute for the Education of the Blind" and which might hold property not to exceed $100,000.

Appropriations. - The first appropriation for this corporation, made by the General Assembly, was for the sum of $15,000, on the condition that $10,000 be subscribed by individuals, by the city, by the county of St. Louis, or by all united. The sum of $20,000 was appropriated, the next year, to erect a suitable house in the city or county of St. Louis; but not more than $10,000 was to be drawn in 1853.

(1) Missouri Laws 1850-51 pp. 59-60.
(2) Missouri Laws 1850-51 pp. 59-60.
Ages. - All blind persons of suitable age and capacity, residing in the State were by the act of 1851 entitled to the benefits of the institution, especially the indigent blind. The latter were to be admitted free of charge and in all cases where there were two or more applicants for admission, preference was always to be given to the poor, over those who were able to pay. The blind from other states were also to be admitted but not to the exclusion of those residing in Missouri.

Government. - The government or management was placed in the hands of seven trustees. The principal of the institution was required to lay before each meeting of the legislature, a report embodying the name, age, the cause of blindness and the age at which it occurred, condition of the blind in the State, and the condition of the institution.

Section 6 of the same act reads: "The principal or some other officer of said institution in company with one or more pupils, shall, previous to the meeting of the next legislature, visit the several counties of the state, and show the practicability and urge the importance of educating the blind."

This section is probably the result of an exhibition given by the principal with six pupils in the hall of the House of Representatives in February, 1851.

(1) Missouri Laws 1850-51, pp. 59-60.
(2) Address by Dr. Simon Bunn delivered at the Missouri School for the Blind February 27, 1901, at the celebration of the 50th anniversary of the founding of the school.
STATE INSTITUTION.

Name. The name of the institution has undergone several changes, not thru statutory provisions, but merely in the titles of the acts. The institution known as the Missouri Institute for the Education of the Blind became a State institution in 1855 under the same name. However, in the same year in the Revised Statutes it was called "The Asylum for the Education of the Blind," in 1857 it was changed to the "Missouri Institution for the Education of the Blind." The first time that the name was changed in the body of an act was in Wagner's Revised Statutes of 1870 - this stated that the institution should be known as the "Missouri Institution for the Education of the Blind." The title again changed in 1875 to "The Missouri Institute for the Education of the Blind." In 1879 in the title of an act the name appeared as "The Missouri School for the Education of the Blind", and it remains that at present, though not by specific enactment as to name.

Government: - The government and management of the State institution at the present time is provided for under an act for the uniform government and management of all the

(1) Missouri Laws 1854-55 pp. 8-9; title.
(2) R.S. 1855 Chap. 9, title.
(3) Missouri Laws 1856-7 p. 12, title.
(5) Missouri Laws 1875. p. 69.
(6) Missouri Laws 1879. p. 5.
State institutions, but in its early history it was regulated under separate laws. When it came under State control, it retained the same trustees as were created a corporation in 1851. All property was deemed State property, the corporation could receive gifts. The Revised Statutes of 1855 provided that thereafter the trustees should be appointed by the Governor for a period of four years. They were invested with the general control and direction of the property and affairs of the institution, with the authority to appoint a principal and one or more assistant teachers (not exceeding three in number) qualified to instruct the blind and who were required to reside in the building. The duties, terms of office, removal and salaries of the officers were regulated by the trustees. The principal, a competent man, was to devote himself exclusively to the business of the asylum. He constituted the chief executive officer with control over other officers, admission and discharge of inmates, and was required to make biennial reports to the General Assembly. In the names of the trustees all actions, real or personal, for or against the institution, were to be maintained. The asylum was to be visited monthly by two members of the board together, quarterly by a majority, and yearly by all the trustees; the annual meeting was to be held on the last Monday in November of each year.

(2) R.S. 1855. Chap.
In 1870 the trustees were authorized to appoint a superintendent and one or more assistants, not exceeding one teacher for every twenty pupils or fractional part, a professor of music, a matron, and a foreman of the mechanical department—these were to be known as the officers of the institution. The superintendent and matron were constantly to reside in the institution, but the assistant teachers and other officers might occupy other buildings, provided and furnished at their own expense. The salaries, determined by the trustees, were, as formerly, to be paid (1) quarterly annually.

