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LAWS RELATING TO MOTHERS' PENSIONS IN THE UNITED STATES,
PASSED DURING THE YEARS 1920 TO 1923, INCLUSIVE.1

COMPILED BY LULU L. ECKMAN.

INTRODUCTORY NOTE.

In 1919 the Children's Bureau published a compilation of laws relating to mothers' pensions in the United States, Canada, Denmark, and New Zealand. (Publication No. 63.)

This compilation of amendments and new laws passed in the United States during the period 1920-1922, brings the history of this legislation down to date.

Since the issuance of the earlier publication 3 new States—Louisiana, North Carolina, and Rhode Island—have been added to the list of those having enacted legislation granting aid to mothers with dependent children, making the total now 42 States, together with Alaska and Hawaii. Thirty-five States and Alaska and Hawaii have amended their laws upon this subject, some of them materially; in 8 of these the law has been practically rewritten.

A chart of comparative legislation “Public Aid to Children in Their Own Homes—A Tabular Summary of State Laws in Effect November 1, 1922” (Children's Bureau Legal Chart No. 3, Washington, 1923), summarizes topically the legal provisions made by the various States up to 1923.

Studies which the Children's Bureau has made of the administration of these laws bring out the fact that the emphasis is increasingly being placed on adequate aid and on other forms of assistance that will safeguard the child's health, education, and opportunities for normal living.

The earlier familiar title for this form of aid, “mothers' pensions,” which is used in this publication, in accordance with the title of the report which it supplements, is becoming obsolete both in usage and in theory. The emphasis is being placed on providing home care for children, with a constantly broadening inclusion of the classes of children for whom grants for this purpose may be made.

Aid is being administered, not as a “pension” but in accordance with the methods of social case work, including thorough investigation of the needs and resources of each family, attention to the physical and mental condition of each member of the family, and such assistance as will promote the welfare of each child receiving this form of public aid.

1 For amendments and new laws passed in 1923, see pp. 61-69.
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LIST OF REFERENCES, BY STATES.

ARIZONA:
Laws 1921, chapter 53, page 92, sections 14-16 and section 21—
Providing for child-welfare boards and for allowances to widows and
deserted mothers or minor children in certain cases; repealing chap-
ter 70, Laws of 1917.

ARKANSAS:
Laws 1921, Act 615—
Amending section 8233 of Crawford & Moses Digest (being also Laws
1917, Act 326, section 12, as amended by Laws 1919, Act 489), in-
creases the number of counties to which mothers' pension act is
applicable.

CALIFORNIA:
Laws 1919, page 1542, resolutions, chapter 58—
Proposing to amend section 22 of article 4 of the constitution relating
to expenditure of public money in State aid. (Adopted at general
election held in November, 1920.)

Laws 1921, chapter 890—
Amending sections 2283, 2287, 2289, and 2290 of the Political Code,
providing for State aid for orphans, half orphans, abandoned chil-
dren, and the child or children of a father who is incapacitated for
gainful work by permanent physical disability or is suffering from
tuberculosis in such a stage that he can not pursue a gainful oc-
cupation.

CONNECTICUT:
Laws 1921, chapter 247—
Providing for the appointment of a State agent to administer the act
providing aid for widows having dependent children.

DELAWARE:
Laws 1921, chapter 183—
Amending chapter 88 of the Revised Statutes 1915 and its amend-
ments, by making provision for aid in the maintenance, support,
and education of children in certain cases.

HAWAI'I:
Laws 1921, Act 37—
Amending Laws of 1919, Act 129, relating to support of children of
indigent, widowed, or abandoned mothers, by amending the title
and section 7 and adding section 7A.

ILLINOIS:
Laws 1921, pages 162-164—
Amending sections 10, 11, and 16 and the title of the act of June 30,
1913, as amended, and repealing section 18a thereof.

INDIANA:
Laws 1920 (special session), chapter 9—
Amending act of March 11, 1919, concerning the compensation for care
and control of dependent and neglected children and legalizing
certain payments.

This list does not include 1923 legislation, which may be found on pp. 61-66.
IOWA:
Laws 1919, chapter 197—
Amending Supplement to the Code, 1913, section 254-420, relating to financial aid for widowed mothers and its revocation or modification.
Laws 1921, chapter 51—
Amending the same in re amount allowed for care of children.
Laws 1921, chapter 262—
Amending the same in re residence requirement.

KANSAS:
Laws 1921, chapter 153—
Amending Laws 1917, chapter 138, section 1 (being sec. 6424 of General Statutes 1915), for the relief of widows and dependent children.

LOUISIANA:
Laws 1920, Act No. 209—
Providing for mothers having children dependent upon them for support; prescribing conditions thereof, and providing penalties.

MAINE:
Laws 1919, chapter 171, section 49—
Changing the designation of State and municipal boards—now designated boards of mothers' aid.

MARYLAND:
Laws 1920, chapter 313—
Baltimore County, authorizing a tax to enable county commissioners to contribute to relief of women with dependent children without means of support.
Laws 1920, chapter 477—
Anne Arundel County, amending Laws 1916, chapter 670, by enacting two additional sections making the act applicable to Anne Arundel County.

MASSACHUSETTS:
Laws 1922, chapter 376—
Relative to aid to mothers of certain dependent children between 14 and 16 years of age, amending General Laws 1921, chapter 118, section 1 (being also Laws 1913, ch. 763, sec. 1).

MICHIGAN:
Laws 1921 (special session), No. 16—
Amending Compiled Laws 1915, section 2017, as amended by Laws 1921, No. 92.

MINNESOTA:
Laws 1921, chapter 316—
Amending Laws 1917, chapter 223, section 6, as amended by Laws 1919, chapter 333, and adding section 6a, to provide for the salaries of investigators of beneficiaries of widowed mothers' allowances.
Laws 1921, chapter 433—
Amending Laws 1917, chapter 223, section 1, as amended by Laws 1919, chapter 328, in regard to support of dependent children in their own homes and procedure for obtaining such support. Also repealing General Statute 1913, sections 7197, 7188, and 7199.

MISSOURI:
Laws 1921, pages 586-589—
Superintendent of public welfare in certain counties to administer allowances to needy mothers.
LIST OF REFERENCES, BY STATES.  

MONTANA:

Laws 1921, chapter 257—

Amending Laws 1917, chapter 83, sections 3, 4, and 7, adding section 74, and repealing Laws 1915, chapter 96, and Laws 1919, chapter 198.

NEVADA:

Laws 1921, chapter 107—

An act to provide under certain conditions for the partial support of mothers and their offspring, giving county commissioners and district courts jurisdiction thereof, and repealing all other acts in relation thereto.

NEW HAMPSHIRE:

Laws 1921, chapter 95, sections 8(13), 11(10), and 37-43—

An act to revise and codify the school law of the State, and providing aid for dependent mothers.

NEW JERSEY:

Laws 1921, chapter 48—

Amending act to promote home life for dependent children (Laws 1913, ch. 284, sec. 3, as amended by Laws 1915, ch. 238).

Laws 1921, chapter 159—

Amending same, section 3.

Laws 1922, chapter 165—

Amending same, section 1.

NEW YORK:

General Municipal Laws, article 7A, sections 148-155—

For the granting of allowances to certain mothers for their dependent children. (Being Laws 1915, ch. 228, as amended by Laws 1918, ch. 394; Laws 1917, ch. 351; Laws 1920, ch. 700, and ch. 739.)

Laws 1922, chapter 546—

Amending General Municipal Laws by adding article 7B, sections 156-158a. (Text not given; note only.)

OHIO:

Laws 1921, No. 91, page 70—

Amending General Code, section 1633-2, relating to mothers' pensions; who is entitled to allowance.

OKLAHOMA:

Laws 1921, chapter 19—

Amending Laws 1915, chapter 183, section 3, conditions under which allowance may be granted.

OREGON:

Laws 1921, chapter 262—

Amending section 3322, Oregon Laws (being Laws 1917, ch. 287, sec. 1).

PENNSYLVANIA:

Laws 1921, No. 425, page 1144, section 10 (a)—

Department of public welfare to administer assistance to mothers.

Laws 1921, No. 435, page 1175—

Amending Laws 1919, No. 354, Public Laws 893, sections 2, 13, and 14, in regard to State supervisor, classification of counties for distribution of appropriations, and acceptance of act and appropriations by counties.

Laws 1921, No. 438, page 1184—

Making an appropriation to carry act into effect.

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LIST OF REFERENCES, BY STATES.

RHODE ISLAND:
Laws 1922, chapter 2180, page 65—
Providing for the appointment of a director of mothers' aid to investigate the subject of giving aid to mothers with dependent children, and to prepare an estimate of the probable number of cases and expense of such aid; also making an appropriation for salary and expenses of director in making this investigation.

SOUTH DAKOTA:
Laws 1921, chapter 291—
Amending sections 10023, 10025, and 10030 of Revised Code of 1919 (being Laws 1913, ch. 275, secs. 1, 3, and 8, as amended by Laws 1917, ch. 300, and by Laws 1919, ch. 263).

TENNESSEE:
Public Acts 1921, No. 104—
Providing funds for the partial support of children of indigent mothers, prescribing conditions under which such funds shall be appropriated and the means for administering the law, and repealing all conflicting laws or parts of laws.

UTAH:
Laws 1919 (special session), chapter 12—
Amending Compiled Laws 1917, section 3950, as amended by Laws 1919, chapter 77, in regard to funds.

VERMONT:
Laws 1921, No. 218—
Amending General Laws 1917, section 7312 (being Laws 1917, No. 244, sec. 17).

VIRGINIA:
Laws 1922, chapter 488—
To provide, in certain cases, for the payment of allowances for the support of children in their own home; funds from which paid; repealing act of February 28, 1918, chapter 80.

WISCONSIN:
Laws 1921, chapter 86—
Amending subsection (6) of section 4833 of the statutes relating to mothers' pensions (the former number being sec. 5731).
TEXT OF LAWS.

Laws relating to mothers' pensions in the United States.
[Passed during the years 1920 to 1922, inclusive.]

ARIZONA.
[Laws 1921, ch. 53, p. 92.]

To prevent delinquency or dependency among minor children of this State by providing for child-welfare boards with certain powers and duties; by providing for allowances to widows and deserted mothers or minor children in certain cases; making appropriations for carrying out the provisions of the act; providing fines and penalties for falsely obtaining relief under the provisions of the act and for violations of its provisions; and repealing chapter 70, Session Laws of Arizona, 1917.

Be it enacted by the Legislature of the State of Arizona:

SEC. 14. Any widowed or abandoned mother of a child or children under sixteen years of age, who is unable to support, maintain, and educate her child or children, or any mother whose husband is permanently, either physically or mentally, unable to support, maintain, and educate such child or children, and who is without any property, which, in the judgment of the State child-welfare board could be disposed of toward the support of self and children, shall be deemed to be within the class of mothers described in this act.

SEC. 15. Upon receiving reports from the county child-welfare boards, or from the secretary, pertaining to any child or mother with children under the age of sixteen years who may be entitled to the benefits of the provisions of this act, it shall be the duty of the State board to make disposition of such cases upon the report so received, or the State board may make further investigations in such case. After final investigation if it appears to the board that the child or children or mother is entitled to the benefits of this act, it may: Place the child temporarily in some one of the nonsectarian benevolent institutions selected by the board for the care, maintenance, and support therein until further order of the board; or it may place such child in the home of some individual by the board found to be a suitable home of a proper person to have the care and custody of such child; in either of which case the board shall make an order that warrants be drawn in an amount as the board may direct, computed semimonthly and payable to the institution or person having the custody of such child, and which order shall be authority to the auditor of the State to continue to draw warrants in such amount semimonthly for such period as may be definitely fixed in the order, or until the order for such payment is revoked by action of the board.

SEC. 16. Upon receiving reports as to the necessity of any mother for support under the provisions of this act, the board may act upon such report first received, or may further investigate the necessity of each such case. If upon final investigation thereof the board is of the opinion that relief should be granted to the mother in any case, the board may make an order therein fixing an amount per month as the board may direct to be paid to the mother of one
child under sixteen years of age, with an additional amount per month as the board may direct for each additional child under such age; which order shall be authority to the State auditor to draw warrants for the amount therein specified for the period, if any therein specified, and if no such period is mentioned, the authority of such order is to continue until such time as the order is revoked by the State child-welfare board. No allowance shall be ordered for the relief to any mother who has not resided in the State of Arizona for at least one year immediately preceding the time of application for relief and who is [not?] a citizen of the United States; nor shall any such order for relief be made in any case except same shall be accompanied by the affidavit of the mother made by her as the basis for such an allowance, which affidavit shall show the specific facts as to her being a mother entitled to such allowance under the provisions of this act, and shall show such additional facts as the State child-welfare board may require to be stated as bearing upon the necessity of the case. Orders for relief shall be made with such duplications that the original order may be filed in the superior court of the county in which the child or mother is, another copy filed with the county child-welfare board of such county, another filed in the auditor of the State, and at least one copy retained for the records of the State child-welfare board.

Sec. 21. Chapter 70, Session Laws of Arizona, 1917, being "An act to provide for the establishment of local boards of child welfare empowered to grant relief to widowed mothers" be, and the same is hereby, repealed.

Approved March 7, 1921.
ARKANSAS.\(^3\)

[Laws 1921, Act 615.]

An Act To amend section 8233 of Crawford & Moses Digest of the Statutes of Arkansas, as to provide for the mothers' pension act to apply to Columbia, Hempstead,\(^4\) and Hot Spring Counties, Arkansas, and for other purposes.

Sec. 1. Amends section 8233, C. & M. Digest; penalty for unlawful procurement of pensions; certain counties exempted.

2. Laws in conflict repealed; emergency declared; effective after passage.

Sec. 1. Section 8233 of Crawford & Moses Digest of the Statutes of Arkansas is hereby amended to read as follows:

"Sec. 8233. Any person willfully procuring or attempting to procure any allowance for a person not entitled thereto shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not less than one hundred dollars, nor more than five hundred dollars, or by imprisonment in the county jail for a period of not less than thirty days, nor more than a year, or by both such fine and imprisonment, provided the following counties be exempted from the provisions of the bill: Lincoln, Izard, Nevada, Mississippi, Boone, Perry, Drew, Bradley, Lafayette, Cleveland, Dallas, Jefferson, Carroll, Washington, Howard, Lee, Monroe, Fulton, Miller, Stone, Crittenden, White, Union, Desha, Arkansas, and Hempstead." \(^4\)

Sec. 2. All laws and parts of laws in conflict herewith are hereby repealed, and this act being necessary for the immediate preservation of the public peace, health, and safety, an emergency is hereby declared to exist, and this act shall be and remain in full force and effect from and after its passage.

Approved March 29, 1921.

\(^3\) For 1923 legislation, see p. 64.

\(^4\) There is an inconsistency in the law as printed, in that Hempstead County is mentioned in the heading as one of the counties to which the mothers' pension law applies and is listed in the text as one of the counties exempt. There is no doubt, however, that it is exempt, since it is so listed not only in the 1921 but in the 1923 amendment.
CALIFORNIA. 5

[ Laws 1919, p. 1542, resolutions, ch. 58.]

Senate Constitutional Amendment No. 19.—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending section twenty-two of article four, relating to the expenditure of public money in State aid.

[Filed with secretary of state May 6, 1919.]

The Legislature of the State of California, at its forty-third regular session, commencing the sixth day of January, 1919, two-thirds of all the members elected to each of the two houses of said legislature voting in favor thereof, hereby proposes that section twenty-two of article four of the constitution of the State of California be amended to read as follows:

Sec. 22. No money shall be drawn from the treasury but in consequence of appropriations made by law, and upon warrants duly drawn thereon by the controller; and no money shall ever be appropriated or drawn from the State treasury for the purpose of benefit of any corporation, association, asylum, hospital, or any other institution not under the exclusive management and control of the State as a State institution, nor shall any grant or donation of property ever be made therefor by the State: Provided, That notwithstanding anything contained in this or any other section of the constitution, the legislature shall have the power to grant aid to the institutions conducted for the support and maintenance of minor orphans, or half orphans, or abandoned children, or children of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, or aged persons in indigent circumstances. Such aid to be granted by a uniform rule, and proportioned to the number of inmates of such respective institutions: Provided further, That the State shall have at any time the right to inquire into the management of such institutions: Provided further, That whenever any county, or city and county, or city, or town, shall provide for the support of minor orphans, or half orphans, or abandoned children, or children of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, or aged persons in indigent circumstances, such county, city and county, city, or town shall be entitled to receive the same pro rata appropriations as may be granted to such institutions under church or other control. An accurate statement of the receipts and expenditures of public moneys shall be attached to and published with the laws at every regular session of the legislature; * * *

Adopted at general election, November, 1920.

[Note.—A State department of finance, created by the legislature in 1921 (Laws 1921, ch. 603), succeeds to all the duties, powers, and responsibilities of the former State board of control.]

* For 1923 legislation, see p. 65.
MOTHERS’ PENSION LAWS IN THE UNITED STATES. 5

[Laws 1921, ch. 890.]

An Act To amend sections two thousand two hundred eighty-three, two thousand two hundred eighty-seven, and two thousand two hundred ninety of the Political Code, providing for State aid for orphans, half orphans, abandoned children, and the child or children of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation.

[Approved June 3, 1921. In effect September 1, 1921.]

Section 1. Section two thousand two hundred eighty-three of the Political Code is hereby amended to read as follows:

"2283. Appropriation—Orphan aid.—There is hereby appropriated, out of any money in the State treasury not otherwise appropriated, to each and every institution in this State conducted for the support and maintenance of needy minor orphans, half orphans, abandoned children, or the child or children of a father who is incapacitated for gainful work by permanent physical disability, or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, and to each and every county, city and county, city, or town maintaining such orphans, half orphans, abandoned children, or the child or children of a father who is incapacitated for gainful work by permanent physical disability, or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, or any or all of such classes of persons, aid not in excess of the sum of one hundred twenty dollars per annum for each such orphan, half orphan, abandoned child, or child of a father who is incapacitated for gainful work by permanent physical disability, or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, supported and maintained in such institution or by such county, city and county, city, or town; but each abandoned child maintained by an institution must have been an inmate thereof for one year prior to such institution receiving aid therefor, as provided in this chapter: Provided, however, That upon receiving such aid such institution shall also be entitled to reimbursement from the State for said year in a sum not in excess of one hundred twenty dollars per annum for each such abandoned child where proof of abandonment sufficient to demonstrate the genuineness of the claim is presented to the State board of control: Provided further, That, in addition to the amount paid by the State for each orphan, half orphan, abandoned child, or child of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, maintained in a private home or in an institution, the county, city and county, city, or town may pay for the support of such orphan, half orphan, abandoned child, or child of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, an amount equal to the sum paid by the State: And provided further, That in any case where any such orphan, half orphan, abandoned child, or child of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation is denied aid by the county, upon a petition setting forth the facts in full as to the necessity of aid, verified by five reputable citizens of the county, city and county, city, or town, the applicant in any such case shall have the right of appeal direct to the State board of control for aid for such child and should this appeal be sustained by said board, payment must be made for the child as above provided."
CALIFORNIA—Continued.

Sec. 2. Section two thousand two hundred eighty-seven of the Political Code is hereby amended to read as follows:

"2287. Audit of claims by State board of control.—Every claim for aid under this chapter must be presented to the State board of control for audit and approval. Such claim must contain:

1. The name and location of the institution making the claim, or the name of the county.
2. The name of the person or persons having charge or control of the institution or of the child.
3. The number of orphans, half orphans, abandoned children, or children of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he cannot pursue a gainful occupation, therein, in the case of an institution.
4. The amount, if any, that the institution is receiving for the specific support of any orphan, half orphan, abandoned child, or child of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he cannot pursue a gainful occupation, therein. Such claim, and the statements therein contained, must be verified by the person or persons, or some of them, in charge of such institution, or in the case of counties, by the county officers in charge of the distribution of aid, and the State board of control may, in its discretion, require the production of the books of such institution or county in support of such claim."

Sec. 3. Section two thousand two hundred eighty-nine of the Political Code is hereby amended to read as follows:

"2289. Limitations on aid.—That no child over the age of sixteen years shall be deemed a minor orphan, half orphan, abandoned child, or child of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he cannot pursue a gainful occupation within the intent and meaning of this chapter.
2. That no child for whose specific support there is paid to any such institution the sum of twenty dollars or more per month shall be deemed a minor orphan, half orphan, abandoned child, or child of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he cannot pursue a gainful occupation within the intent and meaning of this chapter.
3. That no child maintained in an institution for whom a bona fide offer of a proper home has been made shall be considered eligible for further State aid. It is further provided, however, that no institution shall be required to surrender a child to any person of religious faith different from that of the child or the parents of the child.
4. That a child who has not resided in this State for a period of at least two years prior to the application for aid shall not be eligible to receive State aid unless such child is born in this State."

Sec. 4. Section two thousand two hundred ninety of the Political Code is hereby amended to read as follows:

"2290. Foundlings.—The provisions herein made for the support of orphans, half orphans, abandoned children, or children of a father who is incapacitated for gainful work by permanent physical disability, or is suffering from tuberculosis in such a stage that he cannot pursue a gainful occupation, shall be held to include foundlings and other dependent illegitimate infants who may..."
have been or shall become dependent upon any regularly established foundling asylum or county, without regard to the time in which such infants have been dependent upon such institution or county; and the relief herein provided shall be given for any fraction of a year, pro rata: And provided further, That for each abandoned or dependent illegitimate infant who now is or shall become dependent upon such foundling asylum or county, there shall be paid by the State the sum of fifteen dollars per month from the time it becomes dependent upon such institution or county until such infant's decease, or until it is adopted or reaches the age of two years, after which age such institution or county shall receive the same sum for such infants as for full orphans."

