

Paper entitled, "The New Child Welfare Laws—Their Relation to the Dependent Child," was read by Galen A. Merrill, superintendent State Public School.

Adjourned.

#### AFTERNOON

Luncheon was followed by a military drill by some of the inmates, after which a tour of inspection of the institution was made.

Discussion of papers read in the morning.

It was voted to hold the next conference at the Willmar state asylum.

The chairman received a telegram from Hon. Thomas H. Johnson, minister of public works, Winnipeg, expressing regret at his inability to attend the meeting.

Adjourned.

**The Chairman:** Ladies and Gentlemen: The occasion of this meeting is peculiarly significant. As you will recall, Superintendent Scott failed to reach the Faribault conference, and we thought the only assurance we could have of his being on hand was to come here, verifying the old fable of Mahomet and the Mountain.

The meeting is significant in another respect in that we have with us former Superintendent Randall, who built up this institution to the fine condition in which it was taken over by Mr. Scott. We are more than glad to welcome him here, and we will hear from him at a little later stage of the program.

The subject today is one of more than ordinary importance and interest, because it enters upon a new field of activity for the social workers of the state, both in and out of their professional relation thereto. The last legislature enacted a code of child welfare laws, remarkable in their extent and comprehension. I think the authors of that code scarcely realized themselves the work they were opening up, and they certainly did not realize the burden they were placing upon the shoulders of the Board of Control, one member of which board had an active part in framing and enacting that code.

Mr. Vasaly, who was our representative on the commission appointed by the Governor to prepare this code of welfare laws, is to open the program of today, and will discuss the relation of those laws to the Board of Control. Mr. Vasaly.

#### THE NEW CHILD WELFARE LAWS—THEIR RELATION TO THE STATE BOARD OF CONTROL.

**By Chas. E. Vasaly, Member State Board of Control.**

Mr. Chairman, Ladies and Gentlemen: I have a paper which I have prepared on this subject. I want to say, however, that I am likely to wander away from it at intervals. A paper has been described by a certain writer as representing a ship's anchor. The ship at anchor can float, but it cannot get away. So this paper will bring me back if I wander away.

The state is the ultimate guardian of all children who need what they cannot provide for themselves and what natural or legal guardians are not providing. The Child Welfare Commission based the legislation it submitted upon this fundamental idea. The children, the greatest asset of the state, its hope for the future, cannot in any part become a liability without consequences serious and possibly calamitous to the state. Children who are not handicapped physically or mentally, who are not dependent, neglected or delinquent, who have the inestimable privileges of the good home, the church and the school, who are leading normal lives under the tutelage of parent, teacher and clergyman, are concerned in these matters as well as those less favored. The ebb and flow of the forces of society make constant changes. The fortunate of today are the unfortunate of tomorrow. The neglected child next door may wreck the home of his neighbor. For good or ill, we are bound together. The future of the dependent, neglected or delinquent child is part of the future of the entire community. The duty and the responsibility of the state are evident. It is simply a question of how best the duty is to be fulfilled, in what ways the responsibility is to be assumed.

It would not be fair or true to say that Minnesota had hitherto failed in its duty toward handicapped children. Much had been done, and in some things we believe our state was not only abreast of every other state, but superior. It is more correct to say that so progressive a state could hardly be satisfied unless the best means possible were achieved, that there was and is a great deal to be done, and that a method has been provided, unique in American legislation, to promote child welfare in this state, with all that it implies.

While it is true that through courts and in public institutions, state and private, receiving children, and in the public schools in a small way, the state has exercised guardianship over disadvantaged children, it is a fact that except within narrow limits in the bureau of women and children of the department of labor there has been no state authority or agency whose particular business it was to be friend and guardian of children needing protection, and to see that through the courts or otherwise proper assistance be given. The provisions which existed giving the Board of Control certain inspection powers over associations and institutions were of little value in getting at the heart of things, since as then constructed those statutes were nebulous, and no proper means of enforcement of recommendations existed, and such as the old law was, it gave the board no jurisdiction over children not in institutions. The initiative in child-welfare work has been largely left to organizations, church and private, and to individuals, and that great good has been accomplished no one denies, but there is a tremendous field wherein the state can do that which no other agency can approach. It may be said in this connection that there is nothing in the new legislation preventing any individual or organization from continuing legitimate labors in behalf of children. Co-operation and assistance the state expects and should also give.

