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the attempt, let us come together and consider whether from all points of view it is wise to do so, and in every way how to secure the best results.

In establishing the Children's Courts the state has secured a real gain, and before this gain is jeopardized, let us make sure the step is one in advance. Is it?—Robert J. Wilkin, Judge of the Juvenile Court, Brooklyn, N. Y.

Re Local Boards of Child Welfare—Laws of New York—Chap. 700.—AN ACT to amend the general municipal law, in relation to local boards of child welfare. Became a law May 11, 1920, with the approval of the Governor. Passed, three-fifths being present.

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

SECTION 1. Section one hundred and forty-nine of chapter twenty-nine of the laws of nineteen hundred and nine, entitled "An act relating to municipal corporations, constituting chapter twenty-four of the consolidated laws," as added by chapter two hundred and twenty-eight of the laws of nineteen hundred and fifteen, is hereby amended to read as follows:

§ 149. *Appointment of boards in counties.* The board of child welfare of a county shall consist of seven members of which the county superintendent of the poor shall be ex-officio member. If any county have more than one superintendent of the poor, the county judge shall designate, by writing, filed with the county clerk, the superintendent who shall serve as a member of such board. The other six members of the board shall be appointed by the county judge for such terms that the term of one appointive member of the board shall expire each year thereafter. Upon the expiration of the term of office of a member of the board, his successor shall be appointed by the county judge for a full term of six years. In case of the failure of any appointive member to attend meetings of the board during a period of three consecutive months, it shall be the duty of the secretary of the board at once to certify such fact to the county judge. Unless the county judge excuse such absence in writing for illness or other good and sufficient reason, the term of office of such member shall at once cease and determine. Such excuse shall be filed with and made a part of the records of the board. If a vacancy occur, otherwise than by expiration of term in the office of an appointive member of the board, it shall be filled for the unexpired term. It shall be the duty of the county judge to fill every vacancy within thirty days after such vacancy occurs. At least two members of the board shall be women. Appointments shall be made in writing and filed with the county clerk.

§ 2. Section one hundred and fifty of such chapter as added by chapter two hundred and twenty-eight of the laws of nineteen hundred and fifteen and amended by chapter five hundred and four of the laws of nineteen hundred and sixteen, is hereby amended to read as follows:

§ 150. *Appointment of boards in cities.* The board of child welfare of a city wholly including one or more counties shall consist of ten members. The members of the board shall be appointed by the mayor for such terms that the term of one member of the board shall expire each year thereafter. Upon the expiration of the term of office of a member of the board, his successor shall be appointed by the mayor for a full term of nine years. In case of the failure of any appointive member to attend meetings of the board during a period of

three consecutive months, it shall be the duty of the secretary of the board at once to certify such fact to the mayor. Unless the mayor excuse such absentee in writing for illness or other good and sufficient reason, the term of office of such member shall at once cease and determine. Such excuse shall be filed with and made a part of the records of the board. If a vacancy occur, otherwise than by expiration of term in the office of a member of the board, it shall be filled for the unexpired term. It shall be the duty of the mayor to fill every vacancy within thirty day after such vacancy occurs. At least three members of the board shall be women.

§ 3. Section one hundred and fifty-three of such chapter, as added by chapter two hundred and twenty-eight of the laws of nineteen hundred and fifteen and amended by chapter three hundred and seventy-three of the laws of nineteen hundred and nineteen, is hereby amended to read as follows:

§ 153. *Regulation governing allowances.* The following provisions shall govern the granting of allowances pursuant to this article:

1. A board of child welfare may, *in its discretion*, when funds have been appropriated therefor, grant an allowance to any dependent widow or to any mother *whose husband* is an intimate of a state institution for the insane or *confined under a sentence of five years or more to a state prison*; provided such widow or mother reside in the county or city wherein she applies for an allowance and is deemed by the local board of child welfare to be a proper person mentally, morally and physically to care for and bring up such child or children, provided further such widow or mother has been a resident of the county or of the city wherein the application for an allowance is made for a period of two years immediately preceding the application and is a citizen of the United States or whose husband was a resident of the state for a period of two years immediately preceding his decease or commitment or whose child or children were born in the United States and who declared his intention to become a citizen of the United States within a period of five years immediately preceding his decease or commitment.

