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An act to create an institute for the education of the mute and blind: provide for its support and management, and repeal all laws for the organization, management and maintenance of the institute for the education of mutes.

Colorado General Assembly

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CHAPTER LXVIII.

MUTE AND BLIND INSTITUTE.

AN ACT TO CREATE AN INSTITUTE FOR THE EDUCATION OF THE MUTE AND BLIND; PROVIDE FOR ITS SUPPORT AND MANAGEMENT, AND REPEAL ALL LAWS FOR THE ORGANIZATION, MANAGEMENT AND MAINTENANCE OF THE INSTITUTE FOR THE EDUCATION OF MUTES.

Be it enacted by the General Assembly of the State of Colorado:

1890. SECTION 1. That all of the existing laws providing for the organization, management and maintenance of the institute for the education of mutes of the state of Colorado, be and the same are hereby repealed. Repeal of laws concerning the institute for the education of mutes.

1891. SEC. 2. There shall be permanently maintained at the city of Colorado Springs, in the county of El Paso, an institution for the support and education of the mute and blind residing within the state of Colorado. Establishment of mute and blind institute.

1892. SEC. 3. Such institute shall be a body corporate, under the name of "institute for the education of the mute and blind;" may sue and be sued, may take and hold real estate by gift, devise or otherwise, for the use and benefit of such institute. Incorporation.

1893. SEC. 4. Said institution shall be under the supervision of a board of trustees, consisting of three persons, who shall be appointed by the governor, with the advice and consent of the senate. Said trustees shall hold office for two years, and until their successors are appointed and qualified. Appointment of trustees.

1894. SEC. 5. Said trustees shall meet at the city of Colorado Springs within one month from the date of their appointment, for the purpose of organization. They shall choose one of their number to act as president, another as treasurer, and a third as secretary of the board, any two of whom shall constitute a quorum for the transaction of business. Organization of board of trustees.

1895. SEC. 6. Each member of said board shall, before entering upon his duties, take and subscribe an oath to support the constitution of the United States and the state of Colorado, and faithfully discharge the duties required of him by the provisions of this act. The president shall preside over the meetings of the board when present; sign, Oath of members of the board; duties; bond of treasurer.

with the secretary, all orders on the treasurer, and perform such other duties as may be delegated to him by the board. The secretary shall keep a correct record of the proceedings of the board, and have charge of, in trust for the institution, all papers, records and accounts of the same, except such as are needed by the treasurer and officers of the institution, for their immediate use in the discharge of their duties; he shall also draw and sign, with the president, all orders on the treasurer. And the treasurer shall keep, and have charge of in trust, for said institution, all funds and immediate accounts of funds of the same. He shall pay, on order of the board, all accounts by them allowed, and shall quarterly certify to said board the receipts and disbursements by him made during the preceding quarter. Said treasurer shall be, and is hereby required, to give bonds to the state in the sum of twenty thousand dollars, with good and sufficient securities for the same, to be approved by the governor and attorney general, and filed in the office of the secretary of state. Upon the filing of said bond, as aforesaid, he shall be entitled to a certificate from the secretary of state, certifying that the same, as approved, has been filed in said office. Which certificate shall be filed in the office of the auditor of state, and no other or further certificate concerning said bond shall be required by the auditor, in issuing warrants, upon the presentation of drafts by the treasurer.

Certificate of secretary of state of filing of bond, sufficient authority to auditor of state in honoring drafts of treasurer.

Duties of the board in relation to the supervision of the institute.

1896. SEC. 7. Said board shall have the general supervision of the institute, adopt rules for the government thereof, employ officers and teachers, provide necessaries for the same, and perform all other acts essential to render it efficient, and carry out the purposes of its establishment. They shall meet quarterly and audit all accounts which may be presented to them, and require orders to be drawn and signed, on the treasurer, for all such accounts as are allowed. They shall examine all accounts of the treasurer, secretary, and officers of said institute, and shall make full and adequate provision for the support, regulation and government of the same, during the ensuing quarter. They shall have power to meet at any time, on call of the president, or of two of the members.

1897. SEC. 8. The members of said board shall each receive an annual salary of one hundred and fifty dollars, such salaries to be paid quarterly, out of the general fund provided by law for the support of said institute.

