

Twelfth annual report of the New York Asylum for Idiots : transmitted to the Legislature February 4th, 1863 / New York State Asylum for Idiots.

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TWELFTH
ANNUAL REPORT
OF THE
NEW YORK ASYLUM
FOR
IDIOTS.

Transmitted to the Legislature February 4th, 1863.

ALBANY:
COMSTOCK & CASSIDY, PRINTERS.
1863.

TRUSTEES.

JAMES H. TITUS,
HENRY N. POHLMAN,
ALLEN MUNROE,
HIRAM PUTNAM,

FRANKLIN TOWNSEND
HAMILTON WHITE,
LYMAN CLARY,
G. H. MIDDLETON.

State officers—ex-officio Trustees.

HORATIO SEYMOUR,
HORATIO BALLARD,

D. R. FLOYD JONES,
LUCIUS ROBINSON
VICTOR M. RICE.

Permanent Chairman,

HENRY N. POHLMAN.

Secretary,

ALLEN MUNROE.

Treasurer,

HAMILTON WHITE.

Executive Committee,

HIRAM PUTNAM,

JAMES H. TITUS,
ALLEN MUNROE.

OFFICERS.

Superintendent,

HARVEY B. WILBUR, D. D.

Matron,

MRS. ELIZA F. MULFORD.

Teachers,

MISS S. P. YOUNG,

MISS SARAH S. WELD,

MISS ALVIRA WOOD,

MISS CHRISTINA ERLUND,

MISS MARY L. PATRICK.

Steward,

R. FRISELLE.

State of New York.

No. 212.

IN ASSEMBLY,

February 4, 1863

TWELFTH ANNUAL REPORT

OF THE TRUSTEES OF THE NEW YORK ASYLUM FOR IDIOTS.

To the Legislature of the State of New York :

In compliance with the act establishing the New York Asylum for Idiots, the subscribers, trustees of the institution, respectfully submit this their

TWELFTH ANNUAL REPORT :

The total cash receipts and payments for the fiscal year of the institution, ending Sept. 30th, 1862, as stated in the treasurer's annual report, herewith transmitted, are as follows :

RECEIPTS.

| | |
|--|-------------|
| From the State Treasurer (annual appropriation) .. | \$18,000 00 |
| From friends of pay-pupils for board and clothing .. | 2,985 53 |
| From counties for clothing State pupils | 1,394 17 |
| Balance on hand in treasury October 1st, 1862 | 1,037 38 |
| | <hr/> |
| | \$23,417 08 |
| | <hr/> <hr/> |

EXPENDITURES.

| | |
|--|------------|
| Provisions and supplies of all kinds | \$5,187 96 |
| Repairs, improvements and new out-buildings | 2,396 74 |
| Farm, garden, improvement of grounds, stable and stable stock | 707 02 |
| Furniture and furnishing articles | 1,369 68 |
| Salaries of officers and teachers | 5,333 32 |
| Wages of attendants and servants, and extra labor, | 4,450 70 |
| Clothing for children | 1,114 86 |

| | |
|---|-------------|
| Fuel and gas | \$1,604 70 |
| School books and stationery, and apparatus for school and gymnasium..... | 186 93 |
| Rent and insurance..... | 299 69 |
| Freight and express | 47 27 |
| New wall in front of grounds | 247 76 |
| Savings bank interest..... | 149 69 |
| Postage | 25 93 |
| Printing..... | 35 93 |
| Expenses in sending children home | 53 67 |
| Traveling expenses of trustees and superintendent, | 136 02 |
| Miscellaneous bills paid by steward..... | 149 95 |
| | <hr/> |
| Total of expenditures..... | \$23,497 82 |
| | <hr/> <hr/> |

Owing to the fact that all of the bills for the previous fiscal year were not audited by the executive committee till the first Monday in October, 1861, and during the last fiscal year were all audited the last day of September, 1862, the expenditures above reported represent a period of more than a year, and are proportionately larger.

The actual expenses of the year were \$21,835.26. This amount includes the clothing of a large majority of the pupils, and also improvements to the building, and the construction of new out-buildings. During the past two years these last two items have amounted to \$1,800, to meet the developing wants of the institution.

The average number of State pupils during the past year has been more than one hundred and twenty; and the number of paying pupils has been nearly twenty.

The total liabilities of the Asylum, on the first of October, 1862, amounted to.....

| | |
|--|-------------|
| | \$2,135 92 |
| The cash assets at same date were..... | 2,068 37 |
| | <hr/> |
| | \$67 55 |
| | <hr/> <hr/> |

It will be seen, therefore, at this date, that the excess of indebtedness over cash assets amounted to \$67.55. On the first of October, 1861, this excess of indebtedness was given as \$756.96.

From the report of the steward, herewith annexed, it will be seen that the assets in the way of farm and garden products are

in excess of last year, amounting in the aggregate to at least \$2,000; and to these are to be added household supplies and clothing on hand October first.

Items of indebtedness October 1st, 1862:

| | |
|---|-------------|
| Savings Bank loan and interest | \$1,535 00 |
| Sundry bills of provisions and supplies | 520 18 |
| Over draft | 80 74 |
| | <hr/> |
| | \$2,135 92 |
| | <hr/> <hr/> |

Cash assets at same date:

| | |
|---|-------------|
| Due from counties for clothing | \$200 00 |
| Due from individuals for clothing pupils | 202 18 |
| Due from friends of paying pupils for board and instruction | 1,426 19 |
| Due from sale of fruit and produce | 240 00 |
| | <hr/> |
| | \$2,068 37 |
| | <hr/> <hr/> |

Other assets:

| | |
|---|-------------|
| Farm and garden products | \$1,809 40 |
| Household supplies, clothing for children | 529 00 |
| | <hr/> |
| | \$2,338 40 |
| | <hr/> <hr/> |

The act for the reorganization of the Asylum, prepared at the instance of the board of trustees, was duly passed by the Legislature at its last session. This conferred some additional powers upon the board of trustees, which will aid them much in the fulfillment of their trust.