2. Such allowance shall be made by a majority vote of board duly entered upon the minutes of any regular or special meeting, and may be increased, diminished or totally withdrawn in the discretion of the local board of child welfare.

3. Before granting an allowance the board shall not only determine that the mother is a suitable person to bring up her own children and that aid is necessary to enable her to do so, but further that if such aid is not granted the child or children must be cared for in an institutional home.

4. Such an allowance or allowances shall not exceed the amount or amounts which it would be necessary to pay to an institutional home for the care of such widow's child or children.

5. An allowance granted by the board shall be paid out of moneys appropriated by the local authorities for such purposes, or otherwise available by the board for such purpose; such local authorities shall appropriate and make available for the board of child welfare and include in the tax levy for such county or city, such sum or sums, as in their judgment, may be necessary to carry out the provisions of this article; such moneys to be kept in a separate fund and to be disbursed by the proper county or city fiscal authorities on orders of the local board of child welfare and upon proper vouchers therefor.

6. An application for allowance ay be made directly to the local board of child welfare or to any member of the board.

7. A full and complete record shall be kept in every case coming either directly or indirectly within the jurisdiction of the board; such record to be available to the proper authorities of county or city interested therein.

8. An allowance made by the board shall not be for a longer continuous period than six months without renewal, which allowance may be continued from time to time at same or different amounts, for similar periods or less, either successively or intermittently or may be revoked at the pleasure of the local board of child welfare.

§ 4. Section one hundred and fifty-four of such chapter, as added by chapter two hundred and twenty-eight of the laws of nineteen hundred and fifteen and amended by chapter five hundred and fifty-one of the laws of nineteen hundred and seventeen, is hereby amended to read as follows:

§ 154. *Appropriations and limitations for purposes of article.* The board of supervisors of a county, and the board of estimate and apportionment and the board of aldermen of a city to which this article is applicable, shall annually appropriate and make available for the board of child welfare and include in the tax levy for such county or city such a sum as, in their discretion and judgment, may be needed to carry out the provisions of this article, including expenses for administration and relief, but should the sum so appropriated be expended or income exhausted, during the year and for the purposes for which it was appropriated, by reason of extraordinary and unanticipated emergencies or conditions, additional sums may be appropriated by such boards as occasion demands to carry out the provisions of this article, which, in cities, shall be paid from unexpended balances or contingent funds where such exist, but, where such do not exist, shall be raised by temporary loans on notes, certificates of indebtedness or other obligations and the amount necessary to pay such obligations shall be included in the next annual tax levy, and, in counties, such additional appropriations shall be paid from funds in the county treasury, but, should there be no such funds available therefor, the county treasurer shall borrow a sufficient sum to pay such appropriations in anticipation of taxes to be collected therefor; it is further provided that no board of child welfare shall expend or contract to expend under the provisions of this article or otherwise, any public moneys not specifically appropriated as herein provided; the board of supervisors of any county may determine, as provided in section one hundred and thirty-eight of the poor law, whether or not the actual expense for the relief of widowed mothers and their children under this article shall be a charge upon the county or upon the respective towns thereof. Each such board of child welfare shall, from time to time, audit and cause to be paid all expenses for administration and the wages and salaries of its employees.

§ 5. This act shall take effect July first, nineteen hundred and twenty.

STATE OF NEW YORK }
Office of the Secretary of State. } ss:

I have compared the preceding with the original law on file in this office, and do hereby certify that the same is a correct transcript therefrom and of the whole of said original law.

FRANCIS M. HUGO,
Secretary of State.