Sec. 5. This act becomes effective September first, one thousand nine hundred twenty-one.
CONNECTICUT.6

[Laws 1921, ch. 247.]

An act providing for the appointment of a State agent to administer the provisions of
an act providing aid for widows having dependent children and an act concerning State
paupers and indigent persons.

Be it enacted by the Senate and House of Representatives in General Assembly
convened: Section 1. The treasurer shall, upon the passage of this act, appoint a State agent who shall hold office until July 1, 1921, and on or before
July 1, 1921, and biennially thereafter, the treasurer shall appoint a State agent
who shall hold office for two years and until his successor is appointed and
qualified. Said State agent shall administer the provisions of chapter 323 of
the Public Acts of 1919, entitled “An act providing aid for widows having
dependent children,” approved May 13, 1919, and shall exercise the authority
and discharge the duties conferred under the provisions of chapter 345 of the
Public Acts of 1919, entitled “An act concerning the administration of the laws
concerning State paupers and indigent persons,” approved May 21, 1919.

Sec. 2. This act shall take effect from its passage.

Approved June 1, 1921.

6 For 1923 legislation, see p. 68.
An Act To amend chapter 88 of the Revised Statutes of the State of Delaware, and
acts amendatory thereof, by making provision for aid in the maintenance, support,
and education of children in certain cases.

That chapter 88 of the Revised Statutes of the State of Delaware be, and
the same is hereby, amended by repealing section 11A of said chapter, being
code section 3071A, and inserting in lieu thereof the following, namely:

3071A. Section 11A. The administration of this section shall lie in the
hands of a mothers' pension commission. Said commission shall consist of
nine women, three from each county, who shall serve without pay, except for
traveling and administrative expenses. During the month of June, nineteen
hundred and seventeen, the governor shall appoint said commission as follows:

One from each county for a term of one year, one from each county for a
term of two years, and one from each county for a term of three years. The
term of office, after the first appointments made hereunder, shall be for three
years; and annually, during the month of June, the governor shall appoint
successors to fill the vacancies caused by the expirations of the terms of office.
In case of vacancy caused by death, resignation, refusal to serve, or otherwise,
the governor shall make appointments to fill such vacancy or vacancies for
the balance of the unexpired term: Provided, however, That not more than
three commissioners shall reside in any one county.

On petition by any trustee of the poor, by a member of the municipal council
of any incorporated city or town in this State, or by a friend or relative of the
mother falling within the class hereinafter specified, the Mothers' Pension
Commission of Delaware may make an order for aid in the maintenance, sup-
port, and education of the child or children of said mother as hereinafter
provided.

Any widowed or abandoned mother of a child or children under fourteen
years of age who is unable, without aid, to support, maintain, and educate such
child or children, or any mother of such child or children whose husband is
permanently, either physically or mentally, unable, without aid, to support,
maintain, and educate such child or children, or any mother of such child or
children whose husband has been sentenced to a term in prison of not less
than six months, and who is unable, without aid, to support, maintain, and
educate such child or children, shall be deemed to be within the class described
by this section. The term "mother" as used in this section shall include any
woman standing in loco parentis to any child or children under fourteen
years of age.

Upon the filing of any petition as aforesaid, stating the facts and circum-
stances relative to the financial condition of any such mother, and praying the
said Mothers' Pension Commission to make an order as aforesaid, the said
Mothers' Pension Commission shall report the case to the members of the com-
mision of the county wherein the mother resides; and within thirty days of
the receipt of such notice, the members of the commission of the county shall make or cause to be made, by a trained woman investigator, an investigation as to the following points:

(a) That the applicant for aid is a widowed or abandoned mother of a child or children under fourteen years of age, or a mother of such child or children: whose husband has been sentenced to a term in prison of not less than six months, and that she is, in either such case, unable without aid to support, maintain, and educate such child or children: or that the applicant is a mother of such child or children, whose husband is physically or mentally unable without aid to maintain, support, and educate such child or children.

(b) That the mother is fit to bring up her child or children.

(c) That aid is necessary to enable her to bring up her child or children and to maintain a suitable home for them.

(d) That the child, or children, if physically and mentally able, attend school and have a satisfactory record from the teacher.

(e) That the mother has been a continuous resident for a period of three years of the State.

If the Mothers' Pension Commission, upon receipt of the written report of the investigation, shall deem it for the best interests of the family that the mother receive aid, the said Mothers' Pension Commission shall pay to the mother, or to such person as the Mothers' Pension Commission may designate, such sum as the said Mothers' Pension Commission shall deem proper to be used in aid of the maintenance, support, and education of such child or children, such payments to continue during such time as the said Mothers' Pension Commission shall specify: Provided: That no payment shall be made for the support of any child beyond the time when the law will permit the child to secure a general employment certificate. Such payments shall, in no case, exceed twelve dollars ($12) a month for a single child and eight dollars ($8) for each additional child in the same family, except for a limited period in case of sickness, or in case of some unusual condition requiring an increase thereof. The said Mothers' Pension Commission may, at the recommendation of the members of the commission of the county, vary the term of such payments by directing the furnishing of food, clothing, or supplies, instead of the payment of money to the person aforesaid for the use and benefit of such child or children.

After the award of aid, the members of the commission of the county shall cause the family to be visited at least once in two months to see that the mother is properly caring for the child or children; that they are sufficiently clothed and fed; that they attend school regularly; and that they are receiving religious instruction.

The members of the commission of the county shall make a report each three months to the mothers' pension commission, which shall show:

(a) The number of families receiving aid.

(b) The number of visits made to each family, together with the number of children in each family, the number receiving aid, the amount paid for each child, and, in each case, a recommendation with regard to the continuance of aid and any other information the said commission may desire.

It shall be the duty of the mothers' pension commission to make a report each three months to the levy court of each county of all warrants drawn under this section on said county treasurer during the preceding three months.

The amount paid to a beneficiary under this section shall be on a warrant drawn by the mothers' pension commission or authorized agent thereof on the county treasurer of the county in which such beneficiary resides. And the said
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ty treasurer is hereby authorized and directed to pay the said warrants on
the approval of the comptroller of said county out of any moneys he may have
belonging to said county not otherwise appropriated.

The traveling and administrative expenses of the mothers' pension commis-
sion shall be paid on warrants drawn by the mothers' pension commission, or
authorized agent thereof, on the State treasurer, and the said State treasurer
is hereby authorized and directed to pay said warrants on the approval of the
State auditor from any moneys he may have belonging to the State and not
otherwise appropriated: Provided, however, That the total amount of the travel-
ing and administrative expenses of the said mothers' pension commission shall
not exceed five thousand dollars ($5,000.00) in any one year.

On the first day of every calendar month hereafter the county treasurer of
each county shall certify under oath, in duplicate, to the secretary of the State,
and to the State treasurer, the amount paid out by such county during the pre-
ceding month under this section, and the State treasurer thereon shall pay to
the county treasurer of the said county a sum equal to one-half of the
amount paid out by such county: Provided, however, That the amount paid by
the State in any one year shall not exceed the sum of twelve thousand dollars
($12,000.00) to New Castle County, of five thousand dollars ($5,000.00) to Kent
County, and of eight thousand dollars ($8,000.00) to Sussex County.

That for the purpose of this section the sum of thirty thousand dollars
($30,000.00) shall be deemed and taken to be appropriated annually, beginning
with the year nineteen twenty-one, out of any moneys in the State treasury
not otherwise appropriated.

Approved April 14, A. D. 1921.
HAWAII.

[ Laws 1921. Act 37. ]

An Act To amend Act 129 of the Session Laws of 1919, relating to the support of children of indigent, widowed, or abandoned mothers, and providing for local boards to administer such support, by amending the title thereto, by amending section 7 thereof, and by adding thereto a new section to be known as section 7A.

Be it enacted by the Legislature of the Territory of Hawaii: Section 1. The title of Act 129 of the Session Laws of 1919 is hereby amended to read as follows:

"An act to provide for the support of indigent pregnant women, of indigent children whose mother and/or father are deceased, and of children of indigent, widowed, or abandoned mothers, and providing for local boards to administer such support."

Sec. 2. The first paragraph of section 7 of Act 129 of the Session Laws of 1919 is hereby amended to read as follows:

"Sec. 7. A board of child welfare may in its discretion grant an allowance to any indigent pregnant woman, or to indigent children whose mother and/or father are deceased, or to any mother of one or more children who is a widow, or unmarried, or deserted by her husband, or whose husband is an inmate of a territorial or other institution, or who for any reason satisfactory to the board is unable to procure or provide sufficient support for her children, providing the said woman, children, or mother is or are resident in the county or city and county where the application is made and has or have been so resident in such county or city and county for a period of one year immediately preceding the application. Such allowance shall be made by a majority of votes of the board and may be increased, diminished, or totally withdrawn in the discretion of the board. Before granting an allowance under the provisions hereof, the said board shall first determine that any such pregnant woman, making application for relief hereunder, is actually in need of such relief either before or after the birth of her child and may administer such relief for such a period of time prior and subsequent to such birth and to such an extent as it shall deem advisable under the circumstances in each case; the said board shall also determine in all cases where the application is made by or on behalf of children whose mother and/or father are deceased that such relief is actually necessary and that the home life and surroundings of such children are such as to make it reasonably certain that the said children will be the sole beneficiaries of the relief given; that the said board shall also before granting any such allowance determine that the mother or person having the care and custody of such child or children is a suitable person to bring up the said children, and that the granting of such allowance is necessary to enable such person to properly do so."

Sec. 3. Act 129 of the Session Laws of 1919 is hereby amended by adding thereto a new section to be known as section 7A, and to read as follows:

"Sec. 7A. A board of child welfare may, with the approval of the board of supervisors of the county or city and county, employ a trained worker or nurse
whose duty it shall be to assist the board in all matters pertaining to the administering of this act and to instruct, counsel, and aid all persons who may make application for relief hereunder. Any trained worker or nurse appointed pursuant to the provisions of this act shall be paid such salary as the board of supervisors of the county or city and county may determine."

Sec. 4. This act shall take effect upon its approval.

Approved this 30th day of March, A. D. 1921.
ILLINOIS:

[Laws 1921, pp. 162-164.]

AID TO MOTHERS AND CHILDREN.

Sec. 1. Amends sections 10, 11, and 16 and the title of Act of 1921 and to repeal section 18a thereof.
10. Amount of allowance.
11. Conditions upon which relief is granted.
2. Repeals section 18a.
3. Amends title.

[House bill No. 847. Approved June 29, 1921.]

An Act To amend sections 10, 11, and 16 and the title of "An act to provide for the partial support of mothers whose husbands are dead or have become permanently incapacitated for work by reason of physical or mental infirmity when such mothers have children under fourteen years of age, and are residents of the county in which application for relief is made; and, also, to provide for the probationary visitation, care, and supervision of the family for whose benefit such support is provided," approved June 30, 1913, in force July 1, 1913, as amended, and to repeal section 18a thereof.

SECTION 1. Be it enacted by the people of the State of Illinois, represented in the General Assembly, Sections 10, 11, and 16 of "An act to provide for the partial support of mothers whose husbands are dead or have become permanently incapacitated for work by reason of physical or mental infirmity when such mothers have children under fourteen years of age, and are residents of the county in which application for relief is made; and, also, to provide for the probationary visitation, care, and supervision of the family for whose benefit such support is provided," approved June 30, 1913, in force July 1, 1913, as amended, are amended to read as follows:

"Sec. 10. The allowance made to such mother when she has but one child under the age of fourteen years shall not exceed fifteen dollars per month in counties having less than 300,000 population and shall not exceed twenty-five dollars per month in counties having more than 300,000 population. If such mother has more than one child under this age, the allowance to her may be such an amount as the court deems sufficient under the particular circumstances of the case, but in no event shall the relief granted to her and her children exceed the sum of ten dollars per month for each additional child in counties of less than 300,000 population and the sum of fifteen dollars per month for each additional child in counties of over 300,000 population.

"Sec. 11. Such relief shall be granted by the court only upon the following conditions:

"(1) The child or children for whose benefit the relief is granted must be living with the mother of such child or children; (2) the court must find that it is for the welfare of such child or children to remain at home with the mother; (3) the relief shall be granted only when in the absence of such relief the mother would be required to work regularly away from her home and children, or when in the absence of such relief it would be necessary to commit

* For 1933 legislation, see p. 74.

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such child or children to a dependent institution and when by means of such relief she will be able to remain at home with her children, except that she may be absent for work a definite number of days each week to be specified in the court's order, when such work can be done by her without the sacrifice of health or the neglect of home and children; (4) such mother must, in the judgment of the court, be a proper person, physically, mentally and morally fit, to have the care and custody of her children; (5) the relief granted shall, in the judgment of the court, be necessary to save the child or children from neglect; (6) a mother shall not receive such relief who is the owner of real property or personal property other than the household goods, but no mother who shall be the owner of personal property, or the holder of, or entitled to, a homestead under the exemption laws of this State, or who is the holder of, or entitled to a lower right in real estate, provided the fair cash market value of her net interest in said real estate or personal property, over and above all encumbrances thereon, is not worth more than one thousand ($1,000) dollars, shall be denied relief under the provisions of this act; (7) a mother shall not receive such relief who has not resided in the county where the application is made at least three years next before making such application; (8) a mother shall not receive such relief if her child or children has or have relatives of sufficient ability, and who shall be obligated by the finding and judgment of the court by competent jurisdiction, to support them.

"Sec. 16. The county board in each county shall levy a tax of not to exceed two-thirds of one mill on the dollar annually on all taxable property in the county, in counties having a population of not more than 300,000 inhabitants, and not to exceed four-tenths of a mill annually on all taxable property in the county, in counties having a population of over 300,000 inhabitants, such tax to be levied and collected in like manner with the general taxes of such county, and to be known as a Mothers' Pension Fund; which said tax shall be in addition to all other taxes which such county is now or hereafter may be authorized to levy on the aggregate valuation of all property within such county, and the county clerk, in reducing tax levies under the provisions of section 2 of "An act concerning the levy and extension of taxes," approved May 9, 1901, in force July 1, 1901, as amended, shall not consider the tax for said Mothers Pension Fund, authorized by this act, as a part of the general tax levy for county purposes, and shall not include the same in the limitation of two percent of the assessed valuation upon which taxes are required to be extended."

Sec. 2. Section 16a of said act is repealed.

Sec. 3. The title of said act is amended to read as follows:

"An act to provide for the partial support of mothers, and for the probationary visitation, care, and supervision of the family for whose benefit such support is provided."

Approved June 20, 1921.
INDIANA.  
[ Laws 1920 (special session), ch. 9. ]

[An Act To amend section one (1) of an act entitled “An act concerning the compensation for the care and control of dependent and neglected children and legalizing certain payments,” approved March 11, 1919.]
[§ 375. Approved July 21, 1920.]

COMPENSATION FOR CARE OF DEPENDENT AND NEGLECTED CHILDREN.

SECTION 1. Be it enacted by the General Assembly of the State of Indiana, That section 1 of the above-entitled act be amended to read as follows:

"SECTION 1. That the compensation allowed for the care of dependent and neglected children made wards by order of the juvenile court shall be not to exceed seventy-five cents ($0.75) a day for each child, and such compensation shall be made upon the same condition now provided for. In the case of the death of such wards a reasonable sum shall be allowed for funeral expenses. All payments heretofore made at the rate of compensation provided for in this act are hereby legalized.

"The county council shall appropriate and the county commissioners shall allow the funds necessary to carry into effect the provisions of this act."

SEC. 3. Emergency.—Whereas an emergency exists for the immediate taking effect of this act, the same shall be in force from and after its passage.

§ For 1923 legislation, see p. 75.
IOWA.10

[ Laws 1919, ch. 107. ]

FINANCIAL AID FOR WIDOWED MOTHERS.

An Act To amend the law as it appears in section two hundred and fifty-four—a twenty (254—a20), Supplement to the Code, 1913, relating to financial aid for widowed mothers.

Be it enacted by the General Assembly of the State of Iowa: Section 1. Widowed mothers—Allowances—Objections—Hearing—Revocation, etc.—That the law as it appears in section two hundred fifty-four—a twenty (254—a20), Supplement to the Code, 1913, be, and the same is hereby, amended by striking the period, following the word “years” in line twenty-one of said section, and by inserting in lieu thereof a semicolon (;), and by adding after such semicolon the following:

“...and provided further, That at any time after such allowance is made the overseer of the poor, or the board of supervisors, may make objections to the continuance of such allowance. When such objection is made the court or judge thereof shall fix a time for hearing and order that notice be given to the person receiving the allowance and at the time fixed the court or judge shall summarily hear and determine the objections made, and may revoke or modify the order for allowance theretofore made and make such further order as shall be just and proper in the premises,”

Approved March 28, A. D. 1919.

[ Laws 1921, ch. 54. ]

An Act To amend section two hundred fifty-four—a twenty (254—a20), Supplement to the Code, 1913 (C. C., sec. 2104), relating to the amount allowed a widowed mother for the care of her children.

Section 1. Financial aid.—That section two hundred fifty-four—a twenty (254—a20), Supplement to the Code, 1913 (C. C., sec. 2104), be, and the same is hereby, amended by striking out the word “two” as appears in the twenty-first (21st) line of said section and inserting in lieu thereof the word “three.”

Approved March 18, A. D. 1921.

[ Laws 1921, ch. 252. ]

An Act To amend the law as it appears in section two hundred fifty-four—a twenty (254—a20), Supplement to the Code, 1913 (C. C., sec. 2104), relating to financial aid for widowed mothers.

Section 1. Residence required.—That section two hundred fifty-four—a twenty (254—a20), Supplement to the Code, 1913 (C. C., sec. 2104), be, and the same is hereby, amended by inserting after the word “widow” in the tenth (10th) line of said section the following words: “and a resident of the county where aid is applied for.”

Approved April 14, A. D. 1921.

10 For 1923 legislation and the law as now in effect, see pp. 76-77.
KANSAS.

[Added. Laws 1921, ch. 153.]

RELATING TO PENSIONS FOR DEPENDENT MOTHERS AND CHILDREN.

An Act To amend section 1 of chapter 138 of the Laws of 1917, entitled "An act to amend chapter 29 of the Session Laws of 1915, the same being an act to amend section 6824 (6824) of the General Statutes of 1915 relating to the poor, for the relief of widows and dependent children," and to repeal said original section 1.

SECTION 1. That section 1 of chapter 138 of the Laws of Kansas of 1917, known as section 6824 of the General Statutes of 1915, be amended so as to read as follows:

"Section 1. That section 6824 of the General Statutes of 1915 be amended so as to read as follows:

"Sec. 6824. That the board of county commissioners may in their discretion allow and pay to poor persons who otherwise would become chargeable wholly or in part upon the county and who are of mature years and sound mind, and who from their general character will probably be benefited thereby; and they are hereby authorized to allow and pay to parents of idiots or of other children otherwise helpless and requiring the attention of their parents, where the parents are unable themselves to provide for said idiots or other children, and where such idiots or other children would otherwise become chargeable in whole or in part upon the county, such annual allowance as will not exceed the charge of the maintenance of such persons, idiots, or other children, by the county in the ordinary mode, the said board taking the usual amount of charges in like cases as the rule for making such allowance: Provided, That in any case where the mother of any child or children under the age of fourteen (14) years shall have the sole care and custody of such child or children by reason of such mother being a widow, divorced, or by reason of the husband of such mother being physically or mentally unable to earn a living for himself and family, or by reason of his being lawfully confined in any penal or other State institution, or by reason of the husband of such mother having at all times for three months last past abandoned or deserted such mother without just cause or collusion, and where such mother has been an actual bona fide resident of the State two years; and the county for one year preceding her application, and where such mother is a provident woman of good moral character, and a fit person to have the care and custody of such child or children, and is financially unable to support such child or children, and where such child or children have not sufficient property or income to support such child or children, such mother shall be entitled to a "mother's aid" in caring for and supporting such child or children from the county in which she is a resident at the time she makes application; and in all such cases it shall be the duty of the county commissioners to pay to such mother, by way of allowance or pension, such sum monthly as may be reasonably necessary to support such mother and child or children, not to exceed the charge of maintenance in the ordinary mode, which may be increased or diminished from time to time as may be necessary, just, and reasonable: Provided, That the total sum allowed to any one mother com-
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ing under the provisions of this act shall not exceed the sum of fifty dollars ($50) per month: Provided further, That before such allowance or pension shall be granted as set forth in the foregoing proviso it shall be the duty of such mother to file in the office of the county clerk of the county in which she is an actual and bona fide resident at the time, as hereinafter provided, an application for a mother's aid for caring for and supporting such child or children and setting forth in such application that she is an actual bona fide resident of such county, that she has been at all times for one year last past, and that she is the mother of such child or children, and setting out a list of her property and that of such child or children, together with the amount of income therefrom, and stating that she is financially unable to support and educate such child or children, and stating that she is a widow, or that her husband has abandoned her, and stating the date of abandonment, or that the husband is mentally or physically unable to earn a living for himself and family, or that the husband is confined in one of the State institutions, naming it, which application shall be duly verified by the applicant and supported by the affidavit of two disinterested householders of the township or city in which such mother is a resident, setting forth the same facts and that the mother is a woman of good moral character and a fit person to have the care and custody of such child or children, and thereupon and before granting any such allowance or pension provided for in this act the board of county commissioners shall refer the said petition to the county board of public welfare, if there be such a board, or if there be no county board of public welfare, the board of county commissioners shall name and designate three reputable women, in no way related to such applicant, residing in the township or city where such applicant resides, who are willing to serve without compensation, and said board of county welfare through its county superintendent of public welfare or said committee of three women shall investigate and reinvestigate such applicant at least every six months and report in writing to said board of county commissioners, under such rules and regulations as the board may prescribe or require. And after a full investigation if said board of county commissioners shall find that unless relief is granted the mother will be unable to properly support and educate her child or children, or that they may become a public charge, and that the statements alleged in the application are true, it shall make an order finding and determining such facts and thereby and therein fixing and determining the amount of money which it deems necessary for the county to contribute toward the support of such mother, child, or children, and that such sums of money or so much thereof as the board of county commissioners deem necessary and proper shall be paid to such mother for said child or children as directed and prescribed by the board of county commissioners: Provided, That any such payment of money may be increased temporarily by the board of county commissioners in case of sickness or unusual condition, and decreased in like manner, or terminated, when deemed unnecessary: Provided further, That the board may, in its discretion, order the amount of aid to be given in supplies instead of money."