It also makes some new provisions in relation to the reception and dismissal of pupils. In order that a knowledge of these new conditions may be disseminated in the State, a copy of the new law will be found in an appendix to this report. Copies also of the necessary forms to carry out the provisions of the law will be found in the same appendix.

The trustees, at their last annual meeting, took the necessary action to carry out the requirements of the law as far as they were concerned.

The report of the Superintendent will furnish the details of the affairs of the institution during the past year, and the memo-

randum furnished by the Steward of the Asylum, of the industrial operations of the pupils for the same period, adds to the value of the report.

It was the sad duty of the trustees, in their last report, to notice a greater mortality than in any previous year in the history of the Asylum. There have been five deaths owing not from the prevalence of any epidemic, but from diseases not ordinarily fatal, except in individuals with enfeebled constitutions. It is our happy privilege in this report to state that no death has occurred, and moreover, that there has been a remarkable exemption from sickness—not a serious case among the pupils during the year. In all of their reports, with the exception of last year's and that of 1855, the trustees have been able gratefully to acknowledge a remarkable exemption from sickness; especially remarkable for so large a family of *feeble minds in feeble bodies*. This merciful privilege enjoyed for so many years the trustees attribute (under Providence) to the skillfull and zealous devotion of the Superintendent, aided by the affectionate fidelity of his teachers, attendants and servants.

From 1851 eleven annual reports have been made, in each of which the condition of the Asylum, and the results attained, have been fully set forth by the trustees and the Superintendent, who have been flattered to believe that their management has been approved by the public, from the fact that the Legislature has invariably responded to the requisitions asked for its maintenance and growth; and, in like manner, the trustees further flatter themselves in the belief that the results attained, as stated in those reports, have secured to this novel enterprise in the field of philanthropy the lively interest and intelligent approval of the public.

In all efforts for the relief of suffering humanity, the main object should be positive and practical benefit to the beneficiary. Fanciful theories and all romance are wholly out of place in such efforts. Most obviously does this rule apply to the enterprise of "*teaching and training idiots.*" Its claim for sympathy and support has the warrant of that rule in the experience of eleven year's efforts, and in the benefits resulting from those efforts to the pupils, and to all who may be in social relations with them. Although the enterprise does not work a miracle—does not transform an idiot to the condition of one who possesses an intellect of normal character and measure—still it does effect improvements

of practical advantage to the beneficiary, and confers benefits of happy influence on society. In this connection the following extract from the superintendent (report of January, 1852) to the trustees is entirely apposite :

“ Having thus described the immediate object of our special system of education, I am led to the question, which is the practical one in every wise and thoughtful consideration of the subject, what is the ultimate object and end of the education of idiots? What is to be the effect of this education upon their future lives, both with respect to themselves and to society? I answer then in general terms: Education is a means, not an end. It is a well established principle, that a proper education gives increased capacity for usefulness; increased understanding of, and subserviency to social and moral obligations, and increased capacity for happiness.

“ But great as are the benefits of education in ordinary cases, its achievements are still greater when, instead of increasing the capacities of the pupils, it substitutes capacities for incapacities; when it restores a class of human beings, now a burden to community, destitute of intelligence, degraded and miserable, to their friends and society, more capable of development under the ordinary circumstances of human development; nearer to the common standard of humanity in all respects; more capable of understanding and obeying human laws, and of obtaining the greatest degree of comfort and happiness with their means. And will not this be the effect of the system of management and education for idiots, which I have imperfectly described? which confirms their health; which educates their various muscles till they are possessed of dexterity; which teaches them to *observe* of themselves the objects, facts and phenomena by which they are surrounded; which teaches them to *compare* those phenomena one with another, and to *reason* upon those observations and comparisons; no matter how simple, at the outset, are those exercises of *observation*, of *comparison* and of *judgment*, if they are only spontaneous, if they are only accomplished by the pupils themselves, they will necessarily be the stepping stones to higher mental operations of the same character. * * * * *

* * I will venture to add, in speaking of the ultimate results, that the intrinsic usefulness, comfort and happiness of the subject of the special education is as much promoted in the case of the idiot as in that of the deaf mute, or the blind; that the

comfort and happiness of the friends is in still greater measure promoted by such education in the case of the idiot than in the subject of other kindred charities."

Although, as stated above, no miracle has been performed in the Asylum, still the trustees claim the credit of having bestowed upon a large share of its beneficiaries all the advantages, and of having afforded to their friends all the relief which was promised at the outset of the enterprise. This satisfactory result, in a great measure, has been produced by the advantage possessed by our institution of having had from its commencement a superintendent of prominent qualifications and of self-sacrificing devotion. Great credit is also due to the teachers and attendants for the skill, patience and faithfulness with which they have performed their peculiar and trying duties.

HORATIO SEYMOUR,
HORATIO BALLARD,
V. M. RICE.

JAMES W. TITUS,
HENRY N. POHLMAN,
FRANKLIN TOWNSEND,
GEO. H. MIDDLETON,
ALLEN MUNROE,
HIRAM PUTNAM,
LYMAN CLARY,
HAMILTON WHITE.

REPORT OF THE SUPERINTENDENT.

To the Trustees of the New York Asylum for Idiots:

Gentlemen—The twelfth annual report of the institution, of which I have the immediate supervision, is herewith respectfully submitted.

The close of the year finds all connected with the institution, in good health; nor has there been for the year past a single case of sickness among our pupils, requiring a removal to the hospital room. In fact during this whole period very few of the pupils have failed to make their appearance in the dining-rooms at the regular meal times. This exemption from sickness of course materially reduces the care and trouble involved in the management of a family as large and helpless as ours.

We have had on our list of pupils during the past year one hundred and forty-seven. The largest number in the house at any one time was one hundred and forty-one.

These may be classified as to their mode of support in the institution as follows:

Thirteen were full pay pupils. Two paid two-thirds of the actual cost of their board and instruction. Three paid one-half, and one one-third of the cost of board and instruction. The remainder were supported entirely by the State appropriation.