Bearing all this in mind, it is clear that there must be some central authority which, in the mighty name of the state, shall exercise complete authority and responsibility, educative, co-operative, and protective. While there was some consideration of a separate board wherein these functions

were to be centralized, it was decided that the Board of Control, which already exercised guardianship over the children in institutions under its charge, and whose work in many phases touched nearly every part of the child-welfare problem, should have vested in it full powers of guardianship over the persons of all children who may be committed to its care by the courts. The language of the law, which is chapter 194 of the General Laws of 1917, is that the board may "make such provision for and disposition of the child as necessity and the best interests of the child may from time to time require." The provision is broad and was so intended. Chapter 194 is so clearly the keystone of the arch, and the vital fact in the legislation for child welfare, that it will repay some study of its provisions. In many ways the other legislation passed is tied up or interlocked with chapter 194. The enactment of this law alone would have been a great step forward, and when we realize how much other beneficial legislation relating to children was passed, it would seem that the legislature of 1917 could be called the "Children's Legislature," a title surely worth while.

Section 1 of chapter 194, after giving the board the powers described, provides that no child shall be placed in an institution for delinquents without adjudication by a court, nor shall it give consent to adoption of a child under such adjudication. The Ohio law allows placing of a delinquent child without adjudication, but it was felt that this was a function properly belonging to the courts. I may say that on that point there was some difference of opinion in the commission. While there were those who believed that function more properly rested with the court, others believed that that could have been properly waived.

Section 2 makes it the duty of the Board of Control to safeguard the interests of an illegitimate child, to see that appropriate steps are taken to establish his paternity and secure for it the nearest possible approximation to the care, support and education that he would be entitled to if born of lawful marriage. For the better accomplishment of these purposes the board may initiate such legal or other action as is deemed necessary; may make such provision for the care, maintenance and education of the child as the best interests of the child may from time to time require, and may offer its aid and protection in such ways as are found wise and expedient to the unmarried woman approaching motherhood. Under section 1 of chapter 397 every illegitimate child becomes, ipso facto, a dependent, and it may be given by the court into the care of the board or to an association or individual, but it is the specific duty of the board to look after the interests of illegitimate children. From being the plaything of chance and circumstance to being a ward of the state, is a great change indeed in the status of the illegitimate child. I may say that, although it was possible to do a little something for the illegitimate child in this state, in actual practice the situation was little short of disgraceful. Many of these cases were settled on a monetary basis alone; from practically nothing up to \$250. I should say the average in this state was from \$75 to \$100. You can readily realize what that means. Among the further evidences of change is the elimination of the obnoxious word "bastard" from the statutes of this state. Too often the illegitimate child

the new law the state itself steps in with the child as its first concern. Originally the matter was practically a local one entirely, and very often the exigencies of politics intervened.

Under Chapter 210 of the laws of 1917, where a woman has been delivered of an illegitimate child and does not wish to begin proceedings for the establishment of paternity, the board may do so. Of course you understand, as you will see later on, that wherever references are made to the board, it does not necessarily mean the board in St. Paul, but its agents throughout the state. It sometimes happens that the mother is easily persuaded, on account of weak mentality, or for a monetary consideration, or other reasons, fear of publicity, etc., takes no action, and the interests of the child are entirely forgotten. If considered wise, all other means failing, the state's representatives may act. Subject to approval by the court, the board may make a financial settlement with a putative father, and may receive and expend sums of money for the child under the orders of the court. That is, in cases where the board is given authority to make this settlement, it will be the business of the board to see that that settlement is an adequate one. The law says that if the putative father be found guilty, or admits paternity, he shall be adjudged to be the father of the child "and thenceforth shall be subject to all the obligations for the care, maintenance and education of such child, and to all the penalties for failure to perform the same, which are or shall be imposed by law upon the father of a legitimate child of like age and capacity." That is a great step forward in behalf of the illegitimate child.

Under section 3 the board is directed to promote the enforcement of all laws for the protection of defective, dependent, neglected and delinquent children, to co-operate with juvenile courts and all reputable child-helping and child-placing agencies of a public or private character, and to take the initiative in all matters involving the interests of such children where adequate provision therefor has not already been made. This section gives power to appoint and fix the salaries of a chief executive officer and necessary assistants. That is, if something else has not been done for the child, if no proper provision has been made in any respect, whether by adoption, placing or otherwise, it is the special duty and business of the Board of Control and its agents to see that that is done so that no dependent, neglected or delinquent child in this state shall be without a friend. If it has no friends in other ways, the state itself becomes its friend.