Sec. 2. That section 6824 of the General Statutes of 1915 is hereby repealed.

Sec. 3. That this act shall take effect and be in force from and after its publication in the statute book.

Approved March 14, 1921.
LOUISIANA.

[Laws 1920, Act No. 209.]

Providing for mothers having children dependent upon them for support; prescribing conditions thereof, and providing penalties.

SECTION 1. Be it enacted by the General Assembly of the State of Louisiana, That the Juvenile courts throughout the State, or the district courts in those parishes where there are no Juvenile courts, shall have original jurisdiction in all cases coming within the terms of this act.

Sec. 2. Be it further enacted, etc., That a woman whose husband has been permanently invalided; or is dead, if he had been a citizen of the State of Louisiana at the time of his death; or whose husband has been permanently incapacitated for work by reason of physical or mental infirmity, and who became so incapacitated while a resident of the State of Louisiana, or whose husband is imprisoned at hard labor, may file application for relief under this act, within the jurisdiction hereinafter provided: Provided, Such woman has had previous residence for one (1) year in the parish where such application is made, and is the mother of a child or children under sixteen (16) years of age.

Sec. 3. Be it further enacted, etc., That whenever application for relief is filed the court shall appoint a commission of three residents of the ward, including the police juror, or a probation officer of the court, as ex officio chairman, who shall visit the residence of the applicant and inquire into all of the facts, swearing witnesses under oath if deemed necessary: and after having reduced the result of such investigation to writing, together with the recommendations of the commission thereon, it shall be returned into court not less than fifteen days from the service of the order appointing such commission.

Sec. 4. Be it further enacted, etc., That the court shall make the return hereinafter provided for the basis of a decree, or at discretion shall summon the applicant to appear, with such witnesses as may be desirable, for further investigation and decree, and such decree shall determine the terms and mode of payment, and shall be directed to the parish treasurer, or parish treasurer and city treasurer, as the case may be; and a copy thereof shall be sufficient warrant for the parish and city treasurer to make payments therein prescribed. Each parish shall make appropriations therefor: Provided, That not exceeding two thousand ($2,000) dollars annually shall be appropriated by any parish having one representative, and not exceeding one thousand ($1,000) dollars for each additional representative: And provided further, That municipalities having a population exceeding five thousand (5,000) shall contribute an equal amount to that contributed by the parish, in all cases where the beneficiary resides in the municipality, and said municipality shall make appropriation therefor: Provided further, That in the city of New Orleans the full amount of the appropriations and payments required to comply with this act shall be made out of the city treasury, and appropriations shall be made accordingly.

Sec. 5. Be it further enacted, etc., That if the court be satisfied that the children are entitled to relief, the court may make an order upon the parish treasurer, or parish treasurer and city treasurer, as above prescribed, to pay to the mother of the child or children in whose behalf the petition was filed an amount of money necessary to enable such mother to properly care for such child or children, and which shall thereupon be paid by said parish or parish
and municipality (the city of New Orleans, in the Parish of Orleans) at such
time as the court may decree, and until the further order of the court, which
shall not be more than fifteen dollars per month for one child under the age of
sixteen (16); and shall not exceed ten dollars per month for each of the
other children under said age, provided that in no event shall the relief granted
for any one mother and children exceed the sum of fifty ($50) dollars per
month.

Sec. 6. Be it further enacted, etc., That such relief shall not be granted
by the court except on the following conditions: 1st, the child or children for
whose benefit the relief is sought must be living with the mother of such child
or children; 2nd, the court must find that it is for the welfare of such child or
children to remain at home with the mother; 3rd, the relief shall be granted
only when in the absence of such relief the mother would be required to work
regularly away from her home and children, or when, in the absence of such
relief, it would be necessary to commit such child or children to a dependency
institution and when by means of such relief she will be able to remain and
does remain at home with her child or children, except that she be absent for
work a definite number of days each week to be specified in the court's decree,
when such work can be done by her without sacrifice of health or the neglect
of home or children; 4th, such mother must be, in the judgment of the court,
a proper person, physically, mentally, and morally fit to bring up her children;
5th, the relief granted shall, in the judgment of the court, be necessary to save
the child or children from neglect; 6th, the mother shall not receive such re-

Sec. 7. Be it further enacted, etc., That whenever any child shall arrive at
the age of sixteen (16) years, any relief granted to the mother for such child
shall cease: Provided, however, That a child of sixteen (16) years or
over may be ill or incapacitated for work, the mother shall receive funds for his
or her care during such illness or incapacity, which shall cease on his or her
arriving at the age of eighteen (18), provided that the court may, in its
discretion, at any time before such child reaches the age of eighteen (18)
modify or vacate the order granting such relief to any mother or child; and,
in order to be fully advised, it shall be the duty of the police juror of the
ward, or of the probation officer under order of the court having jurisdiction,
to visit and supervise, under the direction of the court, all families receiving
relief, and to make reports of such investigations.

Sec. 8. Be it further enacted, etc., That any person or persons fraudulently
attempting to obtain or fraudulently obtaining any allowance for relief under
this act shall be deemed guilty of a misdemeanor, and on conviction thereof
shall be punished by a fine of not less than $25.00 nor more than $50.00 or by
imprisonment in the parish jail for a period of not less than three nor more
than six months.

Sec. 9. Be it further enacted, etc., Should the funds on hand be insufficient
to meet the demands of all applications for relief, the court shall select the
most needy families; and may modify any previous decrees allowing same.

Sec. 10. Be it further enacted, etc., That all laws or parts of laws inco-

gent or in conflict herewith be and the same are hereby repealed.

Approved July 8, 1920.
MAINE.

[LAWS 1919, ch. 171.]

An Act To amend sections 49, 50, 51, 53, 54, 55, 59, and 60, and to repeal section 62 of chapter 64 of the Revised Statutes, as amended by chapter 297 of the Public Laws of 1917, relating to the protection of children.

Be it enacted by the people of the State of Maine, as follows: Section 1. R. S., C. 64, ss. 49, 50, 51, 53, 54, 55, 59, and 69; 1917, C. 297; relating to protection of neglected children, amended. Sections 49, 50, 51, 53, 54, 55, 59, and 60 of chapter 64, Revised Statutes, as amended by chapter 297, Public Laws of 1917, are hereby amended to read as follows:

"Sec. 49. Designation of State and municipal boards changed.—The State Board of Mother's Aid, as now or hereafter constituted, under the provisions of chapter two hundred and twenty-two, Public Laws of nineteen hundred and seventeen, and any acts amendatory thereof, is hereby constituted a State board of children's guardians, hereinafter referred to as the State Board, and in each city, town, or plantation the municipal board of mother's aid, as provided for in said chapter two hundred and twenty-two, and acts amendatory thereof, is hereby constituted a municipal board of children's guardians, hereinafter referred to as the Municipal Board."

Approved April 4, 1919.

22
MARYLAND.

[Acts 1920, ch. 313.]

An Act To authorize the county commissioners of Baltimore County to contribute to the relief of women with dependent children without means of support in Baltimore County and to authorize a tax on the assessable property of Baltimore County therefor.

SECTION 1. Be it enacted by the General Assembly of Maryland, That the county commissioners of Baltimore County be, and they are hereby, authorized to contribute to the maintenance and support of women having dependent minor children without adequate means of support in such amount as they in their discretion deem proper.

SEC. 2. And be it further enacted, That the county commissioners of Baltimore County be, and they are hereby, authorized to levy a tax not to exceed one-half of one cent on the hundred dollars on the assessable property of Baltimore County for the purpose of securing funds to effect the purposes of this act.

Approved April 16, 1920.

[Acts 1920, ch. 477.]

An Act To amend chapter 670 of the Acts of 1916, providing for the partial support of mothers whose husbands are dead, when such mothers have children under the age of fourteen years, and also providing for the visitation, care, and supervision of such families for which relief is made, and for other matters connected therewith, so far as said act applies to Anne Arundel County, by enacting two additional sections, to be known as section 14 and section 15.

SECTION 1. Be it enacted by the General Assembly of Maryland, That two new sections be added to chapter 670 of the Acts of 1916, to be known as section 14 and section 15, and to read as follows:

"SEC. 14. And be it further enacted, That the provisions of this act, so far as they require the action of any court upon the applications mentioned herein, shall not apply in cases where such application is made to the county commissioners of Anne Arundel County, but said county commissioners shall have power to grant such applications and provide for the relief provided by this act, following all the conditions of this act, except those which provide for the action of any court, and after making, in addition, the investigation which the court is directed to make under this act.

"SEC. 15. And be it further enacted, That the action of the county commissioners of Anne Arundel County in heretofore granting relief under the provisions of this act is hereby ratified and confirmed, and the county commissioners of said county are authorized and directed to provide for the payment of the same and of such applications as shall be subsequently granted under this act as amended, and the county commissioners of said county are hereby authorized and directed to provide the funds necessary under this act by levying such sum annually as may be necessary or in any other way they shall determine: Provided, That the sum expended for this purpose shall not exceed five thousand dollars in any fiscal year, and in the event of there being applications in excess of this amount which meet the requirements of this act, the said county commissioners shall select those regarded as most meritorious and necessary so that the total shall not exceed the said sum of five thousand dollars."
Sec. 2. And be it further enacted, That this act is hereby declared to be an emergency law and necessary for the immediate preservation of the public health and safety, and the same being passed upon a yeas-and-nays vote supported by three-fifths of all the members elected to each of the two houses of the General Assembly, shall take effect upon the date of its passage.

Approved April 16, 1920.
MASSACHUSETTS.

[Laws 1922, ch. 376.]

An Act Relative to aid to mothers of certain dependent children between fourteen and sixteen years of age.

Be it enacted, etc., as follows: Section one of chapter one hundred and eighteen of the General Laws is hereby amended by inserting after the word "fourteen" in the second line the following: "or between the ages of fourteen and sixteen if and during the time when such children are required under section one of chapter seventy-six to attend a public day school," so as to read as follows:

"Section 1. This chapter shall apply to all mothers and their dependent children under the age of fourteen or between the ages of fourteen and sixteen if and during the time when such children are required under section one of chapter seventy-six to attend a public day school, whether or not they or any of them may have a settlement within the Commonwealth, who shall have resided therein not less than three years."

Approved May 2, 1922.

39197—24—3

25
MICHIGAN, 11

[Laws 1921 (special session), No. 16, amending Compiled Laws 1915, sec. 2017, as amended by Laws 1921, No. 92.]

Sec. 2017. Commitment to State institution, etc.—When any child under the age of seventeen years shall be found to be a dependent or neglected child within the meaning of this act, the court may make an order committing the child to the care of some suitable State institution, subject to the laws and regulations governing such institution, or to the care of some reputable citizen of good moral character, or to the care of some training school, or industrial school, as such provided by law, or to the care of some duly incorporated and licensed association willing to receive it, embracing in its object the purpose of caring for or obtaining homes for dependent or neglected children, which association shall have been approved by the State Board of Corrections and Charities; Provided, That if the mother of such dependent or neglected child is unmarried or divorced, or is a widow, or has been deserted by her husband, or if her husband has been declared insane or is feeble-minded, epileptic, paralytic, or blind and is confined in a State hospital or other State institution, or is the wife of an inmate of some State penal institution serving sentence therein for crime, or of an inmate of a hospital for the treatment of insane who is confined therein for the purpose of being treated for insanity or other diseased mental condition and such mother is poor and unable to properly care and provide for said child, but is otherwise a proper guardian, and it is for the welfare of such child to remain in the custody of its mother, the court after investigation and report by the county agent or probation officer of the county may enter an order finding such facts and fixing the amount of money necessary to enable the mother to properly care for such child, such amount not to exceed ten dollars per week and not less than two dollars per week in case said mother has but one child, with an additional sum of two dollars per week for each such additional child. Thereupon it shall be the duty of the county treasurer of the county of which such child is a resident to pay from the general fund of such county to such mother at such time as such order may designate, the amount so specified for the care of such dependent or neglected child until the further order of the court. Such order shall not require the approval of the board of supervisors or county auditor or auditors. The court shall, when the health or condition of the child shall require, cause the child to be placed in a public hospital or in an institution for treatment or special care, or in a private hospital or institution for special care or treatment, the expense to be paid from the general fund of the county of which the child is a resident.

Approved June 15, 1921.

11 For 1923 legislation, see p. 78.
MINNESOTA.\textsuperscript{12}

\textbf{An Act To amend section 6, chapter 223, Laws 1917, as amended by chapter 333, Laws 1919, to provide for the salaries of investigators of beneficiaries of widowed mothers' allowances.}

\textit{Be it enacted by the Legislature of the State of Minnesota: Section 1.}

\textbf{Official investigators.—}That section 6, chapter 223, Laws 1917, as amended by chapter 333, Laws 1919, be, and the same is hereby, amended so as to read as follows:

"Sec. 6. In counties having over 330,000 population the judge of the juvenile court may appoint one or more persons for the investigation of applications for allowances under this act, whose duty it shall be to visit the homes of the applicants and ascertain all the relevant facts and circumstances, including the facts specified in the preceding section, and make report in such form as the court may require. Each person so appointed shall receive such salary not exceeding $1,400 per annum as shall be fixed by a majority of the judges of the district court and approved by the county board. Such salary shall be paid in semimonthly installments out of the county treasury, together with all expenses certified by the judge to have been necessarily incurred by them in the performance of their duties.

"Sec. 6a. In counties having over 200,000 and not to exceed 330,000 population the judge of the juvenile court may appoint one or more persons for the investigation of applications for allowances under this act, whose duty it shall be to visit the homes of the applicants and ascertain all the relevant facts and circumstances, including the facts specified in the preceding section, and make report in such form as the court may require. Each person so appointed shall receive a salary of $1,300 per annum, to be paid in monthly installments out of the county treasury, together with all actual expenses certified by the judge to have been necessarily incurred by them in the performance of their duties; \textit{provided, however,} that the judge may designate by order one investigator to have general charge of the work of all persons so appointed, which person shall receive a salary of $1,560 per annum, together with necessary expenses, to be paid as aforesaid."

\textbf{Sec. 2. Effective May 1, 1921.—}This act shall take effect and be in force from and after May 1, 1921.

\textbf{An Act To amend section 1 of chapter 223, Laws 1917, as amended by chapter 328, Laws 1919, which said chapter 223, Laws 1917, is entitled "An act to provide for allowances out of county and State funds in certain cases for the support of dependent children in their own homes, and for investigation and supervision of such cases, and to repeal sections 7197, 7198, and 7199. General Statutes 1913."}

\textbf{SECTION 1. Support of dependent children in their own homes and procedure for obtaining same.—}That section 1 of chapter 223, Laws 1917, as amended by chapter 328, Laws 1919, be and the same is hereby amended so as to read as follows:

"Section 1. Whenever any child under the age of sixteen years who is not lawfully entitled to apply for and receive an employment certificate is found by

\textsuperscript{12} For 1923 legislation, see p. 80.
MINNESOTA—Continued.

juvenile court to be dependent the court shall, when requested so to do, and in the same proceeding, make its findings upon the following points:

"(a) Whether the mother of the child is a widow;

"(b) If her husband is living, whether he is an inmate of a penal institution under a sentence which will not terminate within three months after the date of such finding; or is an inmate of a State insane asylum or hospital, or of a State hospital for inebriates; or is unable to labor for the support of his family by reason of physical disabilities; or is and for one year has been under indictment for the crime of abandoning such child;

"(c) Whether the dependency of the child is due to the poverty of the mother without neglect, improvidence, or other fault on her part;

"(d) Whether the mother is otherwise a proper person to have the custody of the child;

"(e) Whether the welfare of the child will be observed by permitting him to remain in the custody of the mother, if adequate means of support shall be provided;

"(f) Whether mother is a citizen of the United States or whether she or her husband has made declaration of intention to become a citizen and has resided two years in the State and one year in the county.

"Upon the making and filing of findings that the mother is a widow or that support is not obtainable from her husband by reason of one of the alternatives specified in subdivision (b) together with findings in the affirmative upon the points specified in subdivisions (c), (d), (e), (f), the court shall further find, and order the payment of the sum of money which it deems necessary for the county to allow the mother in order to enable her to bring up the child properly in her own home, not exceeding twenty dollars per month for one child and not exceeding fifteen dollars per month for each additional child: Provided, however, That no allowance shall be made when the husband is under indictment for abandonment unless the court is satisfied that he is a fugitive from justice and that the mother has in good faith assisted and will continue to assist in all reasonable efforts to apprehend him.

"Before making the findings above specified, the court, in counties having a population of not more than 33,000, shall notify the county attorney of the county that an application has been made for the payment of an allowance. Such notice shall specify the name of the child and the name and address of the mother of such child and also specify the time and place when and where the court will hear the evidence relevant to the matters upon which the making of such findings depends. It shall be the duty of the county attorney to investigate the financial condition and status of such child or children and that of the mother and to appear at the time and place specified for such hearing and participate therein and present to the court such evidence or information as may be within his knowledge relevant to the matters on which the making of such findings depends."

Sec. 2. This act shall take effect and be in force from and after its passage. Approved April 23, 1921.
MISSOURI.

Public welfare, superintendent of.—Authorizing county courts in counties of less than fifty thousand to appoint superintendent and assistants.

An Act to authorize the county courts of the several counties having a population of less than fifty thousand to appoint a superintendent of public welfare and assistants thereto, prescribing the qualifications thereof and fixing the salary of such superintendent, and prescribing the powers and duties of such officers, and repealing conflicting acts and parts of acts.

Section 1. County court may appoint county superintendent of public welfare and assistants.—The county court in each county may in its discretion appoint a county superintendent of public welfare, and such assistants as it may deem necessary, whenever the county court of any county has appointed a superintendent of public welfare such officer shall assume all the powers and duties now conferred by law upon the probation or parole officer of such county and shall assume all the powers and duties of the attendance officer in said county and all the powers and duties of the attendance officer in any incorporated town or village having a population of more than one thousand inhabitants, and no other or different probation or parole officer or attendance officer or officers shall be appointed by the judge of the juvenile court, by the county superintendent of public schools, or by the school board or any incorporated city, town, or village school district or consolidated school district, providing, however, that the provision of this section shall not apply to counties which now have or which shall hereafter have a population of more than fifty thousand inhabitants.

Sec. 2. Compensation to be fixed by county court.—The county court shall fix the salary of the county superintendent of public welfare and of his assistants in its county.

Sec. 3. Shall administer funds devoted to outdoor relief and allowances to needy mothers.—It shall be the duty of the county superintendent of public welfare to administer all of the funds of the county devoted to outdoor relief and allowances to needy mothers. He shall seek to discover any cases of neglect, dependent, defective, or delinquent children in the county, and take all reasonable action in his power to secure for them the full benefit of the laws enacted for their benefit. Assistants to the county superintendents of public welfare shall perform such of the duties of the county superintendent of public welfare as he may assign to them.

Approved March 31, 1921.
MONTANA.

[ Laws 1921, ch. 257.]

An Act To amend sections 3, 4, and 7 of chapter 83 of the Session Laws of the Fifteenth Legislative Assembly of the State of Montana, entitled "An act relating to a mother's pension and for the care of dependent children in their own home by their mother, the father of said children being dead or an inmate of some Montana State institution or who has failed to provide for said children for a period of one year or more, or who is physically or mentally incapacitated, and whose mother is financially unable to support such children; providing a penalty for the violation thereof and repealing sections 1, 2, 3, 4, 5, 6, and 7 of chapter 86 of the Session Laws of the Fourteenth Legislative Assembly," and to add a new section thereto to be known as section 7a, relating to new trials and appeals, and repealing chapter 86 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana relating to financial aid in the care of dependent children, and repealing chapter 198 of the Session Laws of the Sixteenth Legislative Assembly of the State of Montana relating to mothers' pensions and the care of dependent children.