The present annual appropriation to the Asylum was based upon the supposition that the Trustees would be able to provide for one hundred and twenty State pupils and twenty paying pupils. It will be seen by making the proper allowance for the fact that of the nineteen pay-pupils, but thirteen paid the full amount of their cost and maintenance, that the Asylum has really provided for one hundred and twenty-four State pupils.

The entire revenue of the institution applicable to the board and instruction of the pupils for the year was, \$20,617. The average per capita cost was, therefore, \$147.26. This is exclusive of clothing, but inclusive of all sums expended for repairs and improvements of building and grounds.

Since the last annual report, fifteen of the pupils have left the Asylum.

One of these from Virginia was removed on account of the war. One was transferred to another similar institution. Two received on trial were dismissed after a short time, not being suitable subjects. In the case of the remaining eleven, the institution had accomplished all that was ever anticipated in its establishment. That is to say, these pupils were either in a condition to be educated still farther at home with ordinary school privileges or were capable of useful occupation under intelligent management and direction, elsewhere.

Four of the above number were females, who left the Asylum not only able to read and write a little, but what was of far more importance they had acquired considerable dexterity in common feminine employments, and were quite capable and willing in the performance of simple household occupations.

The others, males, had received a corresponding amount of education in school, and all of them who were old and strong enough had been taught a variety of farming operations. One of the number is now serving as a volunteer in the army in Virginia.

In the last report to the board, the fact was mentioned that one of our pupils had previously enlisted in the army. I desire to refer briefly to him again in this.

He was some six months in the service, during which time he wrote quite frequently to various members of the family, mentioning the incidents of his camp life, and giving expression to a patriotism that was zealous, if not eminently intelligent. Some six months after his departure he presented himself at the door, having been discharged on account of sickness.

Emaciated by disease, and quite prostrated by the fatiguing journey from Washington, he had barely strength enough to reach the Asylum.

Under the influence of the comforts that we were able to furnish him, he rallied from a state of prostration, and passed quite comfortably through the stages of a typhoid fever. But when we thought him fairly past all danger, he sunk rapidly, and died from the recurrence of a violent hemorrhage from the bowels.

When he joined the army, I had cautioned him among other things to be sure and bathe himself frequently, and also to save his money and his health by avoiding the sutler's tent. During

the first few days after his return he told me that he had followed my instructions in his camp life, and he entrusted to my charge all the money he had received from the paymaster, with but slight reduction. After his death, on opening the little book in which he had carefully set down the few articles that he had purchased, I found recorded the principal items, towels for bathing. I mention this to show that in the case of one of our pupils there was exhibited a power of self-control and an obedience to suggestions, kindly offered, even when beyond the restraining influences of the institution and amid the extreme temptations of camp life. In this very case the leading consideration in the minds of his friends in sending him to the Asylum, but a few years previous, was that, in connection with the deficiency in his mental powers, there had been a still more marked inability to resist the temptations to evil that life under ordinary circumstances presented. As a pupil here, the policy adopted was not only to furnish him with the means for his intellectual development, and to supply him with such industrial occupations as might draw forth and expend his energies, and give him self-reliance, but it was also sought to extend the scope of his moral perceptions, and thus to fortify his will to resist the various promptings to evil he might encounter. The effort succeeded, as I have described. This leads me to say that a thoughtful consideration of the probabilities, as well as an examination of the actual results, will convince any candid person that there need be no apprehension that the benefits conferred here, in the case of the great body of the pupils, will be limited in their influence by the period of the parties sojourn in the institution. The same fruitlessness might as well be predicated of the common school in relation to pupils of ordinary endowments.

All the exercises and pursuits of whatever nature adopted in the institution, are disciplinary in their character. They are means, not ends. Present results are entirely subordinated to permanent and future influences upon the individuals and the class submitted to them. It should be remembered that wherever mind exists it is subject to fixed and general mental laws. And so, starting from the lowest point in our series of educational means, it may be affirmed that our gymnastic exercises bring forth muscular strength, dexterity and a power of attention, which can only be lost by the grossest after-mismanagement. The senses once educated, and the perceptions extended

in their sphere of operations can hardly be returned to a state of torpor and disuse. The intellectual faculties once awakened and nourished and strengthened by appropriate aliment, can scarcely relapse into their former feebleness and inactivity. The will, when once aroused and nerved by exercise to attempt and also to secure control over the other faculties and powers, can, by no means, be remanded to a condition of inability and inertness. So too the affections, when once warmed into life and cultivated by the presentation of properly related objects can hardly fail forever after to respond when suitably touched. The moral sense, when once developed and recognized as a ruling motive of action, can surely not lose all power over the future life of the individual.

And when, as the practical resultant of all these, obedience and capability have taken the place of inertia and incapacity, and correct habits have been substituted for the reverse by the years of pupilage, need we fear the recurrence of the latter except under such a gross after-mismanagement as we may demand of the friends or the public, that they shall be exempted from.

That the results have corresponded to such hopeful anticipations, I may appeal to the trustees, to the patrons of the institution, and to that portion of the public generally, who have had an opportunity of observing them.

I should not omit in closing to acknowledge the hearty co-operation extended to me by all employed in any manner in the Asylum. To their intelligence, industry and fidelity, the institution owes its entire success and popular favor.

H. B. WILBUR, *Superintendent.*

SYRACUSE, *Jan. 1, 1863.*

TREASURER'S ACCOUNT.