In 1879 it was required that the board of trustees meet once a month, instead of annually, to receive a monthly report of the superintendent, and to transact business. The office of treasurer was created. The treasurer was to give bond, and to receive all appropriations. The legislature retained the right to alter the laws regulating the institution and all rules and by-laws adopted by the trustees, and to institute inquiry, by a committee, or otherwise, into the management.

There was a change in 1881 regarding the board of trustees. Instead of seven, with no requirement as to place of residence, the number was increased to nine, five of them to reside in St. Louis and constituting an executive board,

one in Jefferson City, one in Kansas City, one in North Missouri, and one in South Missouri. They were to hold quarterly meetings in St. Louis, the non-resident members receiving from the maintenance fund an amount covering their travelling expenses.

In 1889 the government was vested in a board of managers composed of five members, one of whom was to be, if practicable, a physician and coolist, giving his services gratuitously to the pupils. This board was to control, as before, the property and the affairs; to keep full and accurate accounts of their proceedings; to require the officers to make reports thru the superintendent; and to make biennial reports to the General Assembly. The treasurer was to submit to the board, monthly statements of receipts and disbursements. The salary of the superintendent was fixed at $2,000 per annum, but that of the other officers and employes was left to the discretion of the board. All salaries were to be paid monthly.

Appropriations: - The first appropriation made for the institution as a State institution was in 1855. The legislature appropriated the sum of $12,000 per annum for a period of two years to complete and furnish the buildings, also the sum of $5,000 per annum to support the institution - provided, that no person, except the indigent poor, be educated at the expense of the State. The managers and the officers were required to make reports of all expenditures to the next

(1) Missouri Laws 1881 p. 143.
(2) RS. 1889 Art. IV. p. 135#.
meeting of the legislature.

Following are the appropriations of this period and their approximate dates:

(2) $12,000; 1857, for payment on land and buildings, also $7,000 annually as support.

(3) $16,500; 1858, for improvements and other purposes. $10,000 for each of the years 1861-62 with suspension of annual grant provided for earlier for those two years.

(4) $5,000; 1863, for repairs and improvements.

(5) $757.20; 1869, for payment of special tax assessed against the institution.

(6) $20,000; 1870 for support - $15,000 to be granted annually for the support.

(8) $50,000; 1871, for additions to the building, also $254.26 as a special tax assessed against the asylum.

(9) $25,000; 1871, for improvements.

(10) In 1875 an annual appropriation of $300 was made to the board for books, maps, and other printed matter, from

(2) Missouri Laws 1866-57 p. 12.
(3) Missouri Laws 1858-59 p. 25.
(5) Missouri Laws 1863-64 p. 135.
(7) Wagner's Statutes 1870. p. 175.
(10) Missouri Laws 1875. p. 68.
the American Printing House for the Blind. And, it was further provided that, at the cost of production all such supplies not needed by the institution were to be distributed by the board among the indigent blind of the State. The sum of $10,000 was given for improvements. $30,000; 1879, for support of the institution, and $16,000 for salaries. $42,000; 1881, for support, repairs and for the library, $16,000 for salaries.

$57,000 in 1883.
$52,000 in 1885.
$46,000 in 1887.
$51,000 in 1889.
$55,900 in 1891.
$59,000 in 1893 plus $3,000 for the support and maintenance of the pupils, from a special fund created in that year known as the "School for the Blind Fund."

(1) In an interview, the Superintendent of the School for the Blind (1908) stated that Congress makes an annual grant for educational appliances from the above printing house.

(2) Missouri Laws 1875. p. 69/
(3) Missouri Laws 1879. p. 5. Sec. 6.
(4) Missouri Laws 1881. p. 5. Sec. 6.
(9) Missouri Laws 1891. p. 20. Sec. 5.
(11) See Chapter VII (of this paper) on Supervision and Maintenance.
$59,000 plus the $3,000 from the special fund was appropriated for each of the biennial periods 1895, 1897 1899 and 1901.