SECTION 1. Amending section 3, chapter 83, Laws of 1917.—That section 3 of chapter 83 of the Session Laws of the Fifteenth Legislative Assembly of the State of Montana be, and the same is hereby, amended to read as follows:

"Sec. 3. Mothers' pension—Condition of allowance.—The allowance herein referred to shall be made subject to the following conditions: (1) The child or children for whose benefit allowance is made must be living with the mother of such child or children; (2) the allowance shall be made only when in the absence of such allowance the mother is unable to properly provide and care for said child or children, without being required to work regularly away from her own home and children, provided that the mother may be at times absent for work with the consent of the Judge of the District Court, if he shall deem it for the best interests of said child or children; (3) the mother must, in the judgment of the court, be a proper person physically, mentally, and morally for the bringing up of her children; (4) such allowance shall, in the judgment of the court, be actually necessary for the support and maintenance of the child or children in the home; (5) no person shall receive the benefit of this act who is not a citizen of the United States or who has not declared her intention to become such citizen of the county in which said application is made for at least one year prior to the making of such application for such allowance; (6) the provisions of this act shall not apply in the case of any child who has property or its own sufficient for its support; (7) application shall be made by the mother to the county attorney, whose duty it shall be to prepare and file in the District Court of the county a petition, verified by the mother of such child or children, setting forth the facts above required and in addition thereto the age of residence of such child or children, the residence of the mother, and the financial conditions of such mother and child, or children; that upon the filing of such petition the court shall designate the Bureau of Child and Animal Protection of the State of Montana, the county probation officer, or some other responsible resident of the county wherein the mother resides to make a thorough investigation of all the facts of the case, and the court must make an order setting aside said petition for hearing before the court not less than fifteen (15) days, nor more than thirty (30) days from the filing thereof, and
may, in his discretion, require the clerk of the court to give notice of the hearing of such application by posting notice thereof in three conspicuous places in the county and by serving upon the probation officer of the county or such responsible resident of the county appointed by the court to make an investigation of the facts of the case a copy of said notice, together with a copy of said petition, and by mailing a copy of said notice to the chairman of the board of county commissioners at least ten (10) days before the date set for such hearing. That upon receiving said notice the probation officer of the county or such other responsible resident of the county appointed by the court to make an investigation of the facts of the case must make a thorough investigation of all the facts of the case and make and file with the court, at least five (5) days before the time set for such hearing, his findings and report thereon under oath, and must appear at the hearing of said application and testify in support of said findings and report if required. And it is hereby made the duty of the county attorney to appear at such hearing and conduct an investigation thereof of all the facts in the case, and it is also made his duty to subpoena and examine at said hearing any witnesses known to him whose testimony will aid or enlighten the court upon the facts to be investigated at such hearing. Any person having any knowledge of the facts may appear at said hearing and be examined under oath as to such facts; and any taxpayer may appear at said hearing and be examined under oath as to such facts; and any taxpayer may appear at such hearing and file objection to the allowance of the application, and may be heard upon such objection at said hearing at the time fixed therefor in said notice, or at any time to which said hearing may be continued; (8) every person receiving an allowance under this act shall every month file with the clerk of the District Court a report in writing, upon blanks to be supplied by the county, verified under oath, showing a detailed statement of all income of the family from whatever source for the preceding month, whether or not she has remarried, whether any of the children for whom she is receiving an allowance for support have died, or are not living with her, or are not being supported by her; her present place of residence, and the present place of residence of the children for whom she is receiving an allowance, whether any of such children have attained the age of (16) years or have acquired property sufficient for their support: Provided, however, That if such person receiving an allowance under this act lives more than five miles from the county seat, then said report need not be verified, but shall be sufficient if signed by the person receiving the allowance and two witnesses; (9) upon the receipt of the report as required by the provisions of the preceding subsection, the clerk of the District Court shall notify the board of county commissioners, who shall direct the monthly warrant to be drawn for the allowance, and no warrant shall be drawn until such notice has been received by the board of county commissioners; (10) it shall be the duty of the court to inspect the monthly report required by this act, and when it shall appear from such report that the beneficiary is no longer entitled to the allowance, said order of allowance shall be revoked and set aside for the court; (11) any taxpayer of the county may, at any time after the filing of the order of allowance, file in said court a petition, verified upon oath, setting forth facts showing that the order was fraudulently procured or that the conditions of allowance above named no longer exist, or that said report by the mother as above required has not been made, or if made, is false and fraudulent. If, in the opinion of the court, such petition is sufficient, the court shall cause a citation to issue to the mother of said child or children, fixing a time and place when and where she shall show cause why the order of allowance attacked should not be set aside."
MONTANA—Continued.

Sec. 3. Amending section 7, chapter 83, Laws of 1917.—That section 7 of chapter 83 of the Session Laws of the Fifteenth Legislative Assembly of the State of Montana be, and the same is hereby, amended to read as follows:

“Sec. 7. The penalty for fraud.—Anyone who has fraudulent made an application to receive the benefits of this act, or who files a false report or who misrepresents the names of the applicants, or the place of residence, or the names, ages, or necessities of the children in order to receive the benefit of said act, or who fraudulently aids or abets or assists any person or persons in making such fraudulent application shall be guilty of a misdemeanor and shall be subject to a fine of not less than twenty-five dollars ($25.00), nor more than five hundred dollars ($500.00), or imprisonment in the county jail for not more than six (6) months, or both.”

Sec. 4. That a new section be added after section 7 of chapter 83 of the Session Laws of the Fifteenth Legislative Assembly of the State of Montana, to be known as section 7A, as follows:

“Sec. 7A. New trials may be had and appeals may be taken to the Supreme Court from orders granting or refusing new trials, making or refusing allowances, revoking or refusing to revoke the order of allowance, in the same manner as provided for taking appeals from orders in probate proceedings.”

Sec. 5. That chapter 86 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana and chapter 198 of the Session Laws of the Sixteenth Legislative Assembly of the State of Montana and all laws in conflict herewith are hereby repealed.

Approved March 11, 1921.
NEVADA.

[ Laws 1921, ch. 107. ]

As Act To provide under certain conditions for the partial support of mothers and their offspring, giving county commissioners and district courts jurisdiction thereof, and repealing all other acts in relation thereto.

[Approved March 16, 1921.]

section 1. Mothers' pension—Children under 16.—It shall be the duty of the county commissioners in each county in this State, and they are hereby fully empowered and authorized, to provide funds in an amount sufficient to meet the purposes and requirements of this act, for the partial support of mothers who are dependent upon their own efforts for the maintenance of offspring under the age of sixteen years.

Sec. 2. Maximum pension.—Such partial support shall in no case exceed the sum of twenty-five dollars to a mother maintaining one child, nor the sum of forty dollars to a mother maintaining two children, nor the sum of fifty-five dollars to a mother maintaining more than two children; and in all cases where children of the age of sixteen years or over are living with such dependent mother or contributing toward her support, such matter must be considered by the commissioners in determining amount of support to which any mother is entitled.

Sec. 3. Unanimous vote necessary.—Such allowance for support shall be made and fixed only by unanimous vote of the board of county commissioners for its respective county, and with the recommendation of the district attorney, upon the following conditions:

First. That in the absence of such allowance a mother would be required to remain regularly away from her home and offspring, and that by means of such allowance she will be able to, and will, remain at home with her offspring, and save same from neglect, in the county in which application is made.

Second. That the mother is a fit and proper person, morally, physically, and mentally, to have the care, custody, and control of her offspring.

Third. That applicant is, at the time of making application, and has been for a period of at least two years prior thereto, a resident of the county in which said application is made.

Fourth. That the mother has not sufficient income from any source to properly care for her offspring without assistance from the county.

Fifth. That an affidavit is filed by the applicant setting forth fully all of the foregoing conditions.

Sec. 4. Whenever any child shall reach the age of sixteen years, any allowance made to the mother for the benefit of such child shall cease, but when any child, on reaching the age of sixteen years, shall be incapable of self-support on account of physical disability, the pension for the benefit of such child may be continued for such time as may be fixed by majority vote of the board of county commissioners.

Sec. 5. In each case where an allowance is made to any mother under the provisions of this act, an order to that effect shall be entered upon the records of the board making such allowance, and at any time thereafter it shall be the right of any tax-paying citizen, or of any member of said board, to file a
motion to set aside or modify such allowance. Upon such motion being filed, the county commissioners shall hear evidence and may, by majority vote, make a new order setting aside or modifying such allowance. And in each case where an allowance to any mother is made under the provisions of this act, or is refused, modified, or discontinued by the board of county commissioners, an appeal may be taken to the District Court from such decision, subject to such rules of procedure as are applicable to appeals from a justice court.

Sec. 6. All moneys given any person under the provisions of this act shall be exempt from attachment and execution.

Sec. 7. This act shall be liberally construed for the protection of the child, the home, and the State, and in the interest of public morals and for the prevention of poverty and crime.

Sec. 8. An act entitled "An act to provide for the partial support of mothers who are dependent upon their own efforts for the maintenance of their children, and giving county commissioners of the State of Nevada jurisdiction in such matters, and prescribing penalties for those who fraudulently obtain the benefit thereof," approved March 15, 1915, as amended by act approved February 10, 1917, and all other acts and parts of acts in conflict herewith are hereby repealed.

Sec. 9. This act shall become effective May 1, 1921.
NEW HAMPSHIRE.

[ Laws 1921, ch. 85.]

An Act To revise and codify the school laws of the State.

PART 1.

STATE ORGANIZATION.

(1) STATE BOARD OF EDUCATION.

SECTION 1. A board to be designated as the State board of education, consisting of five members, in addition to the governor as member ex officio, is hereby created. The members, not more than three of whom shall belong to the same political party, shall not be technical educators nor professionally engaged in school work, but public-spirited and interested citizens willing to serve the State without pay and to give the time necessary for an understanding of the educational needs of the State, and of the best way to supply them.

Sec. 8. The State board, through the commissioner of education, acting as the executive officer of the board, shall—

(13) Recommend a special appropriation at each session of the legislature sufficient to meet the requirements of the law in respect to furnishing aid to dependent mothers.

Sec. 11. All money appropriated by the legislature for the purposes enumerated in this section shall be used for the following purposes:

(10) For the aid of dependent mothers as provided in part 1 (f) of this act.

(f) AID FOR DEPENDENT MOTHERS.

Sec. 37. The allowance to each dependent mother shall not exceed ten dollars a month if she has but one child under the age of sixteen, and not more than five dollars a month for each of her other children under sixteen years of age.

Sec. 38. An applicant for aid shall file a petition under oath with the school board of the district in which she resides, asking for an allowance and setting forth in detail the facts on which she relies, and it shall be the duty of the school board to investigate the case immediately and make a recommendation of the amount of support she should receive and forward the same with a copy of her petition to the State board of education.

Sec. 39. It shall be the duty of the State board of education within fourteen days from the time when it receives the application to investigate the case if the facts stated in the application or the recommendations of the school board warrant any action being taken, and if on investigation it finds that she is entitled to relief to make her such allowance as is just. The State board may at any time thereafter increase or diminish the allowance, but no change in amount shall be made except as the result of an official examination made by the board within thirty days of the change or on the recommendation of the school board of the district in which she resides.
Sec. 40. No aid shall be given to a mother unless (1) the child or children are living with her; (2) she will be able to remain at home with her children if the allowance is made and without it will be compelled to work regularly away from home; (3) the mother, in the judgment of the school board or of the State board of education, is a proper person, morally, physically, and mentally to bring up her children; and (4) has been a resident of this state for at least two years before she applies for aid.

Sec. 41. When any child reaches the age of sixteen years the allowance for the benefit of the child shall cease.

Sec. 42. No woman who is not of good repute or who is not dependent on her own efforts for the support of herself and family or who is not making an earnest effort to support herself shall be entitled to assistance.

Sec. 43. The expenses incurred by a school board in administering the law in relation to dependent mothers shall be paid by the district in which the case arises.
NEW JERSEY.

[Laws 1921, ch. 48.]

An Act To amend an act entitled “An act to amend an act entitled ‘An act to promote home life for dependent children,’ approved April ninth, one thousand nine hundred and thirteen,” approved March thirtieth, one thousand nine hundred and fifteen.

Be it enacted by the Senate and General Assembly of the State of New Jersey:

SECTION 1. Section 5 amended.—Section five of the act to which this act is an amendment be, and the same is hereby, amended so as to read as follows:

“5. Order of court.—If upon the completion of the examination provided for under section four hereof the court shall find that said petitioner has been a resident of such county for a period of at least five years next preceding the filing of such application, and that unless relief is granted the mother will be unable properly to support and educate her children, and that they may become a public charge, it shall make an order committing said family to the care of the State Board of Children’s Guardians, and directing that there shall be paid to the mother, through the State Board of Children’s Guardians, out of the county funds for the maintenance and support of the children under sixteen the following amounts, to wit, not exceeding twelve dollars per month for one such child, not exceeding twenty dollars per month for two such children, and not exceeding seven dollars per month for each additional child under such age.”

SEC. 2. This act shall take effect immediately.
Approved March 17, 1921.

[Laws 1921, ch. 150.]

An Act To amend an act entitled “An act to provide home life for dependent children,” approved April ninth, one thousand nine hundred and thirteen, approved April eighth, one thousand nine hundred and fifteen.

Be it enacted by the Senate and General Assembly of the State of New Jersey: SECTION 1. Section 3 amended.—Section three of an act entitled “An act to provide home life for dependent children,” approved April ninth, one thousand nine hundred and thirteen, is hereby amended so as to read as follows:

“3. Copy of petition and notice served on overseer of the poor.—A copy of the petition provided for in section two hereof, and a notice of the time and place when it will be presented to the court, must be served on or mailed to the overseer of the poor having jurisdiction over the district wherein the petitioner resides and the Board of Children’s Guardians at least ten days before such time.”

SEC. 2. This act shall take effect immediately.
Approved April 17, 1921.

[Laws 1922, ch. 105.]

An Act To amend an act entitled “An act to promote home life for dependent children,” approved April ninth, one thousand nine hundred and thirteen.

Be it enacted by the Senate and General Assembly of the State of New Jersey: SECTION 1. Section one of the above-entitled act be, and the same is hereby, amended to read as follows:

“Section 1. Widow may petition court for aid.—Any widow who is the mother of a child or children under the age of sixteen, and who is unable to support
them and to maintain her home, may present a petition for assistance to the court of common pleas of the county wherein she has a legal settlement: Provided, however, That in counties of the first class in this State the juvenile court shall have concurrent jurisdiction with the court of common pleas of such county to hear and determine all matters pursuant to the provisions of this act: And provided further, That where the mother as well as the father of a child or children under the age of sixteen, as aforesaid, shall be dead, and any woman shall have assumed the responsibility of a mother in the care and support of such child or children in her home, but shall be unable to continue such support and to maintain her home, she may be permitted, in the discretion of said court, to present a petition for assistance as aforesaid, and, subject to the discretion of said court, proceed under the provisions of this act, as the mother of such child or children might have done if living."

Approved March 11, 1922.
NEW YORK. ¹⁵

[General Municipal Law, article 7A, sections 148–155 (being ch. 228, Laws of 1915, as amended by 1916, ch. 504; 1917, ch. 551; 1920, ch. 700 and ch. 759).]

For the granting of allowances to certain mothers for their dependent children.

Sec. 148. Local boards of child welfare established.—There shall be a local board of child welfare in each county of the State not wholly within a city, and in each city wholly including one or more counties, which, pursuant to this article, may grant allowances to widowed mothers with one or more children under the age of sixteen years, in order that such children may be suitably cared for in their homes by such mothers.

Sec. 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 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. (As amended by ch. 700 of the Laws of 1920.)

Sec. 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

¹⁵ For 1923 legislation, see p. 81.
mayor to fill every vacancy within thirty days after such vacancy occurs. At least three members of the board shall be women. (As amended by ch. 700 of the Laws of 1920.)

Sec. 151. Members to serve without compensation—Expenses, etc.—The members of the board of child welfare, as herein provided, shall receive no compensation for their services as members of such board, but, after appropriations have been duly made as herein provided, they shall be entitled to the actual and necessary expenses incurred by them in properly discharging their official duties, whether while making investigations or otherwise.

Sec. 152. General powers and duties of board—State board of charities may revoke allowances.—A board of child welfare shall—
1. Meet and organize within ten days after appointment, and fix the dates for its meetings, which shall be held at least monthly.
2. Elect a chairman, and appoint a secretary of the board, who shall hold office subject to the pleasure of the board.
3. Establish an office and, when specific appropriations have been made for such purposes, employ such officers and employees as may be provided for by the board of supervisors of a county or by the board of estimate and apportionment and the board of aldermen of a city.
4. Establish rules and regulations for the conduct of its business, which shall provide for the careful investigation of all applicants for allowances and the adequate supervision of all persons receiving allowances; such investigations and supervisions to be made by the board and without incurring any unnecessary expense. Reports must be filed at least quarterly by the agents, visitors, or representatives of the board with respect to the families receiving allowances granted by the board. (As amended by ch. 504 of the Laws of 1916.)
5. Render to the board of supervisors, if in counties, or to the mayor, in cities, a verified account of all moneys received and expended by them or under their direction, and of all their proceedings in such manner and form as may be required by the board or the mayor, as the case may be: if required by the board of supervisors or mayor, more frequent reports must be given covering fractional parts of a year. (As amended by ch. 551 of the Laws of 1917.)
6. Submit annually to the proper fiscal authorities of the county or city an estimate of the funds required to carry out the purposes of this article; in a county, such estimate shall be furnished before the annual meeting of the board of supervisors for appropriating moneys and levying taxes; in a city, it shall be submitted at the time provided by law for the submission of other departmental estimates.
7. Be subject to the general supervision of the State board of charities, and make such reports as the State board of charities may require. Any person who has knowledge that relief is being granted in violation of the requirements of this act may file a verified complaint, in writing, with the State board of charities, setting forth the particulars of such violation, and said State board of charities shall have power, after proper investigation, to revoke allowances or to make such order as it may deem just and equitable, and such order shall be complied with by the local board of child welfare.

Sec. 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 inmate 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 the members of the board present at any regular or special meeting, duly entered upon the minutes of such meeting, and may be increased, diminished, or totally withdrawn in the discretion of the local board of child welfare. (As amended by ch. 759 of the Laws of 1920.)

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 purposes; 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 may 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 allowances 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. (As amended by ch. 700 of the Laws of 1920.)

Sec. 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 become 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. (As amended by ch. 700 of the Laws of 1920.)

Sect. 155. Penalties.—1. A person who shall procure or attempt to procure, directly or indirectly, any allowance for relief under this article, for or on account of a person not entitled thereto, or shall knowingly or willfully pay or permit to be paid any allowance to a person not entitled thereto, shall be guilty of a misdemeanor.

2. The members of the board of child welfare established by this act shall be appointed within sixty days after this act takes effect.

[Note.—In 1922 the legislature amended the general midget law by adding thereto article 71, sections 354-390, inclusive, applicable to all counties except Dutchess and Suffolk, which now operate under special statutes, and New York City. Under this act the board of supervisors of any county may, by resolution, determine to increase the jurisdiction, powers, and duties of their board of child welfare by giving it authority to handle all forms of child dependency in addition to the duties now required of such boards, viz. the administration of the law granting allowances to certain mothers for their dependent children.

The text of this act (Laws 1922, ch. 546) is not given herein. Its provisions regarding aid to mothers are similar to the law previously in operation (for the text of which see pp. 36-42). The following variations are noted: Under the 1922 act, in any county which has accepted the provisions of the act a mother may be granted aid if her husband is totally incapacitated or is serving a term of two or more years in prison (five years was the minimum set by the original law, which made no provision for cases in which the husband was totally incapacitated); a residence of one year in the county will be sufficient, instead of two years, as now required; and the number of appointive members of the boards of child welfare will be five instead of six, as now provided. The provisions regarding the other powers and duties to be exercised by such boards are not given herein.]
OHIO.

[ Laws 1921, No. 91, p. 70.]

An Act To amend section 1683-2 of the General Code, relating to mothers' pensions.

SECTION 1. That section 1683-2 of the General Code be amended to read as follows:

"Sec. 1683-2. Mothers' pensions—Who entitled to allowance.—For the support of women whose husbands are dead, or become permanently disabled by reason of physical or mental infirmity, or whose husbands are prisoners, or whose husbands have deserted and such desertion has continued for a period of three years, when such women are poor, and are the mothers of children not entitled to receive age and schooling certificates, and such mothers and children have a legal residence in any county of the State for two years, the juvenile court may make an allowance to each of such women as follows: Not to exceed thirty-five dollars a month when she has but one child not entitled to an age and schooling certificate, and if she has more than one child not entitled to an age and schooling certificate, it shall not exceed thirty-five dollars a month for the first child and ten dollars a month for each of the other children not entitled to an age and schooling certificate. The order making such allowance shall not be effective for a longer period than six months, but upon the expiration of such period said court may, from time to time, extend such allowance for a period of six months or less. Such homes shall be visited from time to time by a probation officer, the agent of an associated charities organization, or of a humane society, as the court may direct, or, in the absence of such probation officer, society, or organization in any county, the sheriff of said county shall make such visits as directed by the probate court: Provided, That the person other than the sheriff who actually makes such visits shall be thoroughly trained in charitable relief work, and the report or reports of such visiting agent shall be considered by the court in making such order for relief."

Sec. 2. The sectional number in this act is in conformity to the General Code.—That original section 1683-2 of the General Code be, and the same is hereby, repealed.

Passed March 24, 1921.

Approved April 8, 1921.

43
OKLAHOMA.

[W. laws 1921, ch. 19.]

WIDOWS' PENSIONS.

An Act Amending section 3, chapter 183, Session Laws of 1915, relating to widows' pensions, and declaring an emergency.

It is enacted by the people of the State of Oklahoma: Section 1.—Allowance, conditions of. Section 3, chapter 183, Session Laws of 1915, be, and the same is hereby, amended to read as follows:

"Such allowance shall be made by the county court and only upon the following conditions:

"(1) The child or children for whose benefit the allowance is made must be living with the mother of such child or children; (2) the allowance shall be made only when in the absence of such allowance the mother would be required to work regularly away from her home and children, and when by means of such allowance she will be able to remain at home with her children; (3) the mother must, in the judgment of the county court, be a proper person, morally, physically, and mentally, for the bringing up of her children; (4) such allowance shall, in the judgment of the court, be necessary to save the child or children from neglect; (5) no person shall receive the benefit of this act who shall not have been a resident of the county in which such application is made for at least one year next before the making of such application for such allowance."