HAMILTON WHITE, *treasurer of N. Y. Asylum for Idiots, in account current with the State of New York, for cash received and expended for the general supplies and the salaries and wages of officers, teachers, attendants and servants of said Asylum, during the year ending September 30th, 1862.*

| 1861. | | DR. | | |
|-----------|-----|---|-----------------|-----------------------|
| Oct. | 1. | To balance in treasury | ----- | \$1,037 38 |
| Oct. | 3. | To cash from State Treasurer | ----- | 4,500 00 |
| Dec. | 5. | do do | ----- | 4,500 00 |
| 1862. | | | | |
| March | 24. | do do | ----- | 4,500 00 |
| June | 25. | do do | ----- | 4,500 00 |
| February. | | To cash from counties for clothing State pupils | ----- | 1,394 17 |
| | | To cash from various parties for board, instruction and clothing paying pupils, | | 2,985 53 |
| | | | | <u>\$23,417 08</u> |
| 1862. | | CR. | | |
| Jan. | 1. | By cash paid on bills audited to executive committee during quarter ending Dec. 31st, 1861, | | \$6,377 91 |
| April | 1. | By cash paid on bills audited by executive committee during quarter ending March 31st, 1862 | ----- | 4,731 74 |
| July | 1. | By cash paid on bills audited by executive committee during quarter ending June 30th, 1862 | ----- | 6,171 69 |
| Sept. | 30. | By cash paid on bills audited by executive committee during quarter ending September 30th, 1862 | ----- | 6,216 48 |
| | | | | <u>\$23,497 82</u> |
| | | | | 23,417 08 |
| | | Overdraft | ----- | \$80 74 |
| | | | | <u><u>\$80 74</u></u> |
| | | (Signed) | HAMILTON WHITE, | <i>Treasurer.</i> |

MEMORANDUM

FURNISHED BY THE STEWARD OF THE FARMING OPERATIONS OF THE
LAST YEAR.

There are connected with the Institution, and belonging to it, fifty-four acres of land. In addition to this there have been leased from parties owning adjoining land some eighteen acres. Of this amount of land fifteen acres are occupied by the building and out-buildings, the ornamental grounds and the necessary play-grounds for the children.

Deducting the portions thus occupied there remain fifty-seven acres of cultivated land, with which the products of the farm are to be compared.

One gardener and two men are kept on the place. These, with the assistance of the larger boys, not only do all the work necessary for the production of the crops enumerated below, but they, also, take care of the stock and tend the furnaces in the winter season. Besides this no small amount of work has been done in the way of improvements upon the grounds. The stock upon the place consists of seven cows, five horses and eighteen swine.

An accurate daily account was kept of the various products of the farm and garden as they were gathered or harvested, and the following list has been made up from such records :

FARM PRODUCE.

| | 1862. |
|----------------------------|-------|
| Hay, tons of | 28 |
| Straw, do | 8 |
| Stalks, do | 20 |
| Potatoes, bushels of | 1,008 |
| Oats, do | 469 |
| Corn, do | 951 |
| Green corn, do | 49 |
| Carrots, do | 384 |
| Turnips, do | 448 |
| Beets, do | 237 |
| Mangel wurzel, do | 161 |

| | 1862. |
|----------------------------|------------------|
| Parsnips, bushels of | 28 |
| Tomatoes, do | 115 |
| Onions, do | 15 |
| String beans, do | 38 $\frac{1}{4}$ |
| White do do | 9 |
| Cranberry do do | 5 |
| Lima do do | 4 |
| Peas, do | 43 |
| Spinach, do | 11 |
| Cucumbers, do | 7 |
| Peppers, do | 2 |
| Apples, do | 200 |
| Pears, do | 250 |
| Grapes, do | 22 |
| Cherries, do | 80 |
| Plums, do | 9 |
| Cabbage, heads of | 1,400 |
| Lettuce, do | 1,380 |
| Celery, do | 900 |
| Squashes, pounds | 1,015 |
| Pumpkins, loads | 10 |
| Garden fruits, qts. | 858 |
| Pork, pounds | 2,000 |
| Milk, quarts | |

ARTICLE III.—Of Elections.

At the meeting in October in each and every year, the officers of the board, who shall be a permanent chairman to preside in the absence of the Governor, a Secretary, a Treasurer, and an Executive Committee, consisting of three of the Trustees, shall be chosen by ballot.

ARTICLE IV.—Of the Order of Business.

At the regular meetings of the Board, the order of business shall be as follows:

1st.—Reading the minutes of last meeting.

2d.—Report of the Executive Committee.

3d.—Report of the Treasurer.

4th.—Report of the Superintendent.

5th.—Reports of special committees.

BY-LAWS OF THE NEW YORK IDIOT ASYLUM.

ARTICLE I.—OF THE TRUSTEES.

The Trustees shall have the general direction and control of all the property and concerns of the Institution, not otherwise provided for by law, and shall take charge of its general interests, maintain an effective inspection of the affairs and management of the Institution, and see that its general designs be carried into effect, and everything done faithfully according to the requirements of the Legislature, and the by-laws, rules and regulations of the Asylum. They shall receive no compensation for their services, but shall be paid their actual and reasonable traveling and other expenses to be paid by the Treasurer on the rendering of their accounts.

ARTICLE II.—MEETINGS OF THE BOARD.

The regular meetings of the board shall be held semi-annually at the Asylum on the last Wednesday of April, and the last Wednesday of October, at 2 o'clock P. M.

ARTICLE III.—OF ELECTIONS.

At the meeting in October in each and every year, the officers of the board, who shall be a permanent chairman to preside in the absence of the Governor, a Secretary, a Treasurer, and an Executive Committee, consisting of three of the Trustees, shall be chosen by ballot.

ARTICLE IV.—OF THE ORDER OF BUSINESS.

At the regular meetings of the board, the order of business shall be as follows :

- 1st.—Reading the minutes of last meeting.
- 2d.—Report of the Executive Committee.
- 3d.—Report of the Treasurer.
- 4th.—Report of the Superintendent.
- 5th.—Reports of Special Committees.

6th.—Resolutions.

7th.—Miscellaneous business.

ARTICLE V.—OF THE EXECUTIVE COMMITTEE.