$81,200 plus $3,000 in 1903 with this liability clause: "Any liability or debt incurred in excess of the amount herein appropriated shall be chargeable to the person or persons authorizing or incurring the same."

$325,500; 1905 with the additional $3,000.

$135,000; 1907 plus the $3,000.

Patients: - When the State took over the Institute in 1855, it was provided that no person, except the indigent blind, could be admitted at the expense of the State. But in the Revised Statutes of the same year certain age limits were fixed - applicants of suitable capacity must be between the ages of 5 and 25, and in no case was a person to be admitted who was not a resident of the State.

In 1874 the age limits were placed at 7 and 25 years.

It was also provided that the blind residents of this

(1) Missouri Laws 1895, pp. 5 & 16, Secs. 7 & 15.
(2) Missouri Laws 1897, pp. 18 & 20, Secs. 6 & 14.
(3) Missouri Laws 1899, pp. 21 & 25, Secs. 6 & 16.
(4) Missouri Laws 1901, pp. 26 & 29, Secs. 7 & 19.
(5) Missouri Laws 1903, p. 50, Secs. 7 & 18.
(6) Missouri Laws 1905, p. 31, Secs. 7 & 19.
(7) Missouri Laws 1907, p. 29, Secs. 7 & 20.
(9) R.S. 1855, Chap. 9.
state, over the age of 25 years might be admitted, at the discretion of their respective county courts, for the purpose of learning a trade. And further, although a person had been adjudged a proper object of charity by his county court, he might be refused admission to the institution by the board, if he was over 25 years of age. (1)

In the year 1879 was found for the first time the requirement that applicants should be of sufficient mental and physical capacity, and a limit placed upon the number of years a person might remain in the institution. The age limits were changed to 9 and 25 years. A person might be permitted to remain 8 years, unless in the discretion of the trustees, he should be discharged sooner, and in special cases, they might retain a pupil for a longer period, never, however, to exceed 10 years. (2)

In 1907 the age limits for admission to the school again were changed. Although as early as 1889 it was specified that the school board of each district, in making an enumeration of all persons between the ages of 6 and 20 years, should include all such blind and deaf and dumb persons; and

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(1) Missouri Laws 1874. p. 176
(2) R.S. 1879 Art. III. p.1149 - A new section provided that the pupils eyes should be examined by the oculist, and if it were shown that by medical treatment or by surgical operation, the sight might be improved or restored, the oculist or physician, with the consent of the board and of the parents or guardians, should institute such treatment or operation as in his judgment might seem advisable - and if such treatment or operation proved successful, the pupil should be discharged as soon as it was thought prudent.
although it was the duty of the county clerk of each county to certify to the superintendent of the two institutions, for the above classes, the names of such blind and deaf and dumb persons with certain required data, it was not until 1907, that the age limits for admission to the school were made to correspond. Pupils might remain 12 years; and at the discretion of the board, a blind person might be admitted over the age of 20 years "for special reasons," but no longer for the purpose of learning a trade.

Expenses of Pupils: - By the law of 1855, the county courts were to decide as to the ability of applicants to pay their expenses, and in case a person was found to be a proper object for charity his expenses i.e. traveling expenses and clothes, were to be borne by his county.

The law of 1874 further provided that in case the parent or guardian, or the county failed or neglected to provide the traveling expenses and proper clothes for such person, then it was the duty of the superintendent to provide them, charging the account on December 31 of each year, to the county having such pupil in the institution. The county court was to collect the amount from the parent or guardian, if practicable, or have the same placed on the tax books and collected as taxes.

(1) Missouri Laws 1889, p. 225. Sec. 7049.
(2) Missouri Laws 1907, p. 305. Sec. 1.
(3) R.S. 1855. Chap. 9.
(4) Missouri Laws 1874, p. 176.
New Site and Building: - In 1895 an act was passed authorizing the Governor to appoint a commission to dispose of the buildings and land of the institution and to select a new site and cause to be erected a new building. But it was not until 1907 that such a site and building were procured, due to the fact that the old ones could not be sold for the amount designated in the statute. The first commission was appointed for four years, and was composed of two members from the Senate, two from the House, and one from the board of managers. They were to select a new and advantageous site to cost not more than $20,000, and to sell the lands and buildings of the institution at the north-east corner of 19th and Morgan Streets in St. Louis for not less than $150,000. The instructions of the commission were complete, the legal and business precautions were minute and specific, as provided by this act.