Sec. 2. Emergency.—It being immediately necessary for the preservation of the public peace, health, and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Approved March 17, 1921.
OREGON.

[Leas 1921, ch. 202.]

Be it enacted by the people of the State of Oregon: Section 1. That section 3322, Oregon Laws, be, and the same is hereby, amended so as to read as follows:

"Sec. 3322. On and after January 1, 1922, the juvenile or county court of each county of the State of Oregon shall give assistance to any mother who has a child or children under the age of sixteen years and who are wholly dependent upon her for support, and whose husband, the father of said child or children, is either dead or is an inmate of some Oregon State institution or who, by reason of physical or mental disease, is wholly unable to work or assist in any manner in supporting his family, and who is a citizen of the State of Oregon and a citizen of the United States, a sum not to exceed fifteen dollars ($15) a month for one child and if she has more than one child residing with her, ten dollars ($10) per month for each of said additional children. The total amount given to any one family shall be discretionary with the court, but shall not in any case exceed sixty dollars ($60) per month, provided such mother had a previous residence of three years in the State of Oregon and one year in the county immediately preceding the date of filing of the application for assistance, and is a citizen of the United States.

Approved by the governor February 22, 1921.

Filed in the office of the secretary of state February 23, 1921."
To amend section two, thirteen, and fourteen of an act, approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred ninety-three), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants, and fixing the salaries of such State supervisor and assistants; defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys, and providing penalties"; eliminating the provisions of said act which fixes the salaries of the State supervisor, assistant State supervisor, and clerk, and the method of the distribution of the moneys appropriated among the several counties coming within the provisions of the act.

Laws 1919, No. 354, section 2, amended to read as follows:
"Sec. 2. The governor shall appoint a State supervisor, qualified by training and experience, who shall be a woman. The State supervisor shall, in addition to her salary, be entitled to all necessary traveling and office expenses. The State supervisor shall, with the approval of the governor, appoint an assistant State supervisor and a clerk. In addition to their salaries, the assistant State supervisor and clerk shall receive their necessary and actual expenses."

Laws 1919, No. 354, section 13, amended to read as follows:
"Sec. 13. Classification of counties for distribution of appropriations.—The State treasurer, after deducting from the entire amount appropriated and reappropriated from time to time by the general assembly the sums designated for the payment of salaries and expenses, shall divide the balance of such appropriations into two equal sums. One equal part of each sum shall be distributed for the first fiscal year among the several counties according to the classification of the counties as provided in the act making an appropriation to carry into effect the provisions of this act."

Laws 1919, No. 354, section 14, amended to read as follows:
"Sec. 14. Acceptance of act and appropriations by counties.—No county shall receive its allotment of the State appropriation available for any year under the classification appointed by the act making an appropriation to carry into effect the provisions of this act unless such county has accepted the provisions of this act and has placed at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such year."

Approved the 27th day of May, A. D. 1921.

For 1921 legislation, see p. 80.

PENNSYLVANIA. 14

[ Laws 1921, No. 428, p. 1144. ]

Creating a department of public welfare; defining its powers and duties, etc.

Sec. 10. In addition to the foregoing, the department shall also exercise supervision over—
(a) The administration of any system provided by the Commonwealth for assistance to mothers.

[ Laws 1921, No. 433, p. 1175. ]

To amend section two, thirteen, and fourteen of an act, approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred ninety-three), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants, and fixing the salaries of such State supervisor and assistants; defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys, and providing penalties"; eliminating the provisions of said act which fixes the salaries of the State supervisor, assistant State supervisor, and clerk, and the method of the distribution of the moneys appropriated among the several counties coming within the provisions of the act.

Laws 1919, No. 354, section 2, amended to read as follows:
"Sec. 2. The governor shall appoint a State supervisor, qualified by training and experience, who shall be a woman. The State supervisor shall, in addition to her salary, be entitled to all necessary traveling and office expenses. The State supervisor shall, with the approval of the governor, appoint an assistant State supervisor and a clerk. In addition to their salaries, the assistant State supervisor and clerk shall receive their necessary and actual expenses."

Laws 1919, No. 354, section 13, amended to read as follows:
"Sec. 13. Classification of counties for distribution of appropriations.—The State treasurer, after deducting from the entire amount appropriated and reappropriated from time to time by the general assembly the sums designated for the payment of salaries and expenses, shall divide the balance of such appropriations into two equal sums. One equal part of each sum shall be distributed for the first fiscal year among the several counties according to the classification of the counties as provided in the act making an appropriation to carry into effect the provisions of this act."

Laws 1919, No. 354, section 14, amended to read as follows:
"Sec. 14. Acceptance of act and appropriations by counties.—No county shall receive its allotment of the State appropriation available for any year under the classification appointed by the act making an appropriation to carry into effect the provisions of this act unless such county has accepted the provisions of this act and has placed at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such year."

Approved the 27th day of May, A. D. 1921.

For 1921 legislation, see p. 80.
MOTHERS' PENSION LAWS IN THE UNITED STATES. 47

[ Laws 1921, No. 388, p. 1184.]

Making an appropriation to carry into effect the provisions of an act approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred ninety-three), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants, and fixing the salaries of such State supervisor and assistants; defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the appointment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties."

Section 1. Mothers' assistance—Appropriation—Reappropriation.—Be it enacted, etc., That the sum of one million two hundred thousand dollars ($1,200,000), together with the unexpended balance appropriated by the act of July tenth, one thousand nine hundred and nineteen (Pamphlet Laws, nine hundred seven), entitled "An act making an appropriation to carry out the provisions of an act, approved the twenty-ninth day of April, one thousand nine hundred and thirteen, entitled 'An act applicable to all counties of this Commonwealth, to provide monthly payments, as approved by the trustees, to indigent, widowed or abandoned mothers, for partial support of their children in their own homes; the manner of appointment of the trustees; the administration of the trust; amount of appropriations, proportioning appropriations, coordinate appropriations; amounts to be paid, form of records, eligibility, penalties, and reports as set forth; and the amendments thereto; and creating the office of assistant State supervisor of the mothers' assistance fund,'" is hereby specifically appropriated for the two fiscal years beginning June first, one thousand nine hundred and twenty-one, for the purpose of carrying into effect the provisions of the act, approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred and ninety-three), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants, and fixing the salaries of such State supervisor and assistants; defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties."

Sec. 2. Upon the approval of this act, the State treasurer, after deducting from the entire amount appropriated and reappropriated the sums hereinafter designated for salaries and expenses, shall divide the balance into two equal parts.

The one part, hereinafter referred to as the second part, shall be held intact for distribution on and after the first day of June, one thousand nine hundred and twenty-two, in the manner hereinafter provided.

The other part shall, upon the approval of this act, be distributed and apportioned to the several counties of the State, according to the following classification:

First class. Counties with a population of more than one million five hundred thousand inhabitants, twenty-four per centum.

Second class. Counties with a population of more than one million and not more than one million five hundred thousand inhabitants, sixteen per centum.

Third class. Counties with a population of more than two hundred thousand and not more than one million inhabitants, equal parts of nineteen per centum.

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MOTHERS' PENSION LAWS IN THE UNITED STATES.

PENNSYLVANIA—Continued.

Fourth class. Counties with a population of more than one hundred thousand and not more than two hundred thousand inhabitants, equal parts of twenty-six per centum.

Fifth class. Counties with a population of more than fifty thousand and not more than one hundred thousand inhabitants, equal parts of nine per centum.

Sixth class. Counties with a population of twenty-five thousand and not more than fifty thousand inhabitants, equal parts of four and one-fourth per centum.

Seventh class. Counties with a population of twenty-five thousand inhabitants or less, equal parts of one and three-fourths per centum.

Sec. 3. On the first day of June, one thousand nine hundred and twenty-two, the State treasurer shall set aside, out of the second part, to each county then organized under the mothers' assistance system, a sum equal to that apportioned to it under the preceding section. Except as in section five of this act provided, the amount so set aside to any county, together with the unexpended balance of the amount apportioned to the county during the first year, shall constitute the State's assistance during the second year to such county.

Sec. 4. No county shall receive any sum from the State, under sections two and three of this act, unless such county shall appropriate a like sum for the same purpose.

Sec. 5. The money set aside on the approval of this act to counties that were not at that time organized under the mothers' assistance system and which did not come into the system during the year ending May thirty-first, one thousand nine hundred and twenty-two, together with the balance of the second part remaining after the proper amounts have been set aside as provided in section three, shall constitute a fund to be known as the surplus fund.

A county organized under the mothers' assistance system prior to or during the year ending May thirty-first, one thousand nine hundred and twenty-two, may receive during the second year, out of the surplus fund, a sum additional to that apportioned and set aside to it under sections two and three.

Sec. 6. No county shall receive its allotment of the State appropriation available for any year under the classification appointed by this act unless such county has accepted the provisions of the act of July tenth, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred ninety-three), and has placed at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such year. But a county may participate in the surplus fund if, in addition to the appropriations and provisions hereinbefore required, it shall appropriate a sum equal to the amount which it desires from the surplus fund.

No county shall be permitted to participate in such surplus fund to an amount in excess of twenty-five per centum of the aggregate sum apportioned and set aside by the State treasurer to that county for the entire two-year period.

Sec. 7. Out of the amount hereinbefore appropriated the following amounts shall be set apart and applied for the following purposes:

For the payment of the salary of the State supervisor of the mothers' assistance fund, at the rate of three thousand dollars ($3,000) per annum, the sum of six thousand ($6,000) for the two fiscal years beginning June first, one thousand nine hundred and twenty-one.

For the payment of the salary of an assistant State supervisor, at the rate of two thousand two hundred dollars ($2,200) per annum, the sum of four thousand four hundred dollars ($4,400) for the two fiscal years beginning June first, one thousand nine hundred and twenty-one.

For the payment of the salary of a clerk, at the rate of one thousand eight hundred dollars ($1,800) per annum, the sum of three thousand six hundred
($3,600) for the two fiscal years beginning June first, one thousand nine hundred and twenty-one.

For the traveling and hotel expenses of the supervisor and assistant supervisor, cost of making special investigations, contingent and office expenses, and extra clerical assistance, for the two fiscal years beginning June first, one thousand nine hundred and twenty-one, the sum of eight thousand dollars ($8,000), or so much thereof as may be necessary.

Approved the 27th day of May, A. D. 1921, in the sum of $1,000,000. I withhold my approval from remainder of said appropriation because of insufficient State revenue. This will allow of an increase of over sixty per cent in the mothers' pension allowances as compared with the sums available during the past two years.
RHODE ISLAND.15

[Laws 1922, ch. 2180, p. 60.]

An Act Relative to aiding mothers with dependent children and making an appropriation therefor.

It is enacted by the General Assembly as follows: Section 1. State director of mothers' aid—How appointed and duties of.—The penal and charitable commission shall appoint a woman as State director of mothers' aid, who shall investigate the subject of giving aid to mothers with dependent children under the age of fourteen years. Said director shall consult with the overseers of the poor, and other town and city authorities, and such public and private agencies as may be available, to determine all possible the number of cases that would naturally arise under such legislation, the number of mothers who require aid in their own homes sufficient to maintain such homes and provide for their own children in suitable surroundings, and prepare an estimate of the reasonable expense of such aid to mothers and children.

Sec. 2. Appropriation for salary—Clerical assistance and traveling expenses.—The penal and charitable commission is hereby authorized to fix the salary for said State director, and provide such clerical assistance as may be necessary, and reasonable traveling expenses; and the sum of thirty-five hundred dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the treasury not otherwise appropriated, to be expended on or before December 31, 1922, for the purpose of paying such salary, and for clerical assistance and traveling expenses; and the State auditor is hereby directed to draw his orders upon the general treasurer for said sum, or so much as may from time to time be required, upon receipt by him of proper vouchers approved by the chairman and secretary of said penal and charitable commission.

Sec. 3. This act shall take effect on July 1, 1922, and all acts and parts of acts inconsistent herewith are hereby repealed.

Approved April 13, 1922.

15 For 1923 legislation, see p. 93.
50
SOUTH DAKOTA.

[ Laws 1921, ch. 291. ]

RELATING TO MOTHERS’ PENSIONS.


Be it enacted by the Legislature of the State of South Dakota: Section 1. That section 10023 of the Revised Code of 1919, as amended by chapter 293 of the Session Laws of 1919, be, and the same is hereby, amended to read as follows:

"Sec. 10023. Allowance by county.—For the partial support of any woman whose husband is dead, whose husband becomes permanently disabled for work by reason of physical or mental infirmity or whose husband is a prisoner in the State penitentiary, or any woman who has been divorced from her husband in this State for a period of one year or more, when such woman is pregnant or has a child or children under the age of sixteen years whom she is unable to support, and such mother and child or children have had a residence in this State for one year and in the county for six months before making application therefor, such county shall have authority and be required to make an allowance to such woman upon petition and notice as provided in this chapter, which petition and notice shall be prepared by the State's attorney of the county without charge to the petitioner of the county, as follows: Not to exceed $22.50 per month, when such woman is pregnant or has but one child under the age of sixteen years, and if she has more than one child under the age of sixteen years, it shall not exceed $22.50 per month for the first child and not to exceed ten dollars per month for each of the other children under the age of sixteen years. The order making such allowance shall not be effective for a longer period than six months, but upon the expiration of such period the judge of the county court may, from time to time, extend such allowance for a period of six months or less, if the court is satisfied that such order for extension is proper. The county shall also have authority to provide the necessary medical, surgical, and hospital services and supplies for needy expectant mothers."

Sec. 2. That section 10025 of the Revised Code of 1919, as amended by chapter 293 of the Session Laws of 1919, be, and the same is hereby, amended to read as follows:

"Sec. 10025. When allowance ceases.—Whenever any child shall reach the age of sixteen years, any allowance made to the mother of such child for the benefit of such child shall cease. The county judge may in his discretion, at any time before such child reaches the age of sixteen years, discontinue or modify the allowance to any mother for such child."

Sec. 3. That section 10030 of the Revised Code of 1919, be, and the same is hereby, amended to read as follows:

"Sec. 10030. Duty of commissioners.—It shall be the duty of the board of county commissioners to provide, out of the money in the county treasury,
such sum each year as will meet the requirements of the county court and will pay the allowance made by such court as provided in this chapter; and to provide such money such board shall levy a tax, not to exceed one-half of a mill on the valuation of taxable property of the county. The county auditor shall issue the warrants to pay such allowances upon the order of the judge of the county court and the county treasurer shall pay the same."

Approved March 12, 1921.
TENNESSEE. 19

[Public Acts 1921, No. 104.]

An Act To provide for a fund for the partial support of the children of indigent mothers, and to prescribe the conditions under which such funds shall be appropriated and the means by which this law should be administered, and to provide for fraudulent practice in connection with it.

Section 1. Be it enacted by the General Assembly of the State of Tennessee, That the county court in each county shall levy a tax not to exceed one-half mill on each dollar of taxable property in said county. Such tax shall be levied and collected in like manner as the general taxes of the county, or in lieu of said tax levy the county may make a direct appropriation out of the general county funds of such an amount as the quarterly county court may deem proper, but in no case to exceed the amount which would arise by the tax levy herein provided for, and shall be known as the mothers' pension fund, and shall be kept separate from all other taxes.

Sec. 2. Be it further enacted, That this fund shall be for the purpose of making provision for the partial support and for the home training of the children of mothers whose husbands are dead, or are confined in the State penitentiary, or of unmarried mothers, or of mothers who have been deserted by their husbands, when such mothers are unable to properly support such children, and when such children are under the age of 14 years, except as hereinafter especially provided.

Sec. 3. Be it further enacted, That the allowance to such mothers shall be determined by the Juvenile Judge or county chairman, but shall not exceed $15 per month when she has one child under the age of 14 years, and shall not be more than $10 for each of the other children she may have under the age of 14 years.

Sec. 4. Be it further enacted, That:

(1) Such allowance shall be made after a public hearing by the judge of the juvenile court, or if none, then by the county judge or chairman of the county court, on application of the mother of the child or children for whom appropriation is asked.

(2) The child or children for whom such allowance is made must be living with the mother of such child or children.

(3) Such allowance shall be made only when in the absence of such allowance the child or children, in the judgment of the court, would be liable to suffer from neglect or improper care because of the inability of the mother to remain at home with them or properly provide for them.

(4) No person shall receive the benefit of this act who has not been a resident of the State for at least two years, and of the county in which such application is made for one year; nor shall such appropriation be made for any child who has property of his or her own sufficient for his or her support.

Sec. 5. Be it further enacted, That appropriations made under this act shall be paid monthly to the mother of the child or children for whom support is intended, or to any person designated by the Juvenile Judge or chairman to receive same by the county trustee.

19 For 1923 legislation, see p. 96.
TENNESSEE—Continued.

Sec. 6. Be it further enacted, That it shall be the duty of any mother of children receiving aid under the provisions of this act to report at the end of each three months, or as often as the court may require, directly or through a member of the county court of the county making the appropriation, to the juvenile or county judge or chairman as to the disposition that is being made of such allowance; the juvenile or county judge or chairman shall have the right to discontinue any such allowance when such report is not made, or when, in his opinion, the allowance is not being used properly to provide for the care and training of the child for whom it is made, and he shall appoint some woman, who will volunteer to visit the mother and make a report to him, and the quarterly county courts are hereby empowered to elect or appoint an agent to carry out the provisions of the act, who shall serve without compensation.

Sec. 7. Be it further enacted, That whenever any child for which appropriation has been made under this act shall reach the age of 14 years, said allowance shall be discontinued.

Sec. 8. Be it further enacted, That any money collected under the provisions of this act and not appropriated for the purpose of this act shall at the end of the fiscal year be turned into the school fund of the county in which collected, or into the general county fund if so ordered by the county court.

Sec. 9. Be it further enacted, That any person or persons attempting to obtain under the provisions of this act any allowance for any child not entitled thereto by the terms of the act, shall be guilty of a misdemeanor, and upon conviction thereof in a court of justice, shall be punished by a fine of not more than fifty dollars or by imprisonment of not more than thirty days; Provided, however, that if the county where the juvenile judge is an officer of a city and not in the employ of the county, then the hearing provided shall be had before the county judge and not the juvenile judge.

Sec. 10. Be it further enacted, That all laws or parts of laws conflicting with this law are hereby repealed and this act shall take effect from and after its passage, the public welfare requiring it.

Passed April 5, 1921.

Approved April 7, 1921.
PUBLIC SUPPORT OF WIDOWED MOTHERS.

An Act Amending section 3960, Compiled Laws of Utah, 1917, as amended by chapter 77, Session Laws of Utah, 1919, relating to the support of widowed mothers.

Be it enacted by the Legislature of the State of Utah: Section 1, Section amended.—That section 3960, Compiled Laws of Utah, 1917, as amended by chapter 77, Laws of Utah, 1919, be, and the same is hereby, amended to read as follows:

"3960. Duty of commissioners—Funds—Expenditures.—It shall be the duty of the county commissioners of each county in the State, and they are hereby authorized and empowered, to provide annually funds in an amount sufficient to meet the purposes of this law, but not exceeding in any one year the sum of $10,000.00; Provided, That in the counties containing a population of 100,000 or more the amount of such funds shall be $50,000.00 annually, such funds to be expended for the partial support of widowed mothers who are dependent upon their own efforts for the maintenance of their children. No part of the funds above provided for shall be expended for administration or purposes other than the partial support of widowed mothers."

Sec. 2. This act shall take effect upon approval.

Approved, October 8, 1919.
VERMONT.

[ Laws 1921, No. 218. ]

An Act To amend section 7312 of the General Laws relating to aid to widowed or deserted mothers.

It is hereby enacted by the General Assembly of the State of Vermont:

SECTION 1. Section 7312 of the General Laws is hereby amended so as to read as follows: "Sec. 7312. Child of widowed or deserted mother.—If upon investigation of the case of a child of a widowed or deserted mother, or a mother whose husband is incapacitated by an incurable disease from earning a livelihood or is confined in a hospital, sanatorium, or other institution, it is found that the child can remain with such mother only if she is aided in its care, and if it appears that it is desirable that the family be maintained and that the mother is a proper person to have the care of such child and that it would be for the benefit of such child that it should remain with the mother, then the board may pay a limited amount to the mother, not to exceed two dollars per week, for the maintenance of such child, half of the same to be paid by the town in which the mother has last resided for a period of one year." Approved March 9, 1921.

56
An Act To provide, in certain cases, for the payment out of county and city treasuries of allowances for the support of children in their own homes and for the partial reimbursement by the State of the counties and cities making such payments; also to repeal an act entitled An act providing that any county or city of this State may pay a monthly allowance to indigent, widowed mothers for the partial support of their children in their own homes, approved February 28, 1918.

[Approved March 27, 1922.]

Be it enacted by the General Assembly of Virginia, as follows: Section 1. Any person having knowledge that any child is dependent or in need of public support may bring such fact to the notice of the county or city board of public welfare, or, where none exists, to the juvenile and domestic relations court or other court having jurisdiction of cases of dependent and neglected children.

Sec. 2. The said board or court shall cause to be made an investigation to determine the need of the child, and if it deem necessary, may, for such length of time as the board or court deem proper, order the payment of allowances to the mother, within the limits of any appropriation that may have been made for such purposes by the county, city, or State, in order that the child may be kept in its own home, provided the child is under sixteen years of age, and the father is dead or in a hospital for the insane, a colony for the feeble-minded and epileptic, in prison, or is physically incapacitated to earn a living, or is and for one year has been legally charged with desertion, or is divorced and the mother has used all lawful means to compel support of the child by its father.