The Executive Committee shall meet at the Asylum on the first Monday of every month, at such an hour as they may from time to time appoint. They shall have the general charge of interests of the Institution in all matters which may arise between the meetings of the board; shall see that all resolutions of the Trustees are promptly carried into effect; shall audit the bills of expenditures, and certify them for payment by the Treasurer, "and examine and verify the quarterly and annual statements of the Treasurer's accounts and certify their corrections to the Trustees at their annual meetings." (Sec. 14.) They shall in connection with the Superintendent act upon the reception and dismissal of pupils. They shall keep regular minutes of their proceedings in a book prepared for that purpose, and kept in the Asylum, and present the same at the meetings of the board, and they shall perform such other duties as may be delegated to them by the board. They shall have the power of calling extra meetings of the board. They shall prepare the annual report, and submit the same for the approbation of the board at its meeting in October.

ARTICLE VI.—OF THE SECRETARY.

The Secretary shall keep minutes of the proceedings of the board, and record them in a book kept for that purpose, and shall perform such other duties as the board shall assign him. He shall also notify the trustees of all meetings of the board.

ARTICLE VII.—OF THE TREASURER.

The Treasurer shall have the custody of all moneys, bonds, notes, mortgages and other securities and obligations belonging to the Asylum—collect all moneys due, and receive all appropriations, gifts and legacies made or bequeathed to the Institution and deposit the same in some safe bank—he shall pay all debts and bills ordered to be paid by the Executive Committee, and keep full and accurate accounts of all his collections, receipts and payments.

He shall render to the Executive Committee a quarterly statement of his receipts and payments—balance his books of account annually, on the first day of October, and within three days thereafter, make and deliver to said committee a statement of such balance and an abstract of all the receipts and payments of the past year. (Sec. 14.)

ARTICLE VIII.—OF THE SUPERINTENDENT.

The Superintendent shall be the chief executive officer of the Asylum. He shall have the general superintendence of the buildings, grounds and farm, together with their furniture, fixtures and stock, and the direction and control of all persons employed in and about the same, subject to the laws and regulations established by the Trustees. He shall have the appointment of his co-resident officers, with power to assign them their respective duties, subject to the by-laws. He shall employ, subject to the supervision of the Board of Trustees, such teachers, attendants and assistants as he may think proper and necessary for the economical and efficient carrying into effect of the design of the institution, prescribe their several duties and places, and fix their compensation, and may discharge any of them. He shall, also, from time to time, give such orders and instructions, as he may judge best calculated to induce good conduct, fidelity and economy in any department of labor and expense, and he is authorized and enjoined to maintain salutary discipline among all who are employed by the Institution, and to enforce strict compliance with such instructions, and uniform obedience to all the rules and regulations of the Asylum. He shall further cause full and fair accounts and records of all his doings, and of the entire business and operations of the Institution, together with the condition and prospects of the pupils, to be kept regularly, from day to day, in books provided for that purpose; and he shall see that all such accounts and records shall be fully made up to the first days of April and October in each year, and that the principal facts and results, with his report thereon, be presented to the board at its semi-annual meetings. (Sec. 9.) The exercise of the foregoing powers shall be subject to the approval of the Trustees, except as herein otherwise provided. He shall conduct the official correspondence of the Institution, shall, at the time of the admission of any pupil into the Asylum, enter in a book to be provided and

kept for that purpose, a minute, with date, of the name and residence of the pupil, and of the person or persons upon whose application he is received; together with a copy of the application, statement, certificate and all other papers accompanying such idiot; the originals of which he shall file and carefully preserve. (Sec. 16.) And he shall be accountable for the careful keeping and economical use of all furniture, stores and other articles provided for the Asylum, and prepare and present to the board at its semi-annual meetings a true and perfect inventory of all the personal property and effects belonging to the Asylum. (Sec. 9.) He may make agreements, subject to the approval of the Trustees, for the support, maintenance and clothing of pupils admitted to the Asylum, (Sec. 26); and should immediately on the reception of any State pupil, give notice thereof to the clerk of the Board of Supervisors of the county from which the pupil was sent. (Sec. 17.)

He shall also give notice of the discharge of a pupil by the Trustees, to the person and in the mode prescribed by law; and shall see to the removal and delivery of such discharged pupil to the proper county and officer. (Sec. 20.)

ARTICLE IX.—OF THE PUPILS.

The design and objects of the Asylum, as established by the action of the Legislature, are not of a custodial character; but to furnish the means of education to that portion of the youth of the State, not provided for in any of its other educational Institutions. Those only will therefore be received into the Asylum, who are of a proper school-attending age, and for such periods of time as shall, in the estimation of the Board of Trustees, suffice to impart all the education practicable in each particular case, and in conformity with the regulations hereinafter specified.

Children between the ages of seven and fourteen, who are idiotic or so deficient in intelligence as to be incapable of being educated at any ordinary school, and who are not epileptic, insane or greatly deformed, may be admitted by the Superintendent with the advice and consent of the Executive Committee. Applications in behalf of others shall be referred to the action of the Board of Trustees.

The parents or next friends of those in whose behalf applications are made for admission as pupils, shall make answers in writing to such questions as the Superintendent and Committee shall prescribe. They shall moreover, if of sufficient ability, engage to pay such reasonable sum for the education and support of the pupils, and to furnish them with such proper clothing while in the Institution as shall be stipulated by the Superintendent, and they shall in all cases be bound to receive them back when required, free of expense to the Asylum. But no idiots shall be received into the Asylum, without there shall have been first lodged with the Superintendent thereof, a request to that effect, under the hand of the person by whose direction he is sent, stating the age, and place of nativity, if known, of the idiot, his christian and surname, the town, or city, and county in which they severally reside, the ability or otherwise of the idiot, his parents or guardians, to provide for his support in whole or in part, and if in part only, in what part; and the degree of relationship, or other circumstance of connection between him and the person requesting his admission; which statement shall be verified in writing, by the oath of two disinterested persons, residents of the same county with the idiot, acquainted with the facts and circumstances so stated, and certified to be credible by the county judge of the same county. And no idiot shall be received into said Asylum unless the county judge, of the county liable for his support, shall certify that such idiot is an eligible and proper candidate for admission to said Asylum as aforesaid.