However, this legislation of 1895 was repealed at the next regular session of the General Assembly. The act passed in lieu thereof was much the same, with the following changes and additions: That the new site to be purchased was to comprise not more than five acres and, as stated in the law of 1895, was to cost not more than $20,000, which sum was appropriated in 1897; that the sale
of the old site was to be advertised in two St. Louis daily papers at a cost of not more than $100; that the amount arising from the sale was to be used in obliterating the $20,000 appropriation; the commissioners were to receive $100 annually, payable out of the building fund.

An act in 1899 repealed some minor points in the law of 1897 and added a new section, which was, briefly, that the money derived from the sale of the property should be paid into the treasury to the credit of a special fund known as the "Building Fund for the Missouri School for the Blind", to be kept as a separate fund, and to be regulated by the board of managers in the same manner as for maintenance and support.

In 1903 the laws of 1897 and 1899 were repealed. The act passed in lieu thereof was, in substance, as follows: The Governor was to appoint three commissioners whose duty was to sell the land and buildings of the school, as a whole, or in lots, at public auction after sixty days notice in three St. Louis papers, all expenses were not to exceed $6,000. A provision was made that, if desirable, the sale might be private. The division of the lots, the rules regulating the duties of buyer and seller, and other terms connected with such a trans-

(1) Missouri Laws 1897 p. 32.
action were specified. The commissioners were to select and purchase a new and advantageous site to comprise not more than three acres and to cost not more than $30,000. This sum was appropriated, also $120,000 for the plans and the erection of the new buildings. The commissioners were to receive $500 per annum and to serve for a period of four years, unless they completed their work in a shorter time.

(1) Missouri Laws 1903, p. 37.
CHAPTER VI.

THE FEEBLE MINDED AND EPILEPTIC.
That class of defectives known as the epileptic did not receive any legislative provision until 1899. And it was not until that year that the feeble-minded were provided for separate from the insane. However, all through the history of legislation for the latter class, the former were included, though only secondarily.

The Law of 1899. There was to be established a colony for the feeble-minded and epileptics in county to be known as the "Missouri Colony for the Feeble-minded and Epileptic." The objects of the law were to "secure humane, curative, scientific and economical treatment and to care for this class of defectives excluding the dangerous insane-epileptics." Upon a suitable tract of land in a healthful location, there was authorized to be built an institution on the cottage or village plan - "cottages for dormitory and domiciliary uses, buildings for an infirmary, a school house and chapel, workshops for the proper teaching and productive prosecution of trades and industries - all of which to be substantial

(1) Nevertheless not in the laws bearing on the insane asylums; but in those touching on such things as restraint, support, safe-keeping, real estate.
and attractive, but plain and moderate in cost."

The management was to be vested in a board of five managers, two of whom were to be women, of the remainder not more than two should belong to the party in power. The term of office was four years; the number of meetings in each year was six, with carefully kept records; the failure of any manager to attend, in each year, the whole of two stated meetings, might cause a vacancy in the office; the compensation was fixed at $100 per annum with reasonable travelling expenses; deeds, donations in trust, and biennial reports were provided for by this law. It was within the power and duty of the managers to govern patients, officers, employees, and to direct and to control generally, the concerns of the colony, establishing by-laws for regulating appointments, and for investigating the affairs and management. A superintendent, with certain required training, was to be appointed; a treasurer, resident of the county wherein the colony was located; a steward as bookkeeper; and a matron - the salaries, duties, terms of office, were to be fixed by the board.

Admission of Patients:- There were to be received and gratuitously supported in the colony feeble-minded and epileptics residing in the State, who, if of
age or under, were unable to provide their support, and who were to be known as State patients. Such additional number as could be accommodated, if of age or not, were to be received on terms fixed by the management, and were to be designated as private patients. All patients were to be admitted on certified requests, and State patients might be received on application of any judge of a court of record. Whenever applications were made for more State patients than could be accommodated, the managers were required to so apportion the number received, that each county might be represented in a ratio of its dependent feeble-minded and epileptic population as shown by State statistics. The discharge of patients was to be under the control of the superintendent.