1898. SEC. 9. The officers of said institute shall be a principal of the educational department, superintendent of the domestic department, and matron. The principal of the educational department shall receive an annual salary, not exceeding fifteen hundred dollars. The superintendent of the domestic department, and matron, shall receive an annual salary, not exceeding six hundred dollars each.

1899. SEC. 10. The principal shall be a non-resident officer of the institute. He shall annually certify to the board, a written report, stating in full the true condition of the educational department of the institute of which he shall have control, and of his action and proceedings therein as such principal. He shall keep and have charge of the necessary records, register and accounts of said department, have supervision of its teachers and pupils, and perform such other duties in said department as the board may direct.

1900. SEC. 11. The superintendent of the domestic department shall be a resident officer of said institute. He shall quarterly certify a full and written report of all his expenditures, actions and proceedings as such officer. He shall have charge of such portion of the house as may be occupied by the male pupils exclusively. He shall have control of the expenditures, and secure and employ all assistants needed therein, with the consent and approval of the board. He shall have special charge and control of the male pupils out of school hours, and shall furnish them with, and instruct them in, employment about the premises or in some trade to which they are adapted. The products and proceeds arising from the labor and employments of all the pupils, shall inure to the use and benefit of the institute.

1901. SEC. 12. The matron of said institute shall also be a resident officer of the same. She shall quarterly certify a written report, in regard to the condition of all the pupils of the institute, stating in full her action and pro-

ceedings as such matron. She shall have control of the internal management of the house and of the female pupils of the school out of school hours, and shall instruct them in and about the house and the domestic department, or in some trade to which they are adapted.

Who may be admitted as pupils; what payments to be made by parents of those able.

1902. SEC. 13. Every blind or deaf and dumb citizen of the state, over four and under twenty-two years of age, shall be entitled to receive an education in said institute at the expense of the state. All applicants above the age of twenty-two years may be admitted at the option of the board: *Provided*, that the mute and the blind whose parents are able, shall pay into the treasury of said institute a reasonable sum quarterly, for the right to the privileges of the domestic department thereof; said sum to be determined by the board of trustees. Each county superintendent of common schools shall report on the first day of June in each year, to the president of the board of trustees of the institute for the education of the mute and blind, the name, age, and post office address of every blind and deaf and dumb person of suitable age for admission to said institute residing in his county, including all such persons as may be too deaf to acquire an education in the common school.

County superintendents of schools to report names of mute and blind.

Annual report by president of board of trustees: what to contain.

1903. SEC. 14. The president of the board of trustees shall, on or before the tenth day of December, in each year, make out and forward to the governor of the state, a full and complete report as follows, to wit:

First—A statement of the financial condition of the institute, from date of last report, giving in detail the amount of moneys received from all sources, and the amount expended.

Second—The value of the real estate at date of report, and costs of improvements made, if any, since last report.

Third—The number of pupils in attendance, also number that have entered the institute, and the number of those who may have left it since last report.

Fourth—The number of deaths, if any, that have occurred in the institute since last report.

Fifth—The improvement, health and discipline of the pupils.

Sixth—The number of officers and teachers employed, with the salary of each.

Seventh—All other needful information touching every point that may be deemed of interest to be communicated.

1904. SEC. 15. That immediately upon the appointment and organization of the board of trustees, as provided for in sections 4, 5 and 6, of this act, the present trustees of the institute for the education of mutes shall transfer to said board the entire control of said institute, together with any and all books, property and papers in their possession, belonging to, or in anywise connected with the same.

Transfer of institute for the education of mutes, books, property, etc.

1905. SEC. 16. There shall be levied and assessed upon all taxable property, both real and personal, within this state, in each year, the following tax for the support of said institute for the education of the mute and blind, one-fifth of one mill, on each and every dollar, to be known as the blind and mute tax; said tax to be assessed and collected in the same manner and at the same time as is now or may be prescribed by law, for the assessment and collection of state revenues. *Provided*, that all revenue over and above seven thousand dollars annually derived from said one-fifth of a mill shall be paid into the state treasury to the credit of the general fund, until such excess amounts to seven thousand dollars without interest.

Levy and collection of one-fifth mill blind and mute tax.

1906. SEC. 17. It shall be the duty of the county treasurers, in the several counties, to preserve the blind and mute fund, as a separate fund, and to transmit the same monthly to the treasurer of the state, who shall keep the same as the blind and mute fund, to be at the disposal of the board of trustees of the institute for the education of the mute and blind.