The State pupils in the Asylum will be selected in equal numbers as far as may be, from each Judicial District from those whose parents or guardians are unable to provide for their support therein.

The State pupils will be expected to come to the Asylum, provided with a supply of neat and substantial clothing for the first six months, after which period the clothing will be furnished by the Asylum, at the expense of the respective counties of which they are residents, as in the case of the Deaf and Dumb, and the Blind Asylums of the State.

A bond will be required in all cases, except the case of a State pupil, to insure the removal of the pupil free of expense to the Institution.

All pupils will be received upon trial for one month, at the end

of which time a report upon the case will be made to the parents or parties sending them.

The education furnished by the Institution will include not only the simpler elements of instruction usually taught in common schools, where that is practicable, but will embrace a course of training in the more practical matters of every day life, the cultivation of habits of decency, propriety, self-management and self-reliance, and the development and enlargement of a capacity for useful occupation.

There shall be a vacation during the whole month of August, unless otherwise directed by the board, at which period all pupils must be removed from the Asylum by the parents or guardians, if required by the Superintendent.

By-Laws can only be altered at a regular meeting of the board, by a majority of the whole board.

CHAP. 220.

AN ACT to re-organize the State Asylum for Idiots, and to provide for the government and management thereof.

Passed April 12, 1862; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

SECTION 1. The management of the Asylum for Idiots shall be vested in a board of trustees, consisting of the Governor, Lieutenant Governor, Secretary of State, Comptroller, Superintendent of Public Instruction, and eight other persons.

§ 2. Henry N. Pohlman, James H. Titus, Hamilton White, Allen Munroe, Hiram Putnam, Franklin Townsend, Lyman Clary and George H. Middleton, present trustees of the Asylum for Idiots, shall continue to be such trustees, and shall hold their office as follows: the said Franklin Townsend and George H. Middleton for two years, the said Allen Munroe and Hamilton White for four years, the said Henry N. Pohlman and Lyman Clary for six years, and the said James H. Titus and Hiram Putnam for eight years, from the 31st day of December, one thousand eight hundred and sixty-one and until others are appointed in their places, subject, however, to being removed at any time by the Senate, upon the recommendation of the Governor. Their successors shall be appointed by the Senate upon the nomination of the Governor, and shall hold their offices for eight years, and subject to be removed in the manner aforesaid. The Senate may, in like manner, appoint a trustee for the unexpired term of office of any incumbent who shall die, resign, be removed from office, or cease to be an inhabitant of the State during his term, and such trustee shall be subject to removal in the manner above provided. Five members of the said board shall constitute a quorum for the transaction of business.

§ 3. Said board shall have the general direction and control of all the property and concerns of the said Asylum not other-

wise provided by law, and shall take charge of its general interests, and see that its general design be carried into effect, and everything done faithfully according to the requirements of the Legislature, and the by-laws, rules and regulations of the Asylum.

§ 4. The board shall appoint a superintendent, who shall be a well educated physician, and a treasurer, who shall reside in the city of Syracuse, and give bonds to the people of the State, for the faithful performance of his trust, in such sum and with such sureties as the Comptroller of the State may approve. The superintendent shall appoint a steward and a matron, who, together with the superintendent, shall constantly reside in the Asylum, and shall be denominated the resident officers thereof.

§ 5. The board shall, from time to time, determine the annual salaries and allowances of the resident officers of the Asylum. But no determination as to said salaries, or either of them, nor any alteration of them, or either of them, shall be made unless there shall be present at a meeting of the board of trustees, the Governor, Lieutenant Governor, Secretary of State, Comptroller, Superintendent of Public Instruction, or a majority of those officers, of whom the Comptroller shall be one.

§ 6. The salaries and allowances of the resident officers of the Asylum shall be paid quarterly on the first days of October, January, April and July in each year, by the treasurer of the Asylum, on presentation of the bills therefor, audited, allowed and certified, as prescribed in the by-laws.

§ 7. The trustees may take and hold in trust for the State any grant or devise of land, or any donation or bequest of money or other personal property, to be applied to the maintenance and education of idiots, and the general use of the Asylum.

§ 8. The trustees are hereby directed and empowered to establish such by-laws as they may deem necessary and expedient for regulating the appointment and duties of officers, teachers, attendants and assistants, for fixing the conditions of admission, support and discharge of pupils, and for conducting in a proper manner the business of the Asylum; also, to ordain and enforce a suitable system of rules and regulations for the internal government, discipline and management of the Asylum.

§ 9. The superintendent shall be the chief executive officer of the Asylum. He shall have the general superintendence of the buildings, grounds and farm, together with their furniture,

fixtures and stock, and the direction and control of all persons employed in and about the same, subject to the laws and regulations established by the trustees. He shall have the appointment of his co-resident officers, with power to assign them their respective duties, subject to the by-laws. He shall employ, subject to the supervision of the board of trustees, such teachers, attendants and assistants as he may think proper and necessary for the economical and efficient carrying into effect of the design of the institution, prescribe their several duties and places, and fix their compensation, and may discharge any of them. He shall, also, from time to time, give such orders and instructions as he may judge best calculated to induce good conduct, fidelity and economy in any department of labor and expense, and he is authorized and enjoined to maintain salutary discipline among all who are employed by the institution, and to enforce strict compliance with such instructions and uniform obedience to all the rules and regulations of the Asylum. He shall further cause full and fair accounts and records of all his doings, and of the entire business and operations of the institution, together with the condition and prospects of the pupils, to be kept regularly, from day to day, in books provided for that purpose; and he shall see that all such accounts and records shall be fully made up to the first days of April and October in each year, and that the principal facts and results, with his report thereon, be presented to the board at its semi-annual meetings. The exercise of the foregoing powers shall be subject to the approval of the trustees, except as herein otherwise provided. He shall conduct the official correspondence of the institution, and keep a record of the applications received, and the pupils admitted, and he shall be accountable for the careful keeping and economical use of all furniture, stores and other articles provided for the Asylum, and prepare and present to the board at its semi-annual meetings a true and perfect inventory of all the personal property and effects belonging to the Asylum.