It is evident that to centralize power in a board resident in the state capitol, without some method of co-ordinating with the counties, would be to make a top-heavy organization, likely to fail in the purpose to be accomplished. To devise a plan of co-operation and co-ordination, retaining the central authority and yet diffusing and extending that authority throughout the state, giving local power and responsibility, was a matter of anxious thought and study by the commission. A plan was finally adopted which is believed unique in the United States, no other state having by specific legislation created so wide an authority and responsibility in the matter of protection of the child. Under section 4 the board, when requested by the board of county commissioners, may appoint in

who shall serve without compensation during the pleasure of the board, and who, with the county superintendent of schools and a commissioner to be chosen by the county board, shall constitute the County Child Welfare Board. As in several of the counties there are women superintendents—I think at present there must be something like fifteen or eighteen counties of the state which have women superintendents of schools—this will mean in those counties a majority of women on the County Child Welfare Board. Placing the superintendent on the board ties it up with the public school system of the county; placing a county commissioner on the board allies it with the body of the county, which controls expenditures of county funds. In the three counties—Hennepin, Ramsey and St. Louis—containing cities of the first class, five instead of three members are to be appointed. The Child Welfare Board shall perform such duties as are required by the Board of Control. It will be the friend, advisor, protector, and guide of the children in whom the state is interested. It will represent the Board of Control in carrying out the spirit and purpose of child-welfare legislation. It has possibilities unbounded for good if wisely, cautiously, impartially and carefully conducted. It is local in membership and will be acquainted with local needs and conditions to an extent impossible to the central authority. On the other hand, it is subject to the central authority, and will be a practical and ready instrument to carry out plans of general scope. Its field is local, but behind it is the power and majesty of the state.

The County Child Welfare Board may appoint a secretary and necessary assistants, with salaries to be approved by the board of county commissioners. In the interests of economy, as well as of practicability, the agents of the Child Welfare Board may also be, when approved by the county board, probation and school attendance officers, and may also aid in the investigation and supervision of county allowances to mothers. There is no reason under this act why the agent of the Child Welfare Board in most of the counties should not perform a great many other functions, which would not only save expense but be of considerable value, in co-ordination with other activities in the county. The necessary expenses of the Child Welfare Board members and its agents will be paid from the county revenue fund. It is not expected that child welfare boards will at once be organized in every county. A preliminary campaign of education and revelation of needs will undoubtedly be necessary in many counties. I believe that if this matter were to be broached today, they would say: "There is no need of this. There is no special need here in which the state ought to interest itself." And yet experience goes to show that very often in those very counties there are conditions existing that need to be changed, and that those are the very counties that would most profit by this kind of legislation. In order that the benefit of the new law may not be lost in counties where boards have not as yet been organized, the judge of the juvenile court, which means the probate judge in all counties outside of Hennepin, Ramsey and St. Louis, may appoint a local agent to co-operate with the Board of Control in furtherance of the purposes of the law. Such agent will receive such salary as fixed by the judge with the approval of the county board. That is where, when the judge of the juvenile court, who ought to be, and surely is in most cases.

familiar with local conditions, feels that something should be done, and yet it is not quite time to organize a child welfare board, a local agent

NOTE OF CORRECTION: In addition to the counties of Hennepin, Ramsey and St. Louis, after January 1, 1918, the counties of Polk, Ottertail, Stearns and Winona will have juvenile court matters under jurisdiction of district courts, and not the probate court. Outside of these seven counties, the probate court judge is juvenile court judge. C. E. V.

The new law makes the feeble-minded person who has been the ward of the state, practically perpetually, unless he proves able to care for himself, because there is no such thing as a cure for feeble-mindedness. It is a deficiency, not a disease. Under this law, the Board of Control is to provide a person "skilled in mental diagnosis" who shall assist in the examination of doubtful cases of feeble-mindedness, in order that the judgment may be safe and impartial. Where the case is obviously and clearly one of feeble-mindedness, the judge of probate may dispense with examiners. There is the safeguard of review by the courts, even after placing in an institution. If adjudicated feeble-minded, the person is committed to the care and custody of the Board of Control, which may place him in an institution, leave him with his own or some other family; in brief, do that which shall appear best for the person and the community. To commit direct in all cases to the state institution would not only be unwise in many cases, but would result in this state in an impossible situation, since the state institution is now overcrowded, and there will be room only as new buildings are provided, or as inmates die or are taken out. A large number of the inmates at the state school for feeble-minded are children in years, as indeed the entire population is mentally in varying degrees. A great many evils incident to feeble-mindedness, particularly in relation to young girls, can be prevented if cared for in time.