An appropriation of $30,000 was made for the purchase of a site, for the erection of buildings, for salaries, and for current expenses.

In 1907 the managers were authorized to appoint assistant physicians, fixing their compensation, duties and terms of office. The board was also empowered to employ teachers, attendants and assistants as it deemed necessary.

(1) Missouri Laws 1907. p. 311.
Appropriations:

(1) 1901 - $150,000 + $20,000 from the special fund of the colony.

(2) 1903 - $164,000 + $100,000. Also the colony was declared an el&emosynary institution of the State.

(3) 1905 - $183,000 + $100,000.

(4) 1907 - $229,000 + $100,000.

(3) Missouri Laws 1903. p. 203.
CHAPTER VII.
SUPERVISION AND MAINTENANCE OF INSTITUTIONS.
Chapter VII.

SUPERVISION AND MAINTENANCE OF INSTITUTIONS.

This chapter is an attempt to cover all the legislative provisions common to all the State Elæmosynary Institutions.

Reports: - A law of 1870 required, for educational purposes, the trustees of the State institutions to make annual reports to the State Superintendent of Schools concerning the conditions, including improvements and necessities, of their respective institutions. These reports were to be embodied in and published with the superintendent's annual report. But in 1874, it was enacted that this should not apply to the State institutions for the deaf and dumb and for the blind.

A law of 1877 required all institutions receiving appropriations from the State to make biennial reports to each regular session of the General Assembly.

Board of Guardians: - The 26th General Assembly (1871-72) authorized the Governor to appoint a Board of

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(1) Wagner's Statutes 1870. Chap. 123, Art. II. sup'1. 4, Sec. 5., p. 1269 f.
(2) Missouri Laws 1874. p. 182.
(3) Missouri Laws 1877. p. 263.
Guardians composed of five persons, one of whom was to be a secretary, to "investigate the whole system of public charitable, reformatory and penal institutions", recommending such changes as would be conducive to economical and efficient administration. The State institutions including the St. Louis Insane Asylum were to make such reports to the board as it might require. This board, meeting four times each year, was to report to the Governor annually the conditions of the institutions and to make recommendations "concerning crime and criminals, idiots and insane, pauperism and mendicancy, and other social evils, as it may deem valuable." But the act was repealed in 1874.

Special Committee; - By the law of 1881 it became the duty of the Governor, every two years, to appoint a special committee of three persons - one from the Senate and two from the House - to visit and to examine the asylums and other institutions of the State. The meetings were to be held at Jefferson City at the designation of the Governor. The committee was authorized to employ an expert accountant to assist in the work; to administer oaths and to examine persons under oath touching the ad-

(2) Missouri Laws 1874. p. 172.
ministration of the institutions; to report their visits to and their examinations of the institutions.

Uniform Government; - In the law 1889 for uniform government and management of the State institutions, the State Lunatic Asylum No. 1, No. 2, and No. 3, the Institution for the Education of the Deaf and Dumb, and the Missouri School for the Blind were declared to be ellemosynary institutions of the State. The management of each institution was to be vested in a board of five managers appointed by the Governor with the advice and consent of the Senate. Two of them were to hold office until February 1891, and three until February 1893. In five days after appointment and taking of oath each board was required to meet at its respective institution and to effect an organization. Their duties and proceedings were regulated by this act. The superintendent of each institution was required to make to the board a monthly itemized statement of all necessary supplies and expenditures; and the board to make biennial reports to the legislature. The managers were to receive $100 annually and actual travelling expenses. No one who was kin by blood or marriage to any member of the board of managers of any institution

(1) Missouri Laws 1881. p. 145.
could be considered eligible to a position in said in-
stitution.