Sec. 3. The allowances shall be for the purpose, among others, of enabling the mothers to bring up their children in their own homes and such mothers and their children shall not be deemed to be paupers by reason of receiving such aid. The allowances shall cease when the child reaches the age of sixteen years; but the county or city board of public welfare, or the court having jurisdiction, in its discretion at any time before such child reaches the age of sixteen years, may discontinue or modify any such allowance.

Sec. 4. Allowances shall be granted only upon the following conditions: (a) The dependent child or children must be living with the mother during the period for which support is provided; (b) the allowance shall be granted only when in the absence of such allowance the mother would be required to work regularly away from her home and children, and when, by means of such allowance, she would be able to remain at home with her child or children, except when in the judgment of the board or court part-time work can be done without a sacrifice of her health or neglect of the home and children; (d) such allowance shall be necessary to save the child or children from neglect, and to furnish such child or children with suitable education; (e) no person shall receive the benefit of this act who has not resided in the county or city one year and the State two years before making application for aid hereunder.

Sec. 5. Allowances within the limits of any appropriation that may have been made for such purposes by the county, city, or State to expectant mothers may be made by the county or city board of public welfare, or the court having
jurisdiction, upon the following conditions: (a) The allowance shall commence not earlier than four weeks prior to the expected birth of the child and shall continue not longer than eight weeks after childbirth; (b) such allowance shall in the judgment of the board or court be necessary to save the mother and child from neglect; (c) no allowance shall be made in any case except when after investigation by the said board or court it has been ascertained that there are no relatives able and willing to aid in the support of the mother and child, and that no other suitable provision can be made.

Sec. 6. Investigation of cases under this act shall be made through the county or city board of public welfare, or where none exists, through the court having jurisdiction. If the court has no probation officer the judge shall appoint a committee of three persons, at least one of whom shall be a woman, to make the investigation. The committee shall serve without compensation. The investigation shall include the following: Whether the surroundings of the home are such as to make for the good character of the child or children growing up therein and whether the child or children are attending school, and if not, why. It shall further be the object of such investigation to ascertain the financial resources of the family, including the ability of its members of working age to contribute to its support, and to urge upon such members that they may make proper contribution; to take all lawful means to secure support for the family from relatives under obligation to render such support, and to interview individuals, societies, and other agencies which may be deemed appropriate sources of assistance.

Sec. 7. Proper and adequate supervision shall be maintained by the local superintendent of public welfare, the county or city welfare board, or where there is no such local superintendent or local board, by the probation officer of the juvenile and domestic relations court, or by the committee appointed by the court having jurisdiction. Every family to which an allowance has been made shall be visited at its home by the supervising officer or officers at least once in three months. After each visit the person making the same shall make and keep on file as a part of the official record of the case a detailed statement of the condition of the home and family and all other data which may assist in determining the wisdom of the allowance granted and the advisability of its continuance. All findings and orders provided for in this act may be made upon the written reports of official investigators, with like effect as if based upon competent testimony given in open court.

Sec. 9. All moneys paid to any person under the provisions of this act shall be exempt from attachment, garnishment, distress, execution, or other legal process.

Sec. 10. In this act the word “father” may also denote stepfather and the word “mother” may denote stepmother, in whose family the child is a member. The provisions of this act may also be extended for the benefit of orphan children who are dependent on some female relative unable to support them.

Sec. 11. The State board of public welfare shall cooperate with courts and shall supervise and direct county and city boards of public welfare and their agents with respect to methods of investigation, supervision, and record keeping; shall devise, recommend, and distribute blank forms; shall by its agents visit and inspect families to which allowances are being made; shall have access to all records and other data kept by courts and other agencies concerning such allowances; and may require such reports from clerks of the courts, county
and city welfare boards, probation officers and other official investigators, as it
shall deem necessary.

Sec. 12. The board of supervisors of each county, and the council or other
governing body of each city of the State, may make appropriations of such sums
as they may deem necessary for carrying out the purposes of this act and for
paying such allowances as may be granted under the same. Such appropri-
tions shall be made at such times as necessity may require.

Sec. 13. A certified copy of the order granting an allowance shall be filed
with the treasurer of the county, or the treasurer or proper disbursing officer
of the city, and thereafter, so long as such order remains in force and un-
modified, and there is in his hands sufficient funds appropriated for such pur-
poses to pay the same, such officer shall draw his warrant in favor of the
mother at such time or times and for such amount or amounts as may be
specified in such order. The warrant shall be delivered to the county or city
board of public welfare, or its authorized agent, or where no such board exists,
to any officer authorized by the court making the order to receive the same,
which board, agent, or officer shall deliver it to the mother entitled thereto, who
must execute a receipt therefor. This receipt shall be kept with the other rec-
ords in the proceedings relating to the child or children. It shall be the duty
of the treasurer of the county or the treasurer or proper disbursing officer of the
city to pay the warrant, when properly presented, out of the appropriation di-
rected by the next preceding section hereof to be made for the purpose.

Sec. 14. During the month of January each year the treasurer of the county,
or the treasurer or proper disbursing officer of the city, shall certify under oath
to the auditor of public accounts and the State board of public welfare the
amount paid out by the county or city during the preceding year for allowances
under this act; and if the said board shall approve the same in whole or in
part, it shall cause the extent of its approval to be indorsed by its chairman
on the certificate received by the auditor, whereupon the said auditor shall
draw his warrant in favor of the treasurer of the county or the treasurer or
proper receiving officer of the city for one-third of the amount so approved and
certified to have been paid out by the county or city. The State treasurer, pro-
vided there are funds appropriated for that purpose, shall pay the same, and
such local officer shall place the sum to the credit of the general fund of the
county or city or such other fund as the board of supervisors of the county, or
the council or other governing body of the city, may direct.

Sec. 15. If in any county or city this act shall be unlawfully or improvidently
administered, or if any of the agencies administering it shall wrongfully refuse
to cooperate with the State board of public welfare, the board may refuse to
approve and indorse the certificate of disbursement.

Sec. 16. Any person fraudulently procuring or attempting to procure an
allowance under this act for a person not entitled thereto shall be guilty of a
misdemeanor, and upon conviction thereof shall be fined not exceeding five
hundred dollars or confined in jail not exceeding one year, or both.

Sec. 17. This act shall be liberally construed with a view to accomplishing
its purpose, which is to keep children in their own homes and where possible
to give them the benefit of their mother's care, and to save them from want,
suffering, and neglect.

Sec. 18. An act entitled an act providing that any county or city of this
State may pay a monthly allowance to indigent widowed mothers for the
partial support of their children in their own homes, approved February twenty-
eighth, nineteen hundred and eighteen, is hereby repealed.
An Act To amend subsection (6) of section 48.33 of the statutes, relating to mothers' pensions.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows: Section 1. Subsection (6) of section 48.33 of the statutes is amended to read: (48.33) (6) The aid granted shall be sufficient to enable the mother, grandparents, or person having the custody of such children to properly care for the children and shall not exceed fifteen dollars per month for the first child, excepting in emergency cases, where the aid to such first child shall be left to the discretion of the court, and ten dollars per month for each additional child. * * * Such aid shall be the only form of public assistance granted to the family, excepting medical aid, and no aid shall continue longer than one year without reinvestigation.

Sec. 2. This act shall take effect upon passage and publication.

Approved March 31, 1921.
Published April 4, 1921.
MOTHERS' PENSION LEGISLATION
IN 1923
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ALASKA.

[1923 Laws, ch. 44.]

To amend section 6 of chapter 32 of the Laws of 1913 as amended by section 2 of chapter 16, Laws of 1917, relative to duties of board of children's guardians.

The Legislature of the Territory of Alaska: Section 1. That section 6 of chapter 32, Laws of 1913, as amended by section 2, chapter 16, Laws of 1917, be amended so as to read as follows:

"Sec. 6. That the board of children's guardians shall be the legal guardians of all children committed by the juvenile court, as hereinbefore provided, and shall have full power to put them in private families or institutions willing to receive them; to bind them over, or apprentice them; or to give them in adoption to foster parents.

"Whenever it shall be made to appear to the board of children's guardians by sworn affidavit made by the proposed beneficiary and other satisfactory evidence—

"(1) That the mother of any white child under the age of 16 years is a widow or divorced, or has a husband who is an inmate of an insane asylum or penal institution, or whose husband is physically or morally so deficient as to be unable to earn a living, and

"(2) That the mother has no means of supporting the child except by her own labor, and

"(3) Is unable to properly support such child, and

"(4) That she is a fit person to have the custody of such child, and

"(5) Shall be a resident of the Territory and shall have been such resident for at least two consecutive years; the board of children's guardians shall have authority to award to such mother a monthly pension of not to exceed fifteen ($15.00) dollars for a single child, and ten ($10.00) dollars additional for each additional child.

"The pension herein provided for shall be paid by the treasurer out of funds appropriated for the care of dependent children, in the ordinary manner, after the award of the board of children's guardians shall have been approved by the governor.

"A pension awarded shall not continue for more than one year unless the same is renewed after a reexamination into the circumstances of the beneficiary by the board of children's guardians.

"No pension shall be awarded unless the beneficiary shall have made and filed with the board of children's guardians a sworn statement of facts showing that she is entitled to the pension.

"The board of children's guardians shall keep a correct record of all proceedings and transactions."

Approved April 18, 1923.
ARKANSAS.

[Law of 1923, Act 56, p. 25-1]

An Act To amend section 8233 of Crawford and Moses Digest of the Statutes of Arkansas so as to provide for the mothers' pension act to apply to Miller County, Arkansas, and for other purposes.

Be it enacted by the General Assembly of the State of Arkansas: Section 1. Section 8233 of Crawford and Moses Digest of the Statutes of Arkansas is hereby amended to read as follows:

"Sec. 8233. Any person willfully procuring or attempting to procure any allowance for a person not entitled thereto shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not less than one hundred dollars, nor more than five hundred, or by imprisonment in the county jail for a period of not less than thirty days, nor more than a year, or by both such fine and imprisonment: Provided, The following counties be exempted from the provisions of the bill: Lincoln, Izard, Nevada, Mississippi, Boone, Perry, Drew, Bradley, Lafayette, Cleveland, Dallas, Jefferson, Carroll, Washington, Howard, Lee, Monroe, Fulton, Stone, Crittenden, White, Union, Desha, Arkansas, and Hempstead."

Sec. 2. All laws and parts of laws in conflict herewith repealed, and this act being necessary for the immediate preservation of the public peace, health, and safety, an emergency is hereby declared to exist, and this act shall be and remain in full force and effect from and after the passage.

Approved February 6, 1923.

64
An Act To amend section two thousand two hundred eighty-nine of the Political Code, as amended by act approved June 3, 1921, Laws, 1921, chapter 890, relating to minor orphans, half orphans, and abandoned children.

The people of the State of California do enact as follows: Section 1. Section two thousand and eighty-nine of the Political Code is hereby amended to read as follows:

"2289. In order that the provisions of this chapter shall not be abused, it is hereby declared:

1. That no child over the age of sixteen years shall be deemed a minor orphan, half orphan, abandoned child, or child of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, within the intent and meaning of this chapter.

2. That no child for whose specific support there is paid to any such institution the sum of twenty dollars or more per month shall be deemed a minor orphan, half orphan, abandoned child, or child of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, within the intent and meaning of this chapter.

3. That no child maintained in an institution for whom a bona fide offer of a proper home has been made shall be considered eligible for further State aid: Provided, further, That no institution shall be required to surrender a child to any person of religious faith different from that of the child or the parents of the child.

That a child who has not resided in this State for a period of at least two years prior to the application for aid shall not be eligible to receive State aid unless such child is born in this State: Provided, further, That no child born without the State who is brought into or kept within this State by any person in violation of any law of the United States or of this State shall be eligible to receive State aid, regardless of the length of time such child may have been within the State."

Approved May 2, 1923.
COLORADO.

[ Laws 1923, ch. 77, p. 205. ]


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

Sec. 2. That said act, entitled "An act concerning dependent and neglected children," be, and the same is also hereby, amended so as to add the following section, to be known as "section 7A":

"Sec. 7A. Procedure for prospective mother to obtain award of money for care of child for six months before or after birth.—If the prospective mother of a child is poor or unable properly to care for such child during the periods of six months before or six months after its birth, such mother or some person on her behalf may file a petition in the court having jurisdiction under this act, reciting briefly the facts concerning such case. The court may thereupon at such time set for the hearing of such case enter an order finding such facts and may thereupon fix the amount of money necessary to enable the mother of such child to properly care for such child during such period of not to exceed six months before or not to exceed six months after its birth, and thereafter it shall be the duty of the board of county commissioners, and in those cities and counties operating under Article XX of the constitution, the duty of the department or authority performing the functions of a board of county commissioners, or vested with power for the relief of the poor, to pay to such prospective mother or, if it seems for the best interests of the child, to some other person designated by the court for that purpose, at such times as said order may designate, the amount so specified, or when so ordered by the court, the equivalent in supplies, nursing, medical, or other assistance, for the care of such dependent child until the further order of the court, not exceeding, under this section of this act, said six months before or six months after the birth of said child. The payments above provided for shall be made only to such mothers as for at least one year prior to the making of application therefor shall have been continuous residents of this State and of the county wherein such application is made. In case the father has abandoned and failed to provide reasonable support for the child, the mother before obtaining any relief under this act shall swear out a warrant for the arrest of the father and shall in good faith render all assistance within her power to secure his apprehension, and shall in the event of his apprehension or in case of his arrest prior to the making of her application, in good faith render all assistance within her power to obtain his conviction. If the mother fails to render this assistance, all further payments to her shall cease. The juvenile court may order the father, if apprehended, to reimburse the county for all sums paid by it for the support of the child. Whenever under the provisions of this act relief is granted or is about to be granted to a mother whose husband is permanently incapacitated for work by reason of physical
or mental infirmity and the presence of such husband in the family is a menace to the physical and moral welfare of the mother or child, then the juvenile court shall require that such husband be removed from the home, and upon the failure or refusal of such husband to be separated from the mother and child the court may refuse relief or may vacate the order granting such relief. The investigation, visitation, keeping of records and making of reports, and the details and practice of the court in such case shall be like that provided in section 7 of this act, as amended and sometimes known and described as the mothers' compensation act, and as found in the Session Laws of 1913, page 694. This section of this act may be known as the maternity law.

"Nothing in this act shall be construed to interfere with or repeal any law of this State relating to delinquent children or nonsupport of children or any other law for the protection of children, and nothing in such laws shall be construed to interfere with proceedings under this act."

Sec. 3. It is hereby declared that this act is necessary for the immediate preservation of public health, peace, and safety.

Approved March 20, 1923.
CONNECTICUT.

[ Laws 1923, ch. 173. ]

An Act Amending an act providing for aid for widows having dependent children.

Be it enacted by the senate and house of representatives in general assembly convened: Section 1. The manner and time of extending aid under the provisions of chapter 323 of the Public Acts of 1919, and whether the same shall be in cash or by the furnishing of necessary merchandise, shall be determined by the agent of the State treasurer. The amount to be granted shall not exceed the following weekly allowance: Food for such widow, two dollars; food for each child over fourteen years of age, one dollar and seventy-five cents; food for each child between five and fourteen years of age, one dollar and twenty-five cents; food for each child under five years of age, one dollar; fuel, one dollar; clothing for each member of such family, fifty cents; and a reasonable allowance, not exceeding five dollars per week, may be made for a tenement, adequate in size and so located as to protect the occupants thereof in their health and from improper environment. Whenever any widow or dependent child entitled to such benefits shall be in need of medical attention or treatment or hospital care, a reasonable allowance for the expense incurred may be granted, when approved by the county commissioners, by said agent, upon the recommendation of the executive officer of the municipality having jurisdiction of the case, or his appointee: Provided. No hospital receiving an appropriation granted by the general assembly shall charge or receive more than ten dollars per week for the necessary care, medical attention, and treatment of any such widow or dependent child, except, if special treatment or care shall be required, a greater weekly compensation may be granted by said agent if approved by the executive officer of the municipality or his appointee and the county commissioners. In the case of the death of any such widow or dependent child, an allowance for funeral expenses, not exceeding the sum of one hundred dollars, may be granted by said agent upon the recommendation of the municipal executive, or his appointee, approved by the county commissioners. One-third of any amount expended for medical attention, treatment, or hospital care or funeral expenses of any such widow or dependent child in any municipality shall be charged by said agent to and borne by such municipality and one-third shall be charged to and borne by the county wherein she resides. If such executive officer or appointee and the county commissioners shall be unable to agree upon the amount to be paid for such medical attention, treatment, or hospital care or for such funeral expenses, the same shall be determined by said agent.

Sec. 2. The provisions of said chapter and of this act shall apply only to widows with dependent children under sixteen years of age having settlement within this State or to widows with such children who shall have resided in this State not less than four years continuously next preceding the date of making application: Provided. Any alien, any person receiving aid from any other State, or any person owning property, real or personal, or both real and personal, of the value of more than five hundred dollars, other than house-
DELAWARE.

[Laws 1923, ch. 200, p. 592.]

An Act To amend chapter 88 of the Revised Statutes of the State of Delaware and acts amendatory thereof by making more specific provision for aid in the maintenance, support, and education of children in certain cases.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met: That chapter 88 of the Revised Statutes of the State of Delaware, as heretofore amended by chapter 183, volume 32, of the Laws of Delaware, be, and the same is hereby, amended by the repeal of subsection E of the fifth paragraph of code section 3071A, sec. 11A, and the insertion in lieu thereof of the following:

"(e) That the mother has been a continuous resident for a period of three years of the State: Provided, however, That the applicant, at the time of application, shall, within the period of three years immediately prior thereto, have been forced to be absent from the State for not more than a year and for some reason which shall prove satisfactory to the commission, then such applicant shall be entitled to come under the provisions of this act, provided she shall have been a resident of the State for one year since her return to the State, and also provided that prior to her having left the State she shall have been a continuous resident thereof for a period of three years."

Sec. 2. That chapter 88 of the Revised Statutes of the State of Delaware, as amended by chapter 183, volume 32, of the Laws of Delaware, be, and the same is hereby, further amended by the repeal of the eleventh, twelfth, and thirteenth paragraphs of code section 3071A, sec. 11A, and by the insertion in lieu thereof of the following:

"The traveling and administrative expenses of the mothers' pension commission shall be paid on warrants drawn by the mothers' pension commission, or authorized agent thereof, on the State treasurer, and the said State treasurer is hereby authorized and directed to pay said warrants on the approval of the State auditor, from any moneys he may have belonging to the State and not otherwise appropriated: Provided, however, That the total amount of the traveling and administrative expenses of the said mothers' pension commission shall not exceed seven thousand dollars ($7,000.00) in any one year.

"On the first day of every calendar month hereafter the county treasurer of each county shall certify under oath, in duplicate, to the secretary of the State and to the State treasurer the amount paid out by such county during the preceding month under this section, and the State treasurer thereupon shall pay to the county treasurer of the said county a sum equal to one-half of the amount paid out by such county: Provided, however, That the amount paid by the State in any one year shall not exceed the sum of nineteen thousand five hundred dollars ($19,500.00) to New Castle County, of five thousand five hundred dollars ($5,500.00) to Kent County, and of eight thousand dollars ($8,000.00) to Sussex County.

"That for the purpose of this section the sum of forty thousand dollars ($40,000.00) shall be deemed and taken to be appropriated annually, beginning with the year nineteen twenty-three, out of any moneys in the State treasury not otherwise appropriated."

Approved March 28, A. D. 1923.
DELAWARE.

[Laws 1923, ch. 200, p. 592.]

An Act To amend chapter 88 of the Revised Statutes of the State of Delaware and acts amendatory thereof by making more specific provision for aid in the maintenance, support, and education of children in certain cases.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met: That chapter 88 of the Revised Statutes of the State of Delaware, as heretofore amended by chapter 183, volume 32, of the Laws of Delaware, be, and the same is hereby, amended by the repeal of subsection E of the fifth paragraph of code section 3071A, sec. 11A, and the insertion in lieu thereof of the following:

"(c) That the mother has been a continuous resident for a period of three years of the State: Provided, however, That the applicant, at the time of application, shall, within the period of three years immediately prior thereto, have been forced to be absent from the State for not more than a year and for some reason which shall prove satisfactory to the commission, then such applicant shall be entitled to come under the provisions of this act, provided she shall have been a resident of the State for one year since her return to the State, and also provided that prior to her having left the State she shall have been a continuous resident thereof for a period of three years."

Sec. 2. That chapter 88 of the Revised Statutes of the State of Delaware, as amended by chapter 183, volume 32, of the Laws of Delaware, be, and the same is hereby, further amended by the repeal of the eleventh, twelfth, and thirteenth paragraphs of code section 3071A, sec. 11A, and by the insertion in lieu thereof of the following:

"The traveling and administrative expenses of the mothers' pension commission shall be paid on warrants drawn by the mothers' pension commission, or authorized agent thereof, on the State treasurer, and the said State treasurer is hereby authorized and directed to pay said warrants on the approval of the State auditor, from any moneys he may have belonging to the State and not otherwise appropriated: Provided, however, That the total amount of the traveling and administrative expenses of the said mothers' pension commission shall not exceed seven thousand dollars ($7,000.00) in any one year.

"On the first day of every calendar month hereafter the county treasurer of each county shall certify under oath, in duplicate, to the secretary of the State and to the State treasurer the amount paid out by such county during the preceding month under this section, and the State treasurer thereupon shall pay to the county treasurer of the said county a sum equal to one-half of the amount paid out by such county: Provided, however, That the amount paid by the State in any one year shall not exceed the sum of nineteen thousand five hundred dollars ($19,500.00) to New Castle County, of five thousand five hundred dollars ($5,500.00) to Kent County, and of eight thousand dollars ($8,000.00) to Sussex County.