Of course the executives who are familiar with this problem do not need to be told how serious the situation is, but some of our friends from the outside may not be so familiar with the matter. It is estimated that we have in this state 10,000 feeble-minded who might properly be cared for in institutions. Of that number 2,000 are child-bearing women. We have now about 1,600 in the institution at Faribault. The institution is overcrowded and there is a waiting list of about 300. Those figures will give you some idea of the seriousness of the problem.

Under this method of commitment, the state can practically in a way make a census of the feeble-minded of the state. It can get a great deal of information as to where they are, how many there are, and so forth.

We hope in the next few years—perhaps in the next two—to present some definite form of program to the state legislature with reference to this matter. There have been a great many remedies proposed; some which will not bear examination; some perhaps will. One of the remedies proposed will interest Mr. Randall; it is in line with his views in relation

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familiar with local conditions, feels that something should be done, and yet it is not quite time to organize a child welfare board, a local agent may be appointed and receive compensation.

Under chapter 343 of the general laws of 1917, the existing financial control of the school for the blind, the school for the deaf, and the state public school, was changed to full control, the local boards being abolished.

The question of the feeble-minded is of growing importance. The legislation embodied in chapter 344 of the general laws of 1917 is believed to be wise and helpful in a matter of the most serious portent to the state. The sending of feeble-minded to the state institution has been with rare exceptions a purely voluntary matter. Often where segregation and care were most needed, the objections of relatives or friends prevented action. The new law makes the feeble-minded person who has been so adjudged the ward of the state, practically perpetually, unless he proves able to care for himself, because there is no such thing as a cure for feeble-mindedness. It is a deficiency, not a disease. Under this law, the Board of Control is to provide a person "skilled in mental diagnosis" who shall assist in the examination of doubtful cases of feeble-mindedness, in order that the judgment may be safe and impartial. Where the case is obviously and clearly one of feeble-mindedness, the judge of probate may dispense with examiners. There is the safeguard of review by the courts, even after placing in an institution. If adjudicated feeble-minded, the person is committed to the care and custody of the Board of Control, which may place him in an institution, leave him with his own or some other family; in brief, do that which shall appear best for the person and the community. To commit direct in all cases to the state institution would not only be unwise in many cases, but would result in this state in an impossible situation, since the state institution is now overcrowded, and there will be room only as new buildings are provided, or as inmates die or are taken out. A large number of the inmates at the state school for feeble-minded are children in years, as indeed the entire population is mentally in varying degrees. A great many evils incident to feeble-mindedness, particularly in relation to young girls, can be prevented if cared for in time.

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to the delinquent. It has been proposed that we get large tracts of land in the northern part of the state and put boys up there who can clear the land and make it self-supporting. Another proposition is to see that all women of child-bearing age who are feeble-minded are segregated. Some seem to think that is better than placing feeble-minded girls. Some of that has been done in Indiana with a great deal of success. It is a problem in which every citizen ought to take an interest.

Chapter 212 of the general laws of 1917 gives the board complete authority in the regulation of maternity hospitals, lying-in places and baby farms. Maternity hospitals and infant homes must receive licenses annually, and they are subject to such general regulations and rules as the board may prescribe. The law provides that the license may be revoked if such hospital or home "is maintained without due regard to sanitation and hygiene, or to the health, comfort or morality of the inmates thereof." This is broad language and embraces great powers of regulation. Full power is vested in the board to inspect these places and examine the records and data. The board must be notified whenever a child is placed in a private home for longer than six months, with name of the child and name of the person in whose charge it has been placed. An agent of the board must visit the child within ninety days after notification, and must visit and supervise until the child is legally adopted. If at any time before adoption it is satisfied the home is not a proper one, the board takes charge of the child.

The old provision as to children being brought into the state has been changed and strengthened. No person shall bring or send a child into the state for placing or adoption without consent of the Board of Control under such rules as it may adopt. The person bringing a child into the state for the purpose aforesaid must give a bond to carry out the regulations prescribed by law. A resident of the state can, as before, bring a child into the state for adoption into his own family. No child can be taken or sent out of the state for the purpose of placing him in a foster home, except by parent or guardian, without notice to the Board of Control, and report annually at least as to the child's wellbeing until he is adopted or has reached the age of eighteen. Children placed in foster homes, except when legally adopted, may be returned whenever in the opinion of the person placing, or the Board of Control, the child's best interests require it.

