

the guardianship of the House of Refuge. Second, white minors may be committed by the authority aforesaid, when complaint and due proof have been made that such minor is a proper subject for the guardianship of the House of Refuge, in consequence of vagrancy, or of incorrigible or vicious conduct, and that from the moral depravity or otherwise of the parent, guardian or next friend, in whose custody such minor may be, such parent, guardian or next friend is incapable or unwilling to exercise the proper care and discipline over such incorrigible or vicious minor. Third, such children as their parents, guardians or friends may desire to place therein for temporary restraint and discipline, and whose parents, guardians or friends shall agree and contract with the managers for their support and maintenance; and fourth, minors committed by the several courts in this State, as provided in this article: and the annual sum of ten thousand dollars, to commence on the tenth day of March, eighteen hundred and sixty-one, shall be appropriated out of any unappropriated moneys in the treasury for the aid and benefit of the House of Refuge for the period of two years.

19*. The Treasurer of the State shall, upon the warrant of the Comptroller, pay to the managers of the House of Refuge, or as they shall order and direct, the sum appropriated in the preceding section, in equal quarterly payments of twenty-five hundred dollars each.

20. It shall be the duty of the justice of the peace, when committing a vagrant or incorrigible or vicious minor under this article, in addition to the commitment, to annex the names and residences of the different witnesses examined before him, and the substance of the testimony given by them respectively, on which the adjudication was founded, and the same duty shall be performed by the clerk of any court, the judge whereof shall make such commitment.

21. Whenever any white minor under the age of sixteen years shall be convicted of any felony in any court of this State, the judge of said court in his discretion, and with reference to the character of the House of Refuge as a place of reform, and not of punishment, may order said minor so convicted to be removed to and confined in the said House of Refuge; *Provided*, that in all cases no transfer of any such minor from the counties shall be made until due notice has been given to the superintendent of said House of Refuge, and an answer received from him, that there is room in the House of Refuge for the reception of such delinquent.