"That for the purpose of this section the sum of forty thousand dollars ($40,000.00) shall be deemed and taken to be appropriated annually, beginning with the year nineteen twenty-three, out of any moneys in the State treasury not otherwise appropriated."

Approved March 28, A. D. 1923.
Amending section 3733 of chapter 154, Compiled Statutes of Idaho, relating to pensions for the support of mothers and orphan children; amending section 3734 of chapter 154, Compiled Statutes of Idaho, relating to allowances to mothers and also to guardians and custodians of orphan children; amending section 3735 of chapter 154, Compiled Statutes of Idaho, prescribing the conditions of allowance of pensions to mothers and for orphan children; amending section 3736 of chapter 154, Compiled Statutes of Idaho, relating to the duties of the probate court and county commissioners in the allowance of pensions to mothers and for orphan children; amending section 3737 of chapter 154, Compiled Statutes of Idaho, relating to discontinuance of allowance of pensions for mothers and orphan children; amending section 3738 of chapter 154, Compiled Statutes of Idaho, providing who are applicable to receive pensions for mothers and orphan children; amending section 3740 of chapter 154, Compiled Statutes of Idaho, providing for review of the orders of the probate court making allowances for mothers and orphan children by taxpayers and providing for hearings thereon.

Be it enacted by the Legislature of the State of Idaho: Section 1. That section 3733 of chapter 154 of the Compiled Statutes of Idaho be, and the same is hereby, amended to read as follows:

"Section 3733. The probate judge of each county, with the approval of the board of county commissioners, shall have authority as hereinafter provided to make provisions for the partial support of women whose husbands are dead, or whose husbands are prisoners, confined in the Idaho State Penitentiary, or whose husbands are confined in a State insane asylum or the State home for the feeble-minded, when such women are poor and are the mothers of children under the age of 15 years; and such mothers and children reside in the county: Provided further, The probate judge of each county, with the approval of the board of county commissioners, shall have authority as hereinafter provided to make provisions for the partial support of any child or children who are orphans, by paying the rate herein provided for each child to such guardian or other person who has the care, custody, control, and support of such child or children."

Sec. 2. That section 3734 of chapter 154 of the Compiled Statutes of Idaho be, and the same is hereby, amended to read as follows:

"Sec. 3734. The allowance of each of such women shall not exceed $10 a month when she has but one child under the age of 15 years, and if she has more than one child under the age of 15 it shall not exceed the sum of $10 a month for the first child and $5 a month for each of the other children under the age of 15 years: Provided further, That the payments to the guardian or custodian of any orphan child shall not exceed $10 per month for the first child and $5 a month for each of the other children under 15 years."

Sec. 3. That section 3735 of chapter 154 of the Compiled Statutes of Idaho be, and the same is hereby, amended to read as follows:

"Sec. 3735. Such allowance shall be made by the probate court with the approval of the board of county commissioners and only upon the following conditions:

1. The child or children for whose benefit the allowance is made must be living with the mother of such child or children.

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"2. The mother must, in the judgment of the probate court and the board of county commissioners, be a proper person, physically and mentally, for the bringing up of her children.

"3. Such allowance shall, in the judgment of the court and the board of county commissioners, be necessary to save the child or children from neglect.

"4. No mother shall receive the benefit of this article who shall not have been a resident of the State of Idaho for at least two years next preceding the application for such allowance and of the county at least six months next preceding the application for such allowance: Provided further. That orphan children shall not receive the benefit of this article who have not been residents of the State of Idaho for at least one year and of the county in which the application is made for at least six months next preceding the making of such application for such allowance: Provided further. That after any mother or orphan children have been granted an allowance in any county in the State and such mother or children move or are removed from such county to another county within the State, such mother or children shall not receive allowance from the new county in which they become residents until they have established residence in such new county at least one year: Provided, That the provisions of this article shall not apply to any child which has property of its own sufficient for its support, or to any child whose support is provided for in any other manner, or to the mother or guardian who is able financially to take care of such child or children."

Sec. 4. That section 3736 of chapter 154 of the Compiled Statutes of Idaho be, and the same is hereby, amended to read as follows:

"Sec. 3736. Whenever the probate court shall determine that an allowance under this article shall be made and it having the approval of the board of county commissioners, said court shall make an order to that effect, which order, among other things, shall set out in full the name of the mother, her place of residence, the names and ages of each of the children, and the amount allowed to each child, and the names and ages of each orphan child and the name of each guardian or custodian of such child. The court may, in its discretion and with the approval of the board of county commissioners, order the allowance paid to the mother or to an individual or organization approved by the court as trustee for her benefit, or to the guardian or custodian of any orphan child for the benefit of such child. Upon presentation of such order, the county commissioners shall direct monthly warrants to be drawn therefor, which warrants shall be paid from the general funds of the county."

Sec. 5. That section 3737 of chapter 154 of the Compiled Statutes of Idaho be, and the same is hereby, amended to read as follows:

"Sec. 3737. Whenever any child shall reach the age of 15 years, any allowance made to the mother or to any guardian or custodian of such child for the benefit of such child shall cease.

"The probate court may, with the approval of the board of county commissioners, at any time before such child reaches the age of 15 years, discontinue or modify the allowance to any mother or to any guardian or custodian and for any child. If such husband shall have been confined in the Idaho State penitentiary, such allowance shall cease on his discharge or parole, and whenever any woman on whose account any allowance shall have been made under the provisions of this article shall marry, such allowance shall cease."

Sec. 6. That section 3738 of chapter 154 of the Compiled Statutes of Idaho be, and the same is hereby, amended to read as follows:
"Sec. 3738. The provisions of this law shall not apply to any woman or child who is not eligible under the provisions of section 3738."

Sec. 7. That section 3740 of chapter 154 of the Compiled Statutes of Idaho be, and the same is hereby, amended to read as follows:

"Sec. 3740. In each case where an allowance is made to any woman, guardian, or custodian under the provisions of this article a judgment entry to that effect shall be entered upon the records of the probate court making such allowance, and it shall be the right of any tax-paying citizen at any time to file a motion to set aside judgment, and on such motion the probate judge shall hear evidence without a jury and his decision shall be final."

Approved March 15, 1923.

39197—24—6
An Act To amend section 2 and section 12 of "An act to provide for the partial support of mothers, and for the probationary visitation, care, and supervision of the family for whose benefit such support is provided," approved June 30, 1913, as amended.

Be it enacted by the people of the State of Illinois represented in the General Assembly: Section 1. Section 2 and section 12 of "An act to provide for the partial support of mothers, and for the probationary visitation, care, and supervision of the family for whose benefit such support is provided," approved June 30, 1913, as amended, are amended to read as follows:

"Sec. 2. A woman whose husband is dead and was a resident of the State of Illinois at the time of his death, or whose husband has become permanently incapacitated for work by reason of physical or mental infirmity and become so incapacitated while a resident of this State, or whose husband, being the father of her child or children under sixteen years of age, has abandoned her and said child or children, and neglects or refuses to maintain or provide for them, and who has fled from this State or secretes himself so that he can not be apprehended and prosecuted for wife or child abandonment in this State, such abandonment having been committed within this State, may file an application for relief under this act: Provided, Such woman has a previous residence for three years in the county where such application is made and is the mother of a child or children.

"Sec. 12. Whenever any child has arrived at the age of sixteen years any relief granted to the mother for such child shall cease. The court may, in its discretion, at any time before such child reaches the age of sixteen years, modify or vacate the order granting relief to any mother and for any child."

Approved June 26, 1923.

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INDIANA.

[Acts 1923, ch. 61, p. 182.]


[Approved March 3, 1923.]

Sec. 4. * * * That section 5 of the above-entitled act be amended to read as follows:

"Sec. 5. Board of children's guardians may place ward under care of the mother and allow her compensation therefor.—* * * In all cases where a child has been made a ward of the board of children's guardians and where the court or the board of children's guardians deems it advisable for the best interest of such child that it be placed under the care of its mother and that the mother be allowed compensation therefor, the board of children's guardians shall place such child under the care of its mother and allow her such compensation therefor as the board may fix, not exceeding the legal per diem allowed for the care of wards of such board. The county council shall appropriate and the county commissioners shall allow the funds necessary to carry into effect the provisions and purposes of this section. When any such child is committed to the custody and made a ward of the board of children's guardians and placed under the care of its mother, as hereinbefore provided, such child shall in no case be taken from the care of the mother except upon order of the court or the judge thereof upon petition of the board of children's guardians. Whenever such petition shall be filed, the court or judge sitting in vacation shall fix a time and place for hearing the same, and the board of children's guardians shall give the mother notice of such hearing as the court or judge may direct. Any child which shall have been placed under the care of its mother, and for the maintenance of which an allowance shall have been made, shall be visited at least once a month by some member of the board of children's guardians or by an agent of the board to determine whether such child is being properly cared for in compliance with the spirit and purpose of this act."

Note.—The above-described act provides for a board of children's guardians in each county, to be composed of six persons, three being women, and every member a parent, the members being appointed by the court having juvenile jurisdiction within the county. Said board to have the care and supervision of neglected and dependent children committed to its custody by the court having juvenile jurisdiction.
IOWA.

[Laws 1925, ch. 57, p. 66.]

WIDOW'S PENSION.

[H. F. 424.]

An Act To amend and revise section two hundred fifty-four—a twenty (254-a20), Supplement to the Code, 1913, as amended by chapter one hundred seven (107), Acts of the Thirty-eighth (38) General Assembly; chapter fifty-one (51), acts of the Thirty-ninth (39) General Assembly; and chapter two hundred fifty-two (252), Acts of the Thirty-ninth General Assembly (S. C. C., sec. 2194), relating to financial aid to widowed mothers of dependent or neglected children.

Be it enacted by the General Assembly of the State of Iowa: Section 1. Financial aid to widowed mothers.—That lines eleven (11) to twenty-four (24), both inclusive, of section twenty-one hundred four (2104), Supplement to the Compiled Code, section two hundred fifty-four—a twenty (254-a20), Supplement to the Code as amended by chapter one hundred seven (107), acts of the Thirty-eighth General Assembly; chapter fifty-one (51), acts of the Thirty-ninth General Assembly; and chapter two hundred fifty-two (252), acts of the Thirty-ninth General Assembly, be amended and revised to read as follows:

"If the court finds that the mother of such dependent or neglected child is a widow and has been for more than one year preceding the filing of the application a resident of the county where aid is applied for, and if the court further finds that such mother is poor and unable to properly care for said child, but is otherwise a proper guardian, and that it is for the welfare of such child to remain at home, the court may enter an order finding such fact and fixing an amount of money necessary to enable such mother to properly care for such child, not to exceed the sum of two dollars and fifty cents ($2.50) per week for each child under the age of sixteen (16) years; Provided, however, That no such allowance to a widowed mother shall be made until after ten days' written notice of application for such order shall have been given to the board of supervisors of the county, during which time said board of supervisors may appear and show cause why such order should not enter. Upon the allowance of such application, it shall be the duty of the county board of supervisors, through its overseer of the poor or otherwise, to pay to such mother at such times as said order may designate the amount so specified for the care of such dependent or neglected child until further order of the court. The amount to be paid for the care of any such child shall not exceed the sum of two and 50/100 dollars ($2.50) per week. No such allowance shall be effective for more than two years, but may be renewed by making application and showing as hereinafore provided for original application. All allowances now in effect shall cease on December 31, 1923, unless renewed as herein provided. No allowance shall be continued after the child shall have attained the age of sixteen (16) years, or after the mother has remarried or after she has acquired legal residence in another county or after she has ceased to reside in the State.

Approved April 12, A. D. 1923.

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MOTHERS' PENSION LAWS IN THE UNITED STATES.

IOWA LAW AS AMENDED.

[Supplement to Code 1913, sec. 254-a20 as amended by Laws 1917 (37th General Assembly), ch. 54 and ch. 150; Laws 1919 (38th General Assembly), ch. 12 and ch. 107; Laws 1921 (39th General Assembly), ch. 51 and ch. 282; Laws 1923 (40th General Assembly), ch. 57.]

When any child of the age stated in section twenty hundred eighty-nine of the Compiled Code shall be found to be dependent or neglected, within the meaning of this chapter, the court may make an order committing the child to the care of some suitable State institution, or to the care of some reputable citizen of good moral character, or to the care of some training school, as provided by law, or to the care of some association willing to receive it, embracing in its objects the purpose of caring for and obtaining homes for dependent and neglected children, which association shall have been accredited as hereinafter provided.

If the court finds that the mother of such dependent or neglected child is a widow and has been for more than one year preceding the filing of the application a resident of the county where aid is applied for, and if the court further finds that such mother is poor and unable to properly care for said child, but is otherwise a proper guardian, and that it is for the welfare of such child to remain at home, the court may enter an order finding such fact and fixing an amount of money necessary to enable such mother to properly care for such child, not to exceed the sum of two dollars and fifty cents per week for each child under the age of sixteen years: Provided, however, That no such allowance to a widowed mother shall be made until after ten days' written notice of application for such order shall have been given to the board of supervisors of the county, during which time said board of supervisors may appear and show cause why such order should not enter.

Upon the allowance of such application, it shall be the duty of the county board of supervisors, through its overseer of the poor or otherwise, to pay to such mother at such times as said order may designate the amount so specified for the care of such dependent or neglected child until further order of the court. The amount to be paid for the care of any such child shall not exceed the sum of two dollars and fifty cents per week.

No such allowance shall be effective for more than two years, but may be renewed by making application and showing as hereinbefore provided for original application.

No allowance shall be continued after the child shall have attained the age of sixteen years, or after the mother has remarried, or after she has acquired legal residence in another county, or after she has ceased to reside in the State.

At any time after such allowance is made, the overseer of the poor, or the board of supervisors, may make objections to the continuance of such allowance. When such objection is made the court or judge thereof shall fix a time for hearing and order that notice be given to the person receiving the allowance, and at the time fixed the court or judge shall summarily hear and determine the objections made, and may revoke or modify the order for allowance theretofore made and make such further order as shall be just and proper in the premises.

The court may, when the health or condition of the child may require it, cause the child to be placed in a public hospital or institution for treatment or special care, or in a private hospital or institution which will receive it for like purposes without charge.

No child under the age of ten years shall be committed to the training school for boys or the training school for girls; but such children shall be eligible to admission to the soldiers' orphans' home at Davenport, under the laws and rules applying to the admission of other children to this institution.
The people of the State of Michigan enact: Section 1. Section seven of act number six of the Public Acts of the extra session of nineteen hundred seven, entitled "An act to define and to regulate the treatment and control of dependent, neglected, and delinquent children; to prescribe the jurisdiction of the probate court and the powers, duties, and compensation of the probate judge and the probate register with regard thereto; to provide for the appointment of county agents, register of the juvenile division, and probation officers and to prescribe their powers, duties, and compensation; and to provide for the granting of rehearings and modifications of orders, sentences, and decrees of said court," being section two thousand seventeen of the Compiled Laws of Nineteen Hundred Fifteen, as last amended by act number sixteen of the Public Acts of the first extra session of nineteen hundred twenty-one, approved June fifteen, nineteen hundred twenty-one, is hereby amended to read as follows:

"Sec. 7. When any child under the age of seventeen years shall be found to be a dependent or neglected child within the meaning of this act, the court may make an order committing the child to the care of some suitable State institution, subject to the laws and regulations governing such institution, or to the care of some reputable citizen of good moral character, or to the care of some training school, or industrial school, as such provided by law, or to the care of some duly incorporated and licensed association willing to receive it, embracing in its object the purpose of caring for or obtaining homes for dependent or neglected children, which association shall have been approved by the State board of corrections and charities: Provided, That if the mother of such dependent or neglected child is unmarried or divorced or is a widow, or has been deserted by her husband, or if her husband has been declared insane or is feeble-minded, epileptic, paralytic, or blind and is confined to a State hospital or other State institution, or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, or is the wife of an inmate of some State penal institution serving sentence therein for crime, or of an inmate of a hospital for the treatment of insane who is confined therein for the purpose of being treated for insanity or other diseased mental condition, and such mother is poor and unable to properly care and provide for said child, but is otherwise a proper guardian, and it is for the welfare of such child to remain in the custody of its mother, the court, after investigation and report by the county agent or the probation officer of the county, may enter an order finding such facts and fixing the amount of money necessary to enable the mother to properly care for such child, such amount not to exceed ten dollars per week and not less than two dollars per week in case said mother has but one child, with an additional sum of two dollars per week for each such additional child. Thereupon it shall be the duty of the county treasurer of the county of which such child is a
resident to pay from the general fund of such county to such mother, at such
time as such order may designate, the amount so specified for the care of
such dependent or neglected child until the further order of the court.
Such orders shall not require the approval of the board of supervisors or
county auditor or auditors. The court shall, when the health or condition of
the child shall require, cause the child to be placed in a public hospital or in
an institution for treatment or special care, or in a private hospital or
institution for special care or treatment, the expense to be paid from the
general fund of the county of which the child is a resident.

Approved May 25, 1923.
MINNESOTA.
[Session Laws 1923, ch. 180.]

An Act To amend section 2 of chapter 223, Laws 1917, entitled "An act to provide for allowances out of the county and State funds in certain cases for the support of dependent children in their own homes, and for investigation and supervision of such cases, and to repeal sections 7197, 7198, and 7199, General Statutes 1913."

Be it enacted by the Legislature of the State of Minnesota: Section 1. Mothers' pensions to be paid from poor fund of counties.—That section 2 of chapter 223, Laws 1917, is hereby amended so as to read as follows:

"Sec. 2. A certified copy of such order shall be filed with the county auditor, and thereafter, so long as such order remains in force and unmodified, it shall be the duty of the county auditor each month to draw his warrant on the general revenue or poor fund of the county in favor of the mother for the amount specified in such order. The warrant shall be delivered to the clerk of the court making the order and shall by the latter be delivered to the mother upon her executing a receipt therefor, to be retained by the clerk with the other records in the proceedings relating to the child. It shall be the duty of the county treasurer to pay the warrant out of the general revenue or poor fund of the county when properly presented. No such allowance shall be paid toward the support of any child who has become lawfully entitled to apply for and receive an employment certificate or who has ceased to be under the immediate care of the mother. The court may, for cause shown, revoke or modify any order previously made. A certified copy of any such subsequent order shall forthwith be filed with the county auditor, and thereafter warrants shall be drawn and payments made only in accordance with such subsequent order. This act shall not authorize the county auditor in any county now or hereafter caring for the poor of the county under the commission system to draw his warrant on the poor fund of such county in favor of any mother for the amount specified in any such order."

Sec. 2. Inconsistent act repealed.—That sections 7197, 7198, and 7199, General Statutes of Minnesota for 1913, are hereby specifically repealed.

All acts and parts of acts inconsistent herewith are hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved April 10, 1923.
NEW YORK.

[ Laws of New York 1923, ch. 736.]

An Act To amend the general municipal law in relation to the payment of awards made by child-welfare boards.

Became a law May 24, 1923, 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 fifty-three 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 by adding thereto a new subdivision, to be subdivision nine, to read as follows:

"9. Where the mother of a child or children, who otherwise would be qualified to receive benefit under this article, is dead, a relative within the second degree of the father or mother of such child or children, meeting the requirements of residence and citizenship as contained in this article, may make application for allowance hereunder, and the board, if satisfied that such person is a proper person mentally, morally, and physically to care for and bring up such child or children, may grant to such person the amount which would have been allowed on account of such child or children if the mother were alive. Allowances under this subdivision shall be granted only when moneys have been specifically appropriated for such grantees by the board of supervisors of the county or the board of estimate and apportionment of the city."

Sec. 2. Section one hundred and fifty-seven of such chapter, as added by chapter five hundred and forty-six of the Laws of Nineteen Hundred and Twenty-two, is hereby amended by adding thereto a new subdivision to follow subdivision three, to be subdivision four, to read as follows:

"4. Where the mother of a child or children, who otherwise would be qualified to receive benefit under this article, is dead, a relative within the second degree of the father or mother of such child or children, meeting the requirements of residence and citizenship as contained in the article, may make application for allowance hereunder, and the board, if satisfied that such person is a proper person mentally, morally, and physically to care for and bring up such child or children, may grant to such person the amount which would have been allowed on account of such child or children if the mother were alive. Allowances under this subdivision shall be granted only when moneys have been specifically appropriated for such grantees by the board of supervisors of the county or the board of estimates and apportionment of the city."

Sec. 3. This act shall take effect immediately.

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Provided by the Maternal and Child Health Library, Georgetown University
New York—Continued.

[Laws of New York 1923, ch. 731.]  
An Act To amend the general municipal law in relation to boards of child welfare—husband permanently incapacitated.

Became a law May 24, 1923, 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. Subdivision one of section one hundred and fifty-three 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 and last amended by chapter seven hundred of the Laws of Nineteen Hundred and Twenty, is hereby amended to read as follows:  

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 inmate of a State institution for the insane or confined under a sentence of five years or more to a State prison, or to any mother whose husband is permanently incapacitated and confined in an institution for the care of his particular ailment: 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.”  

Sec. 2. This act shall take effect immediately.

[Laws of New York 1923, ch. 733.]  
An Act To amend the general municipal law in relation to boards of child welfare—residence and citizenship of grantees.