Another extension, and an important one, of the board's power is that all corporations whose object embraces the care of dependent, neglected or delinquent children can only be incorporated by the Secretary of State after the full and complete approval of the Board of Control. This gives the state an additional means of regulating associations caring for or placing children.

Chapter 222 of the general laws of 1917 is the new adoption law. In all cases of adoption the court shall notify the Board of Control, and the boards, through the local child welfare board or other agents, must make a thorough investigation as to the child and the proposed foster home and report to the court its recommendations as to the granting of the petition to adopt.

In cases where there is no guardian, and where there is no one else capable or who can be found to give consent to adoption of a minor child, consent may be given by the Board of Control.

If within five years after adoption a child develops feeble-mindedness, epilepsy, insanity or venereal infection as a result of conditions existing prior to adoption, of which the adopting parents had no knowledge or notice, on proof of such facts the court may annul the adoption, and commit the child to the guardianship of the Board of Control.

An entirely new duty was placed upon the Board of Control by chapter 223 of the general laws of 1917, being the act amending the mothers' pension law, more properly known as "Allowances to Mothers." Although entitled allowances to mothers, the presence of dependent children is the occasion for the aid given. A number of important changes have been made in this very helpful law. The age of children has been raised from 14 to 16 years, to make it uniform with the age when the child may lawfully receive employment certificates; deserted mothers are included where the husband has been under indictment for a year for abandonment of the child; stepmothers and grandmothers are included; amount allowed is raised from \$10 a month to \$15 for one child and not over \$10 for each additional child; the mother may be required to labor at the discretion of the court and to try to learn the English tongue; inquiries must be made and families visited every three months and reconsideration had every year; a taxpayer may have the findings reviewed on complaint. Section 4 provides that in counties where there is a child welfare board, when the court so requests, the board shall consider applications for allowances and advise as to amounts and conditions. Sections 12, 13 and 14, make it the duty of the Board of Control to promote efficiency and uniformity in the administration of the law; advise and co-operate with the courts; direct county child welfare boards with respect to methods of investigation; standardize records; have its agents visit and inspect families; require reports from such officials as deemed necessary. If the board shall approve the expenditures, which implies that in its judgment there has been proper administration of the law, the county shall receive from the state one-third of the amount paid out for allowances. The refusal of the board to approve the yearly expenditures is subject to judicial review. I might say in this connection that the legislature made no appropriation to cover this refunding to the counties, but as the certificates in this state would not be made in any event until the close of the next year, there is nothing to prevent the next legislature from making up the amount of the deficiency.

The object of the allowance to mothers is to assist in properly rearing future citizens, a matter of the highest importance to the state, and therefore the state, its counties and the mother should co-operate; the state and counties mostly in a financial way; the mother with personal care, protection and training in the home.

The new juvenile court act, chapter 397, which consolidates and codifies the juvenile court laws, gives the agents of the Board of Control power to file petitions in cases of delinquency or dependency. A dependent or neglected child may be committed to the care of the board, which will have authority to place the child or to consent to its adoption. The work

In counties outside the large cities, the child welfare boards will practically be advisory boards to the probate judge, who in these counties is juvenile court judge, and in the counties containing the three large cities the child welfare boards will perform the same function for the juvenile court, which in those counties is distinct from the probate court.

The board is given power, under chapter 224 of the general laws of 1917, to call annual conferences of officials responsible for the enforcement of laws relating to children, and the expense of judges of probate attending such conferences are a charge against the county. The interchange of opinion, comparison of experiences, suggestions as to changes in the law, discussion as to methods, etc., are expected to be of great value in promoting uniformity of action and high standards throughout the state.

It will be seen that the new department of child welfare has great possibilities. It is not to be expected that it can in a short time realize all that the framers of the law had in mind, since careful study shows scarcely a limit to what may be accomplished. Carefully and conservatively administered, yet with a steadily advancing point of view, with a wide embracing vision as to the needs of the handicapped and disadvantaged children of this great commonwealth, with a firm conviction that the people of Minnesota have unbounded pity and charity for the less fortunate children, who are entitled to and must receive justice at their hands, the new department can fulfill its mission and influence the future to a degree of which we can have no present adequate conception.

Note: Chapters 194, 210, 212, 222, 223, and 397, go into effect January 1, 1918; chapter 343 went into effect July 31, 1917; chapter 344, on July 1, 1917.

The Chairman: I think we all agree that Mr. Vasaly's paper covers the subject comprehensively. I believe we can get the most out of it by discussing it now.