§ 10. The resident officers of the Asylum and all the teachers, attendants and assistants actually employed therein, during the time of such employment shall be exempt from serving on juries, from all assessments for labor on the highways, and in time of peace from all service in the militia; and the certificate of the superintendent shall be conclusive evidence of such employment.

§ 11. The board shall keep in a bound book, to be provided

for that purpose, a fair and full record of all its doings, which shall be open at all times to the inspection of any of its members, and of all persons whom the Governor or either House of the Legislature may appoint to examine the same.

§ 12. The board of trustees shall maintain an effective inspection of the affairs and management of the institution; for which purpose the board shall meet at the Asylum twice in each year, at such time as the by-laws shall provide; and a committee of three trustees to be appointed by the board, at the annual meeting thereof, shall visit it once in every month; such committee shall also perform such other duties, and exercise such other powers as shall be prescribed by the by-laws, or as the board may, from time to time, ordain.

§ 13. It shall be the duty of the resident officers to admit any of the trustees into every part of the Asylum, and to exhibit to him or them, on demand, all the books, papers, accounts and writings belonging to the institution, or pertaining to its business, management, discipline or government; also, to furnish copies, abstracts and reports whenever required by the trustees.

§ 14. The treasurer shall have the custody of all moneys, bonds, notes, mortgages and other securities and obligations belonging to the Asylum. He shall keep full and accurate accounts of receipts and payments, in the manner directed in the by-laws, and such other accounts as the trustees shall prescribe. He shall balance all the accounts on his books annually, on the first day of October, and make a statement of the balances thereon, and an abstract of all the receipts and payments of the past year; which he shall, within three days thereafter, deliver to the auditing committee of the trustees, who shall compare the same with his books and vouchers, and verify the same by a further comparison with the books of the superintendent, and certify the correctness thereof to the trustees at their annual meeting. He shall further render a quarterly statement of his receipts and payments to said auditing committee, who shall compare and verify the same as aforesaid, and report the result, duly certified, to the trustees at the annual meeting thereof, who shall cause the same to be recorded in one of the books of the Asylum. He shall further render an account of the state of his books, and of the funds and other property in his custody, whenever required so to do by the trustees.

§ 15. Said treasurer is also authorized to receive for the use

of the Asylum, any and all sums of money which may be due upon any note or bond in his hands belonging to the Asylum; also any and all sums which may be charged and due according to the by-laws of the Asylum, for the support of any pupil therein, or for actual disbursements made in his behalf for necessary clothing and traveling expenses, in an action in the supreme court, to be brought in said treasurer's name, as treasurer of the Asylum of Idiots; and which shall not abate by his death, removal or resignation, against the individual or county liable therefor, and having neglected to pay the same when demanded by the treasurer; in which action judgment shall be rendered for such sum as shall be found due, together with costs, and interest from the time of the demand made as aforesaid. Every such action may be brought in the county of Onondaga. Said treasurer may, also, upon the receipt of the money due upon such judgment, or upon any mortgage in his hands belonging to the Asylum, execute a release, and acknowledge full satisfaction thereof, so that the same may be discharged of record.

§ 16. The superintendent shall, at the time of the admission of any pupil into the Asylum, enter in a book to be printed and kept for that purpose, a minute, with date, of the name and residence of the pupil, and of the person or persons upon whose application he is received; together with a copy of the application, statement, certificate and all other papers accompanying such idiot; the originals of which he shall file and carefully preserve.

§ 17. The supervisors of any county in the State, from which State pupils may be selected and received into the Asylum, are hereby authorized and required, while such pupils remain at the Asylum, to raise the sum of twenty dollars, annually, for the purpose of furnishing suitable clothing for each pupil from said county; and, on or before the first day of April in each year, pay over the same to the treasurer of the Asylum. The superintendent shall immediately, on receiving any pupil, give notice thereof to the clerk of the board of supervisors of the county from which such pupil shall have been sent to said Asylum.

§ 18. There shall be received and supported gratuitously in the Asylum one hundred and twenty pupils, to be selected in equal numbers, as near as may be, from each judicial district, from those whose parents or guardians are unable to provide for their support therein, to be designated as State pupils; and such

additional number of idiots as can be conveniently accommodated, may be received into the Asylum by the trustees, on such terms as may be just. But no idiot shall be received into the Asylum, without there shall have been first lodged with the superintendent thereof, a request to that effect, under the hand of the person by whose direction he is sent, stating the age, and place of nativity, if known, of the idiot, his christian and surname, the town, or city, and county in which they severally reside, the ability or otherwise of the idiot, his parents or guardians, to provide for his support in whole or in part, and if in part only, then what part; and the degree of relationship, or other circumstance of connection between him and the person requesting his admission; which statement shall be verified in writing, by the oath of two disinterested persons, residents of the same county with the idiot, acquainted with the facts and circumstances so stated, and certified to be credible by the county judge of the same county. And no idiot shall be received into said Asylum unless the county judge, of the county liable for his support, shall certify that such idiot is an eligible and proper candidate for admission to said Asylum as aforesaid.

§ 19. Whenever the trustees shall direct a State pupil to be discharged from the Asylum, the superintendent thereof is authorized to return such pupil to the county from which he was sent to the Asylum, and deliver him to the keeper of the poor house of such county; and the superintendents of the poor of said county shall audit and pay the actual and reasonable expenses of such removal, as part of the contingent expenses of said poor house. But if any town, county or person be legally liable for the support of such pupil, the amount of such expenses may be recovered for the use of the county, by such superintendents of the poor. If such superintendents of the poor neglect, or refuse to pay such expenses, on demand, the treasurer of the Asylum may pay the same and charge the amount to the said county; and the treasurer of the said county shall pay the same, with interest, after thirty days, out of any fund in his hands not otherwise appropriated; and the supervisors of the said county shall levy and raise the amount as other county charges.