An amendatory act to the above was passed in 1907. It provided that any person who wilfully injured or handled in an inhuman manner any inmate of any eleemosynary institution, should, upon conviction, be punished by a fine of not less than $5 nor more than $100, or by imprisonment in the county or city jail for not less than 10 days nor more than 6 months, or both such fine and imprisonment; that any person who knowingly furnished any diseased or unwholesome meat to any eleemosynary institution, or any employee of such institution who knowingly received such provisions, should, upon conviction, be punished by the same penalties as provided above.

By the law of 1897 the Governor should be authorized to appoint six persons, who, with the Governor, were to constitute a State Board of Charities and Corrections. Two of the board were to be women, and all, after the first appointments expired, were to serve six years. The powers and duties given the board were, to investigate the whole system of charities and corrections; to examine into the conditions and management of all almshouses, hospitals, orphanages, all public and private retreats and asylums which derive their support wholly or in part from the State or from any county or mun-

(1) Missouri Laws 1889. p. 112.
(2) Missouri Laws 1907. p. 312.
cipality; to request, from time to time, information
deemed necessary, of the officers of the various insti-
tutions; to make at any time, investigations of an ins-
titution, summoning any person to appear and to produce
such books and papers as might be designated; and to make
reports of all such investigations to the Governor. Salaries,
meetings and organizations were dealt with by this act. The
only member to receive a salary was the secretary, the others,
(1)
only their travelling expenses. Each General Assembly
(since the establishment of this board) has granted it ap-
(2)
propriations.

County Ward Book:—A law of 1903 required every
county clerk to keep a County Ward Book. In the book he
was to keep a full and complete record of all persons sent
from his county to any State hospital for the insane or
other eleemosynary institution. The superintendent of
every institution, upon admission of any person, was to
notify the clerk of the county from which the inmate had
(3)
come.

(1) Missouri Laws 1897. p. 45.
(2) Missouri Laws 1897. p. 21.
Missouri Laws 1901. p. 7.
Missouri Laws 1903. p. 7.
(3) Missouri Laws 1903. p. 204.
Liability of Officers:— In 1875 it was provided that any trustee, superintendent, or any officer of an institution contracting in the name of the institution any debt for which at that time there was no appropriation should be personally liable for such debt and upon conviction should be deemed guilty of a misdemeanor; provided that no such person should be deemed guilty of a misdemeanor who had at the time of incurring such debt voted against it.

Appropriations:— The legislature of 1889 provided that appropriations amounting to $5,000 or more for the erection of new buildings for State institutions, should be drawn from the treasury only on the following conditions: that there be evidence of a bona fide contract, then the auditor might draw 1/4 pf the contract price; when 1/2 of the work had been completed satisfactorily, an additional 1/4; and when the whole had been completed satisfactorily, the balance. When the amount was for less than $5,000, no warrant was to be drawn on the State treasury for the payment of such appropriation until satisfactory evidence was furnished the State Auditor that the work had been completed.

The Revised Statutes of the same year provided that

(1) Missouri Laws 1875. p. 76.
(2) Missouri Laws 1889. p. 135.
no money should be drawn from the State treasury for any State institution until the managers of that institution had filed with the auditor a statement showing the amount of expenditures, money on hand, the amount that would be required for a given time; and then only such amount should be allowed as was necessary. No money appropriated should be paid to an institution until the proper officer had filed with the auditor an itemized statement of the costs. It was made the duty of the managers to select as a depository of an institution's funds, some banking corporation, association or individual banker in the town, city, or county where such institution was situated - such being selected as would contract to pay the largest per cent for deposits and as would come under the stipulated requirements of this act.

**Special Funds:** In 1893 there were established by statute special funds for the penal and eleemosynary institutions. That law provided that all money paid into the treasury of any penal or eleemosynary institution of the State by a guardian, parent or county for the support of any person in such institution, after being entered on the books, should be forwarded to the State treasury and there should constitute a special fund in the name of the institution from which it had been received. It was further provided that any money

appropriated out of the general revenue fund for the institutions, should be transferred from time to time to the fund to which such appropriation respectively belonged. An amendatory act was passed in 1895 which struck out that section bearing on appropriations from the general revenue fund.

(2) Missouri Laws 1895. p. 189.