We have with us today Rev. Dr. L. A. Crandall, of the Juvenile Protective League of Minneapolis, Col. C. E. Faulkner, of the Washburn Memorial Orphan Asylum, as well as Mr. Randall and our new superintendent at Faribault, Mr. Hanna, and I think the opportunity is ripe now to go into this discussion to a considerable extent. You can readily see that the Board of Control has had its work mapped out for it along this line even if it had nothing else to do, and I hope these gentlemen whom I have named, as well as all other members of the conference, will follow up this paper with any questions they may desire to ask, which Mr. Vasaly will be glad to answer, or with some remarks on the subject.

I think there are present today three members of the Child Welfare Commission who probably had as much to do with the drafting of these laws, both by suggestion and by actual work, as anyone else: Superintendent Merrill, Miss Peterson, and Mr. Davis of Minneapolis.

Mr. Vasaly will give a brief sketch of the organization which led up to this legislation, and then I hope the discussion will be lively and general.

Mr. Vasaly: This commission was appointed by Governor Burnquist in August, 1916. As a matter of fact, the incentive for the organization of this commission had its beginning back some time before 1916, with

some very earnest folks in Minneapolis, the state committee on social legislation, which had its birth at one of the meetings of the state conference of charities and correction.

This gives me an opportunity to say what I am glad to say, that the three ladies on the commission were towers of strength to the commission.

The commission was composed of the following: Otto W. Davis, Minneapolis; Mrs. Robbins Gilman, Minneapolis; Galen A. Merrill, Owatonna; Judge Thomas D. O'Brien, St. Paul; Judge Grier M. Orr, St. Paul; Miss Agnes L. Peterson, St. Paul; Rabbi Isaac L. Rypins, St. Paul; John B. Sanborn, St. Paul; Mrs. Andreas Ueland, Minneapolis; Judge Edward F. Waite, Minneapolis; Senator Albert L. Ward, Fairmont; and myself.

The commission met and organized and selected an executive secretary, Mr. Hodson, who proved to be a most wise and admirable selection in all respects. It made a study of the situation in this state, and of course held meetings and had people before it, men who were specialists in their various lines. We had a great deal of correspondence from other states; we brought people from other states to give their views; and made as much of a study as we could in the time we had at our disposal in the preparation of the report. The commission found a great many things it could not reach, but tried to reach certain fundamental things.

There is much to be done for the children of Minnesota, and we hope some legislator or legislative committee may be able to make the careful study of this work that is still needed in this state.

The commission felt that in the passage of some of these bills, at least, we have gone a very great way. We have made a great step forward in the passage of chapter 194, which is the keystone of the arch. In the getting of these child welfare boards organized, we have a foundation upon which a structure can be built that will be worth while; and whatever else is to be done, and there is much more to be done, can be coordinated with what has already been done in many ways. The keystone bill takes effect next year.

The Chairman: The following papers are on this same subject, but I think this time is more favorable to the discussion of Mr. Vasaly's paper than it would be to follow it by the other two.

I hope all will participate in this discussion so far as they are interested. I should like to get a general expression of views. This is the most vital work that lies before the people of the state. If you get hold of the children, you need not worry about the grownups.

Mrs. C. L. Atwood, St. Cloud: I should like to know who appoints the Child Welfare Board and when their duties begin?

Mr. Vasaly: The law does not take effect until next January, so that there are no county child welfare boards organized, but the Board of Control hopes to get the department organized before the first of January.

I suppose those boards will be organized in several counties of the state. We know that in several counties steps are being taken to be ready when the time comes.

Col. C. E. Faulkner, Minneapolis: Mr. Chairman, speaking from the standpoint of a superintendent of a children's home, I feel that modesty ceases to be a virtue and that I ought to express, on behalf of the class with whom I stand, a hearty appreciation of what has transpired in

Minnesota. I am glad to be present on such an occasion as this, when the officers of the state stand in such a place as this, which suggests humility and a proper sense of responsibility.

To inaugurate the undertaking of so vast a plan of care for dependent children is to my mind one of the most marvelous achievements of our day and age. We find ourselves living at the time when the lions of the law have lain down in the pastures where the children play, and are no longer feared; when the judges leave the sanctity of the judicial sanctum and go out into the halls of legislation to meet and plead with the law-makers for better laws for children, even though they themselves may be called upon to pass upon the merits of such legislation; all this signifies a wonderful advance.