Payment of excess over seven thousand dollars into state treasury.

Transmission of mute and blind fund to state treasurer.

1907. SEC. 18. Whenever there shall be any money in the hands of the state treasurer to the credit of the blind and mute fund, the auditor of state is hereby authorized to draw his warrant upon the treasurer of the state in favor of the treasurer of said board of trustees of said institute, for the payment of such sums as said board shall deem necessary to meet the running expenses of the institute; and whenever the fund will warrant and the necessities of the institute require it, said board of trustees is authorized

Expenditure of mute and blind fund.

and empowered to make such necessary additions to the buildings of said institute as they may deem best; *provided*, that nothing herein shall be construed as authorizing or empowering said trustees to create any indebtedness on said institute beyond the means in the treasury to liquidate before the improvements are begun.

Payment of
treasurer's drafts
by auditor of
state.

1908. SEC. 19. The auditor of state shall draw his warrant in favor of the treasurer of said board, when the draft of said treasurer is accompanied by an order from the president, countersigned by the secretary of said board of trustees.

Application of
fund.

1909. SEC. 20. The fund created by section sixteen of this act, shall be applied exclusively to the objects and purposes mentioned in the various provisions of this act.

Period of service
of first board of
trustees.

1910. SEC. 21. The members of the first board of trustees herein provided for, shall be appointed by the governor immediately after this act takes effect, and said members shall hold their office as such trustees until the next regular meeting of the general assembly; and thereafter trustees shall be appointed in the manner hereinbefore provided.

Vesting of title
to property of
institute for the
education of
mutes.

1911. SEC. 22. This act shall not take effect unless the fee simple title to the real estate now occupied and controlled by the said "institute for the education of mutes," shall, within eighty days from the passage of this act, be vested in said last named institute, free of any condition of defeasance whatever. When the said title shall be so vested, it shall be the duty of the attorney-general to certify such fact in writing, to the state auditor, and the state auditor shall notify the county clerks of the several counties of this state of the same, in order that the tax herein provided for may be properly levied and assessed.

Transfer of prop-
erty of the insti-
tute for the edu-
cation of mutes
to trustees of
institute for edu-
cation of mute
and blind.

1912. SEC. 23. If the title to said property shall be vested as provided for in the preceding section, then the said "institute for the education of mutes," shall, as soon as the trustees herein provided for shall have been appointed and qualified, transfer and convey the said property by a good a sufficient deed of conveyance for such purpose, to the said trustees and their successors in office, to be held by such trustees, in trust for the use and benefit of the state

of Colorado; and said "institute for the education of mutes" shall also transfer and deliver to said trustees, all other property, both real and personal, belonging thereto.

Approved, March 15, 1877.

CHAPTER LXIX.

NOTARIES.

[Revised Statutes, Chapter LXIV.]

1913. SECTION 1. The governor shall appoint and commission in each county, as occasion may require, one or more notaries-public, who shall hold their office for four years unless sooner removed.

Appointment and term of notaries.

1914. SEC. 2. They may receive the proof or acknowledgment of all instruments of writing relating to commerce and navigation, receive and authenticate the acknowledgments of deeds and powers of attorney, make declarations and protests, and do all other acts usually done and performed by notaries-public in other states and territories, and certify the truth of all their official acts under their official seal.

Powers and duties.

1915. SEC. 3. Every notary public shall keep a fair record of his official acts, and if required, give a certified copy of any record in his office, upon the payment of the fees therefor.

Record of official acts.

1916. SEC. 4. If any notary die, resign, become disqualified or remove from his county, his record and the official and public papers of his office shall, within thirty days be delivered to the register of deeds of his county.

Delivery of official papers in case of death, resignation, etc.

1917. SEC. 5. The official acts of every notary shall be attested by his notarial seal, which shall, as heretofore, consist of an impression upon paper or wax, setting forth the name and residence of such notary.

Attestation of official acts by seal.

1918. SEC. 6. Every notary public, before entering upon the duties of his office shall take the oath of office prescribed by law, and shall give bonds to the state of Colorado, in the sum of five hundred dollars with good sureties, conditioned that he will faithfully perform the duties of his office; such bond shall be approved by the county

Oath and bond of notary.