§ 20. The superintendent is authorized to agree with the parent, guardian or committee of any idiot, or with any other person or persons, for the support, maintenance and clothing of any idiot, at the Asylum, upon such terms and conditions as may

be prescribed by the by-laws, or approved by the trustees. But every parent, guardian, committee or other person applying for the admission into the Asylum of any idiot who, or whose parents or guardians, are of sufficient ability to provide for his maintenance therein, shall, at the time of his admission, deliver to the superintendent a bond, with one or more sureties, to be approved by the trustees in such a manner as they shall prescribe, in the penal sum of at least three hundred dollars, conditioned to pay to the treasurer, for the time being, of the Asylum, by his name of office, all such sum or sums of money, at such time or times as shall be agreed upon as aforesaid; and to remove such idiot from the Asylum, free of expense to the trustees, within twenty days after the service of the notice hereinafter provided. And if such idiot, or his parents or guardians, are of sufficient ability to pay only some portion less than the whole of the expenses of supporting and clothing him at the Asylum, said bond shall be conditioned only for his removal as aforesaid; and the superintendent may take security by note or other written contract or agreement, with or without sureties, as he may deem proper, for such portion of the said expenses as the idiot, his parents or guardians, are able to pay, subject, however, to the approval of the trustees, in the manner that shall be prescribed in the by-laws. Notice to remove any idiot from the Asylum, shall be in writing, signed by the superintendent; it shall be directed to the parents, guardians, committee or other person or persons, upon whose request he was received, at the place or places of residence mentioned in such request, and may be served by depositing the same in the post-office at the city of Syracuse, and with the postage prepaid. If the idiot shall not be removed from the Asylum, according to the conditions of said bond, within twenty days after the service of such notice in manner aforesaid he may be removed and disposed of by the superintendent, as directed in the last preceding section in relation to State pupils, and all the provisions of that section respecting the payment and recovery of the expenses of the removal and disposition of a State pupil, shall be equally applicable to similar expenses arising under this section.

§ 21. The provisions of section nineteen of this act shall be applicable to all State pupils now in the Asylum. And any bond, bill, note, agreement, undertaking or other security for the maintenance or support of any pupil at the Asylum, hereto-

fore made by any person in his behalf, and now belonging to the Asylum, shall be valid and effectual in law, and may be prosecuted as provided in section fifteen of this act.

§ 22. All laws and parts of laws inconsistent with the provisions of this act, are hereby repealed.

§ 23. This act shall take effect immediately.

(I.)

FORM OF REQUEST FOR ADMISSION OF PUPIL.

To Henry B. Wilbur, Esq., Superintendent of the State Asylum for Idiots, at Syracuse, New York :

I hereby request that A. B. (*giving the name of the proposed pupil in full, and stating the degree of relationship, or other circumstance of connection, if any, with the applicant, thus: "my son," or "lately in my employ," or "a member of my family, but not related," or otherwise, as the case may be*), who is an idiot, and resides in the _____ of _____, in the county of _____, in the State of _____, may be admitted as a pupil into said Asylum.

The said A. B. was born in the _____ of _____, in the county of _____, in the State of _____, and is of about the age of _____ years.

Said idiot * is of sufficient ability to provide wholly for (*his, her*) support at the Asylum.

Dated the _____ day of _____, 186 .

(Signed) _____ C. D., of the town of _____,
county of _____, and State of _____.

STATE OF NEW YORK, COUNTY OF _____, ss.

E. F. and G. H. being severally duly sworn, say, and each for himself says, that he is a resident of the county of _____, (*the county where the idiot resides*), in the State of _____; that he is acquainted with the facts and circumstances stated and set forth in the foregoing request signed by C. D., and that the same are true. (Signed) _____

E. F.

G. H.

The foregoing affidavit was on the _____ day of _____, 186 , subscribed and sworn to before me by the above named E. F. and G. H., known to me to be credible persons; and I certify that (*name of idiot*) the idiot in the preceding request named is an eligible and proper candidate for admission as a pupil into the State Asylum for Idiots.

(Signed) _____ I. K., County Judge of said county.

N. B. If the idiot is not of sufficient ability to provide out of his own means for his entire support at the Asylum, then insert, after the * in lieu of the statement in the foregoing request, such one of the following as may be according to the facts of the case, viz :

“Is not of sufficient ability to provide wholly for (*his, her*) support at the Asylum, but can pay towards the same the annual sum of dollars.” (*Specify the sum.*)

Or, “has no parent or guardian, and is not of sufficient ability to provide in any part for (*his, her*) support at the Asylum.”

Or, “has a (*father, mother or guardian, as the case may be,*) who is of sufficient ability to provide wholly for (*his, her*) support at the Asylum.”

Or, “has a (*father, mother or guardian, as the case may be,*) who is not of sufficient ability to provide wholly for (*his, her*) support at the Asylum, but can pay towards the same the annual sum of dollars.” (*Specify it.*)

Or, “has a (*father, mother or guardian, as the case may be,*) who is not of sufficient ability to provide in any part for (*his, her*) support at the Asylum.”

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(II.)

FORM OF BOND FOR SUPPORT AND REMOVAL OF PUPIL.

Know all men by these presents, that we C. D., of &c., E. F., of &c., and G. H., of &c., (*giving their names and places of residence in full,*) are held and firmly bound unto *Hamilton White*, Treasurer of the State Asylum for Idiots, in the sum of (*at least double the annual payment*) dollars; to be paid to the said *Hamilton White*, as treasurer aforesaid, his successors in office, or his or their assigns; for which payment, well and truly to be made, we bind ourselves and our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated the day of 186 .

Whereas, C. D. has made request in writing, to the Superintendent of the State Idiot Asylum, that A. B., an idiot, be received as a pupil into said Asylum.

Now, therefore, the condition of this obligation is such, that if the above bounden C. D. shall and do [well and truly pay or cause to be paid to the above named *Hamilton White*, as treasurer aforesaid, or to his successors in office, the annual sum of