The most striking thing about it all to me is a definite recognition on the part of the state as a supreme political entity that it may no longer place its constraining hand upon the head of a needy child, order its welfare, and then abandon it to the happenings of chance. It is a definite promise, a declaration on the part of the state of Minnesota, that henceforth all children who are dealt with under the authority of law, shall be followed in their welfare, and they shall be afforded such opportunities as may be needed to insure them success.

We have been going on upon the haphazard theory that if children were removed from their environment in the cities out to the comforts of rural homes, where they had the advantages of proper food, clothing, and ordinary education, the public had fulfilled its duty. We have forgotten the fact that too often in improving environments we have been destroying opportunities.

It is the sincere prayer of those who are working for the children that the state may now, under this new advance, realize the responsibility which rests upon it; that when it takes possession of children who are declared to be dependent, it must be responsible to the extent of seeing that its interference brings to them more of good than of harm.

If boys are to be taught to be farmers, if that is their choice of a vocation, the state has no moral right to confine their education to the ordinary farmers as we find them, who open their homes for boys. The state is bound, if it maintains schools for teaching other children how to farm, to see that those over whom it exercises compulsory powers of guardianship have the same rights. We will not cease our efforts until this responsibility is acknowledged.

It has been a great pleasure to me on other occasions to report, and I now repeat it on this, a hearty co-operation on the part of our educational institutions toward affording opportunities for the education of needy children. To illustrate, the regents of our state university adopted a rule that so far as practical, children who had been judicially declared dependent might be received on the experimental farms, where agriculture is taught, so that when they are barred from the parent school in Minneapolis, which does not receive below the age of seventeen, they may be received at the age of fifteen, or less even, if they have completed the eighth grade. This opens too small a field, indeed, but we are having now in the broadened policy of our state public school one of the brightest promises for advancement in Minnesota, which graces the education of any

state in which the vocational choice and capabilities of children may be studied, and in which they may be aided to realize their ambition by appropriate aids.

If boys are to be farmers, it is right that their education and training should be turned in that direction. If some other choice is made for them, they should have the education needed.

There is an opportunity for dependent girls to attend schools where domestic science is taught just the same as girls in higher institutions of learning have.

So we have come here to say to this audience and to all citizens of Minnesota that whenever Minnesota interferes with the welfare of children, it is bound to assume the responsibility which goes with that interference and to show that the children are benefited and not harmed because of the experiences to which they are subjected.

**The Chairman:** Dr. Crandall, I know we all want to hear from you.

**Rev. Dr. L. A. Crandall,** Minneapolis: I haven't any information to impart, but I wish to ask a question. I am here to learn.

I should like to ask what the thought is with regard to the taking over by the Board of Control, through these boards of welfare, work for children now being done by voluntary associations. That is something that especially interests some of us, and I should like to have Mr. Vasaly tell us what his own idea is and that of the Board of Control so far as he may speak for it.

**Mr. Vasaly:** My own view of that, and I think it was the view of the commission, was that if voluntary organizations persisted in doing a certain work which the state itself is going to do, or which the state may do better than they, in the course of events they would see the elimination of that organization; but if, on the other hand, an organization is doing a special sort of work in a co-operative sense along with the state, it may continue to exist and be exceedingly useful in its particular field.

There is always considerable work that a voluntary organization can do in different ways than the state. There will always be a field for that sort of work, and it was not the intention of the commission, or of the legislature, I am sure, that we should either disorganize, disintegrate or eliminate organizations which are doing practical and valuable work, except as in the course of time those duties may be assumed by the state's own agents; perhaps doing it more acceptably or as well; therefore there would no need of those activities continuing.

**Galen A. Merrill,** State Public School: One of the purposes is to afford these organizations the approval and co-operation of the state where they are worthy, and to eliminate the others, and to protect them from the criticisms which arise through work that is improperly done by unworthy organizations.

**The Chairman:** At the risk of embarrassing a modest gentleman, I am going to ask our new superintendent to step forward and be introduced, at least.

He is up against one phase of this great problem. He has settled down to the harness at Faribault as though he had been there all the time. Mr. Hanna.

**G. C. Hanna**, School for Feeble-Minded: I feel that it is a very great honor to be elected to membership in this society through appointment by the State Board of Control to a superintendency in this state. I certainly feel the humility of the occasion mentioned by the Colonel, because I have succeeded a friend to all of you, who gave so many years of his life to building up the institution that I now have the honor to head. I shall feel for some time to come that I cannot contribute much to these meetings. If I can only get hold of the lines that Dr. Rogers laid down, I shall feel that I have done something. That is what I have been endeavoring to do for two or three months.

So far as these new laws are concerned, I was much interested to know of the one touching the school for feeble-minded. I have not done much to get acquainted with these laws yet myself, but I can see that we are going to have a new problem opened up in the administration of them. In the brief time that I have been at the school for feeble-minded, I have already seen, where the commitments are entirely voluntary, parents take away girls that should not be taken away.

If there are 2,000 feeble-minded women of child-bearing age in Minnesota, as has been estimated, that are to be segregated, it is going to be a problem to get them segregated and keep them happy and contented. I can see we are opening up a very big problem, and I shouldn't want to say today that I could manage it. In the time I have been at Faribault I have discovered that one of the hardest problems there, is the management of the 200 or more girls of the higher order of intelligence. If we are to have 2,000 more, I shall need a great deal of help, I think, at Faribault, and I hope to have your co-operation and support.

I thank you.

**Rev. August Preusser**, St. Cloud: Is there any law by which parents can be forced to send a feeble-minded child to a state institution?

In the case I have in mind the child is not yet a public nuisance, but I think it will be in a few years. Left to grow up as it is, without training, the child will never be able to take care of itself. Aided, however, by the training it would receive in a state institution, I think it would be able to learn enough so as not to fall a burden to the state for life.

**Mr. Vasaly**: The new law provides for compulsory commitment by order of the court. The law specifically provides for the very condition of which you speak, even if the parent does not want the child to go.

**Rev. Mr. Preusser**: Even if the child is not as yet a public nuisance?

**Mr. Vasaly**: Yes. It is a question whether it could not be provided for better somewhere else.

**Rev. Mr. Preusser**: Does the same hold good in the case of a child that is deaf and dumb?

**Mr. Vasaly**: I believe we have a compulsory law of that sort. Dr. Tate is here; he can speak on that.

**Dr. J. N. Tate**, School for the Deaf: We have a very good compulsory school law. The co-operation of the teachers of the state is involved in it. Every teacher is supposed to report all deaf children who are not in school at certain ages, but we have not found that we could stir the teachers up to their full duty in this line. I was thinking, while Mr.

Vasaly was reading his paper, that we would ask the co-operation of the Board of Control in putting into operation the law to bring these children into the school.

There are a great many deaf children who are not in school at this time. Many are kept at home for sentimental reasons until he or she has gone past the point where he or she can attain an education. While they are brought to us, we are not able to accomplish all that the child is able to accomplish if taken at the right age. If the Board of Control, with its agents, could put us on their list to look up children who ought to be in school, the cause of humanity so far as deaf children are concerned would be served.

I might say that thus far it has been necessary only to call the attention of the people, who hesitate to send their children to us, to the law requiring this. We have never had to go to court in this matter. I think the law in this respect has fully accomplished its mission without any of the unpleasant features which were predicted for it by some who hesitated to approve of the justice of the law.

**Mr. Vasaly**: Does not that law make it the specific duty of the county superintendent of schools to enforce it?

**Dr. Tate**: It does. I have tried to stir up the superintendents by sending them a copy of the law. Of late they have been responding and we are getting a good many names now. If we stir up the superintendents, they in turn will stir up their teachers, and the working of the law would be very satisfactory.

**Mr. Vasaly**: The work of the Child Welfare Board will be to see to it that all laws relating to children are enforced.

**Dr. James J. Dow**, School for the Blind: The law specifically provides that it shall be the duty of the county attorney to at once prosecute any parent, or others responsible directly or indirectly, for failure to place such child.

**Mrs. Fannie F. Morse**, Home School for Girls: Am I to understand that there is provision for such a case as this?

There is a special case under my observation of a child, a minor, a boy of twelve, whose father is dead, and whose mother is living but more or less mentally defective, although she never has been adjudged that. There is property held by the mother; a larger amount under guardianship for the boy. The mother does not provide for the boy, and the boy is running at large in his community, begging, unprovided for. The guardian has been appealed to, but will take no action. I have been advised that there is no county or town authority who could act in the matter.

**Mr. Vasaly**: That would come within the scope of the Child Welfare Board, who will initiate such legal action where it is necessary.

**Mrs. Morse**: Could appeal be made, then, to the Board of Control?

**Mr. Vasaly**: Yes; or to its representatives. It is interested in that case just as much as in that of any other child that needs help.

**The Chairman**: We will now hear from Mr. Fulton, superintendent of the state training school at Red Wing, who will discuss the relation of these laws to the delinquent child. Meanwhile those of you who want to participate in the discussion can be getting ready for it. **Mr. Fulton**.