Became a law May 24, 1923, 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. Subdivision one of section one hundred and fifty-three 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 and last amended by chapter seven hundred of the Laws of Nineteen Hundred and Twenty, is hereby amended to read as follows:  

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 inmate of a State institution for the insane or confined under a sentence of five years or more to a State prison. No such allowance shall be made to any person unless the local board of child welfare deem such person to be a proper person mentally, morally, and physically to
care for and bring up the child or children for whose benefit such allowance is made. No such allowance shall be made to any person unless such person shall have been for at least two years prior to application therefor a resident of the State and is legally entitled to relief within the county or city wherein she applies for an allowance and resides in such county or city and is either—

" (a) A citizen of the United States;

" (b) The mother of a child or children born in the United States whose father was a resident of the State for a period of two years immediately preceding his decease or commitment and had declared his intention to become a citizen of the United States within a period of five years immediately preceding his decease or commitment;

" (c) The mother of a child or children born in the United States, if such mother has resided in this country for a period of at least five years prior to making application for such allowance and has declared her intention to become a citizen of the United States.”

Sec. 2. Subdivision (a) of subdivision two of section one hundred and fifty-seven of such chapter, as added by chapter five hundred and forty-six of the Laws of Nineteen Hundred and Twenty-two, is hereby amended to read as follows:

" (a) Grant an allowance to any dependent widow or to any mother whose husband is an inmate of a State institution for the insane or confined under a sentence of two years or more of actual confinement in a State prison, or to any mother whose husband is totally incapacitated by physical disability or ailment. No such allowance shall be made to any person unless the board of child welfare deems such person to be a proper person mentally, morally, and physically to care for and bring up the child or children for whose benefit such allowance is made. No such allowance shall be made to any person unless such person is legally entitled to relief within the county wherein she applies for an allowance and is either a citizen of the United States; or the mother of a child or children born in the United States whose father has been a resident of the State for at least two years and has declared his intention to become a citizen of the United States within a period of five years immediately preceding his decease or commitment; or the mother of a child or children born in the United States, if such mother has resided in this country for a period of at least five years prior to making application for such allowance, and has declared her intention to become a citizen of the United States.

"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 the 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.

"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.

"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 child or children."

Sec. 3. This act shall take effect immediately.
NORTH CAROLINA.

[Public Laws 1923, ch. 260, p. 583.]

An Act To aid needy orphan children in the homes of worthy mothers.

The General Assembly of North Carolina do enact: Section 1. That the boards of county commissioners of the several counties of the State are hereby authorized, in their discretion, to make an allowance to any eligible mother (as hereinafter explained and defined) for her support, where she is left with a child or children under fourteen years of age, under the conditions hereinafter set forth.

Sec. 2. That the county board of charities and public welfare of any county, after investigation by the county superintendent of welfare, may determine what amount within the provisions of this act is advisable for the care of a child or children, and shall recommend to the board of county commissioners that an appropriation be made for the support of such mother and child or children under fourteen years of age.

Sec. 3. That the maximum amount to be allowed per month under this act shall not exceed fifteen dollars for one child, ten dollars additional for the second child, and five dollars additional for the third child, or any excess of three: Provided, The total amount shall not exceed forty dollars, except in extraordinary circumstances in which it appears to the satisfaction of the board of county commissioners that a total of forty dollars per month would be insufficient to secure the purposes above set forth.

Sec. 4. That to be eligible to apply for mother’s aid a woman must be the mother of a child or children under fourteen years of age, a resident of the State of North Carolina for three years, and a resident of the county for one year preceding, and possessed of sufficient mental, moral, and physical fitness to be capable of maintaining a home for herself and child or children and prevented only from lack of means. Such person must be either a widow, or divorced, or deserted, if it be found impossible to require the husband to support her, or the husband is found to be mentally or physically incapacitated to support his family, or if the husband be confined in any jail and assigned to work the roads of any county or in any penal or reformatory institution, provided no relative is able and willing to undertake sufficient aid: Provided, That if the mother is given partial aid or assistance by any relative or charitable organization, the board of county commissioners, in their discretion, may make allowance to such mother to help out the same where it may be necessary, in their opinion and judgment.

Sec. 5. That any board of county commissioners taking advantage of the provisions of this statute may require that the report of the investigation of the county superintendent of welfare in every case shall be presented to and approved by the judge of the juvenile court in that county before making an appropriation.

Sec. 6. That the State board of charities and public welfare shall have general oversight of the administration of this act with the view to making it uniform throughout the State; shall furnish all necessary blanks and give
such advice and help as it can in order to aid in efficiently securing its purpose.
The county superintendent of public welfare shall make his report on any
case to the board of county commissioners in duplicate, one copy of which
shall be forwarded at once, with the action of the board of county commis-
ioners indorsed thereon, to the State board of charities and public welfare and
one filed by the board of county commissioners with its records in the case.
The State board of charities and public welfare shall at once notify the board
of county commissioners of its approval or disapproval for reimbursement as
provided in section eight of this act, and the said board may suggest additional
requirements for the consideration of the board of county commissioners.
Sec. 7. That after investigation by the county welfare officer, when the
board of county commissioners shall adjudge that a mother is entitled to
aid under this act, said board of county commissioners shall determine the
monthly amount that the board of county commissioners may allow, and
order its treasurer in writing to pay said amount to the person designated
by it, and continue the same monthly until the order be changed or the ex-
piration of the time for which the order is limited.
Sec. 8. That at the end of each fiscal quarter the treasurer of the county
wherein aid has been granted shall furnish an itemized statement in each case
of amounts paid, duly certified by him under oath, to the State board of charities
and public welfare. If each case thereof shall have been approved by the
State board of charities and public welfare and all required regulations of
this act shall have been fulfilled, the State board of charities and public
welfare shall certify the account to the State treasurer, whereupon the State
treasurer shall immediately make out and forward to such county treasurer
his voucher for one-half of the total amount certified as having actually
been paid out by the county. Such voucher shall be made out against any
fund in the treasury not otherwise appropriated: Provided, The total amount
for the State shall not exceed a maximum of fifty thousand dollars ($50,000)
per year, to be apportioned among all the counties on a per capita basis:
Provided, That the proportionate share of any county not availing itself as
above provided by this act shall remain in the hands of the State treasurer
until otherwise appropriated.
Sec. 9. That all laws and clauses of laws in conflict with the provisions of
this act are hereby repealed.
Sec. 10. That this act shall be in force from and after its ratification.
Ratified this the 29th day of February, A. D. 1923.
NORTH DAKOTA.

[Session Laws 1923, ch. 156, p. 153.]

An Act To amend and reenact chapter 155 of the Session Laws of 1915 relating to the support of needy women who are the mothers of and who are compelled to support one or more children under sixteen years of age.

Be it enacted by the Legislative Assembly of the State of North Dakota:

Section 1. Allowance to mothers.—In every county in the State of North Dakota any mother who has one or more children under the age of sixteen years, who are dependent upon her for support, shall receive an allowance of fifteen dollars a month for each such child, or such portion of it as becomes necessary for the support of each such child, such sum to be paid out of the county treasury as hereinafter provided. Said dependency of child or children must be due to death of father or his inability or unfitness to support them by reason of physical or mental ailment or to his confinement in a penal institution when such inability extends over a period of at least six months.

Section 2. Conditions of allowance.—Such allowances shall be made by the county court only with the approval of the county commissioners and only upon the following conditions:

(1) The child or children for whose benefit the allowance is made must be living with the mother.

(2) The allowance shall be made only when in its absence the mother would be unable to maintain a suitable home for her children.

(3) The mother must in the judgment of the county court be a proper person morally, physically, and mentally for the bringing up of her children.

(4) When the allowance shall be necessary in the judgment of the county court to save the child or children from neglect.

(5) When the mother has been a resident of the county in which the application is made at least one year previous to the making of such application.

(6) When the mother is a citizen of the United States, or has legally declared her intention to become a citizen.

(7) When it appears that any mother, whose children are dependent by reason of the nonsupport, abandonment, or desertion of her husband for six months or longer, has made criminal complaint against such husband, or father of the children, and has assisted and will continue to assist in all reasonable efforts to locate and to prosecute him.

(8) When it appears that the father of the dependent children is physically or mentally unable or unfit to support them, he must be under proper and reasonable treatment for the possible removal of such defect.

(9) Each applicant under this act shall make a full disclosure of all of her real and personal property, if any, and shall not be eligible for an allowance when in the opinion of the court she has sufficient real and personal property to provide for the needs of her children.

(10) If the county court finds that the funds allowed under this act are not judicially used, it may order the allowance made in supplies and provisions, in which case it shall be administered by the county child welfare board, if there be one, or by some proper person appointed by the court.
Sec. 3. When allowance shall cease.—When any child shall reach the age of sixteen years any allowance made to such mother for the benefit of such child shall cease.

Sec. 4. Investigation.—Before making any order of allowance under this act it shall be the duty of the court, either through the judge in person or a probation officer designated for that purpose, to make inquiry as to all the points necessary to establish the right to such allowance, and particularly to inquire whether the surroundings of the household, including its members, are such as to make for the good character of children growing up therein; to ascertain all the financial resources of the family, including the ability of its members of working age to contribute to its support, and if need be to urge upon such members their proper contribution; to take all lawful means to secure support for the family from relatives under legal obligation to render such support; to ascertain the ability of other relatives to assist the family, and to interview individual societies and other agencies which may be deemed appropriate sources of such assistance. Every family to which an allowance has been made shall be visited at its home by a representative of the court at least once in three months, and after each visit the person making the same shall make and keep on file as a part of the official record of the case a detailed statement of the condition of the home and family, and all other data which may assist in determining the wisdom of the allowance granted and the advisability of its continuance.

Sec. 5. Duties of county officers.—In each case where an allowance is made under the provisions of this act and approved by the board of county commissioners an entry to that effect shall be made upon the records of the county court making such allowance, and the county judge shall notify the county commissioners, county auditor, and county treasurer that such allowance will be made, and it shall be the duty of such officers to make provisions for paying such allowance monthly until notified by the court that it shall be discontinued.

Sec. 6. Application—Hearing.—Applications shall be made in writing to the county court by a person desiring aid or by some citizen in her behalf, stating her residence, whether the applicant is a citizen or has declared her intention to become a citizen, the number of dependent children, their ages, and a detailed statement of her real and personal property, if any, and of her income, if any, together with an estimate of her probable needs in order to maintain her home. The court shall set a day for a hearing, giving notice in writing to the county commissioner of the district in which such woman resides, and to the county child welfare board, if there be one. The hearing shall be not less than fifteen days from the date of such notice. Any interested taxpayer may file a statement with the court, or may appear in person on the day set for the hearing, in support of, or protest against, the granting of such application, and may appeal to the district court for reversal or modification of the action of the county court or the board of county commissioners on such application.

Sec. 7. Duties of board of administration.—It shall be the duty of the board of administration to promote efficiency and uniformity in the administration of this act, and to that end it shall advise and cooperate with county courts with respect to methods of investigation, oversight, and record keeping; shall in cooperation with the county judges advise, recommend, and distribute blank forms and shall assist the county judges in such other ways as may be requested by them.

Sec. 8. Purpose of act.—The purpose of this act is hereby declared to be to enable the State and its several counties to cooperate with the responsi-
NORTH DAKOTA—Continued.

...ble mothers in rearing further citizens. The court may at any time alter, modify, or discontinue any allowance granted whenever it shall appear that such purpose is not being fulfilled. It is the further purpose of this act to provide permanent aid to such mothers and their children as come within its provisions. All temporary aid shall be granted under such laws as exist for that purpose.

Sec. 9. All mother's pensions granted prior to the time of the taking effect of this article, under the laws now enforced, are by this act canceled, and no further payments shall be made thereunder.

Sec. 10. Penalty for violation.—Any person fraudulently procuring or attempting to procure an allowance under this act shall be guilty of a misdemeanor, unless the fraudulent act shall constitute a felony under the laws of the State.

Approved March 5th, 1923.
PENNSYLVANIA.

[Legislative Acts 1927, No. 290]


SECTION 1. Be it enacted, etc., That section one of the act, approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, Eight Hundred Ninety-Three), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants, and fixing the salaries of such State supervisor and assistants; defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the appportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties," is hereby amended to read as follows:

"SECTION 1. Be it enacted, etc., That in each county of the Commonwealth which, by the action of its county commissioners, accepts the provisions of this act the governor shall appoint a board of trustees, composed of seven women, residents of the county, to be called the Board of Trustees of the Mothers' Assistance Fund.

"Except as herein otherwise provided, such trustees shall hold office for a term of six years and until their successors are duly appointed and qualified.

"Whenever any county shall hereafter accept the provisions of this act, the first board of trustees shall be appointed as follows: Two for two years each, two for four years each, and three for six years each, from the first day of June next succeeding.

"In all counties which have heretofore accepted the provisions of this act, the board of trustees now in office shall continue in office as heretofore unless removed by the governor, but the governor shall, before the first day of June, one thousand nine hundred and twenty-three, designate two of said trustees to hold office for two years each, two for four years each, and three for six years each, and where such board has less than seven trustees the governor shall appoint additional trustees so that the total number may be seven, and he shall accordingly fix their terms.

"If the terms of trustees shall expire, the governor shall appoint successors for terms of six years each.

"Vacancies, other than those due to the expiration of a term, shall be filled by appointment by the governor for the unexpired term.

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"All counties which have heretofore availed themselves of the provisions of the acts repealed by this act shall be deemed to have accepted the provisions of this act, and shall be entitled to the benefits thereof."

Sec. 2. That section three of said act is hereby amended to read as follows:

"Sec. 3. The State supervisor shall have general supervision over the boards of trustees of the several counties, and shall act as general field organizer. She shall be on the staff of the department of public welfare.

"The State supervisor shall formulate and issue to the boards of trustees of the various counties rules of procedure by which they shall be governed, to the end that uniformity of interpretation and practice shall obtain throughout the Commonwealth. She shall visit, at least twice each year, the boards of trustees of each county accepting the provisions of this act.

"She shall, as general field organizer, visit the county commissioners of those counties which have not availed themselves of the provisions of this act, and shall explain to such commissioners the benefits accruing from the act and the advantages of coming within its provisions, and shall assist such county commissioners in the organization of boards of trustees.

"She shall make a report annually to the commission of public welfare, reviewing the work done under the provisions of this act by the trustees of the various counties, laying special stress upon educational conditions of the assisted families."

Approved the 23d day of May, A. D. 1923.

An Act Making an appropriation to carry into effect the provisions of an act, approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred ninety-three), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants; defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties; and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties."

SECTION 1. Be it enacted, etc., That the sum of one million seven hundred fifty thousand ($1,750,000) dollars is hereby specifically appropriated for the two fiscal years beginning June first, one thousand nine hundred and twenty-three, for the purpose of carrying into effect the provisions of the act, approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred ninety-three), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants, and fixing the salaries of such State supervisor and assistants; defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties."

Sec. 2. Upon the approval of this act, the State treasurer, after deducting from the entire amount appropriated the sums hereinafter designated for salaries and expenses, shall divide the balance into two equal parts.
The one part, hereinafter referred to as the second part, shall be held intact for distribution on and after the first day of June, one thousand nine hundred and twenty-four, in the manner hereinafter provided.

The other part shall, upon the approval of this act, be distributed and apportioned to the several counties of the State according to the following classification:

First class.—Counties with a population of more than one million five hundred thousand inhabitants, twenty-four per centum.

Second class.—Counties with a population of more than one million and not more than one million five hundred thousand inhabitants, sixteen per centum.

Third class.—Counties with a population of more than two hundred thousand and not more than one million inhabitants, equal parts of nineteen per centum.

Fourth class.—Counties with a population of more than one hundred thousand and not more than two hundred thousand inhabitants, equal parts of twenty-six per centum.

Fifth class.—Counties with a population of more than fifty thousand and not more than one hundred thousand inhabitants, equal parts of nine per centum.

Sixth class.—Counties with a population of twenty-five thousand and not more than fifty thousand inhabitants, equal parts of four and one-fourth per centum.

Seventh class.—Counties with a population of twenty-five thousand inhabitants or less, equal parts of one and three-fourths per centum.

Sec. 3. On the first day of June, one thousand nine hundred and twenty-four, the State treasurer shall set aside, out of the second part, to each county then organized under the mothers' assistance system, a sum equal to that apportioned to it under the preceding section. Except as in section five of this act provided, the amount so set aside to any county, together with the un expended balance of the amount apportioned to the county during the first year, shall constitute the State's assistance during the second year to such county.

Sec. 4. No county shall receive any sum from the State, under sections two and three of this act, unless such county shall appropriate a like sum for the same purpose.

Sec. 5. The money set aside on the approval of this act to counties that were not at that time organized under the mothers' assistance system and which did not come into the system during the year ending May thirty-first, one thousand nine hundred and twenty-four, together with the balance of the second part remaining after the proper amounts have been set aside as provided in section three, shall constitute a fund to be known as the surplus fund.

A county organized under the mothers' assistance system prior to or during the year ending May thirty-first, one thousand nine hundred and twenty-four, may receive, during the second year, out of the surplus fund, a sum additional to that apportioned and set aside to it under sections two or three.

Sec. 6. No county shall receive its allotment of the State appropriation available for any year under the classification appointed by this act unless such county has accepted the provisions of the act of July tenth, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred ninety-three), and has placed at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such year. But a county may participate in the surplus fund if, in addition to the appropriations and provisions hereinafter required, it shall appropriate a sum equal to the amount which it desires from the surplus fund.
No county shall be permitted to participate in such surplus fund to an amount in excess of twenty-five per centum of the aggregate sum apportioned and set aside by the State treasurer to that county for the entire two-year period.

Sec. 7. Out of the amount hereinbefore appropriated, the following amounts shall be set apart, and applied for the following purposes:

For the payment of the salary of the State supervisor of the mothers' assistance fund, at the rate of three thousand dollars ($3,000) per annum, two years, the sum of six thousand dollars ($6,000).

For the payment of the salaries of such assistant State supervisor, clerks, and other employees as may be required for the proper conduct of the work of the supervisor; for the traveling and hotel expenses of the supervisor and his assistant, if any; for the cost of making special investigations; and for contingent and office expenses two years, the sum of nineteen thousand dollars ($19,000), or so much thereof as may be necessary.

Approved the 28th day of May, A. D. 1923.
RHODE ISLAND.

[ Laws 1921, ch. 2346. ]

An Act To provide aid for mothers of dependent children and in amendment of chapter 102 of the General Laws as amended by chapter 1470 of the Public Laws, passed at the January session, A. D. 1917.

It is enacted by the general assembly as follows: Section I. The object of this act is to provide aid for mothers of dependent children as herein specified and shall be liberally construed for the benefit of the children of such mothers.

Sec. 2. In every city where the board of aldermen, and in every town where the town council, and in the case of the city of Cranston, the city council, agrees to cooperate with the State under the provisions of this act, there shall be created a local board of mothers' aid consisting of not less than three nor more than five qualified electors, or the office of local director of mothers' aid, such local board or local director to be appointed in the cities by the board of aldermen and in the towns by the town council, and in the case of the city of Cranston, by the city council, who shall serve during the term of such board of aldermen, town council, or city council, as the case may be. If any member of a local board or the local director shall refuse to serve or become incapacitated, the board of aldermen, town council, or city council, as the case may be, shall appoint some other qualified elector in his place and stead. The term "local board" whenever used in this act shall be construed to mean the local director of mothers' aid, or the local board of mothers' aid hereby created. The local board shall serve without compensation and shall, if composed of three or more members, select a chairman and a secretary from their own number.

Sec. 3. The local board shall have power, subject to the provisions of the subsequent sections of this act, to grant aid to mothers with dependent children under fourteen years of age who desire and need such help if such mothers are capable and fit mentally, morally, and physically to bring up their children. The aid granted shall be sufficient to enable such mothers to properly care for their children in their own homes, and such mothers and their children shall not be deemed to be paupers by reason of receiving aid as aforesaid. The word "mother" as used in this section shall include any person standing in loco parentis to any child or children under sixteen years of age. Where the child is in school with a satisfactory record of attendance and scholarship the local board may at its option continue such aid until such child has reached the age of sixteen years.

Sec. 4. The local board shall determine if the mother is fit to bring up her children, and the other members of the household and the surroundings of the home are such as to make for good character, and aid from the local board is necessary to enable her to properly care for her children, by making an immediate and careful inquiry into the resources of the family and the ability of its other members, if any, to work or otherwise contribute to its support, the existence of relatives able to assist the family, and of individuals, societies, or agencies who may be interested therein; shall take all lawful means to compel all persons bound to support the mother and children to contribute to their support, and to enforce any other legal rights for their benefit; shall press all members of the family who are able to work to secure employment; shall endeavor to secure employment for them; and shall secure all necessary aid for the mother and children which can be secured from relatives, organizations, or individuals.

Sec. 5. The local boards, either by one of their own number or by their duly appointed agents, shall visit, at least once in every three months, at their homes
RHODE ISLAND—Continued.

or other place or places where they may be living, each mother and her dependent children who are being aided financially or otherwise by said local board; and after each visit shall make and keep on file as a part of their official records a detailed statement of the condition of the home and family and all other data which may assist in determining the wisdom of the measures taken and the advisability of their continuance; and said local board shall at least once in each year reconsider the case of each mother with dependent children with whom they are dealing, and enter their determination, with the reasons therefor, on their official records, and may discontinue such aid when deemed advisable.

Sec. 6. This act shall apply to all mothers of dependent children, whether or not they have a settlement within this State, who are citizens of this State and shall have resided in the town in which they live not less than one year.

Sec. 7. No mother shall receive the benefits of this act who shall be employed in any factory, manufacturing, mechanical, business, or mercantile establishment in violation of any law of this State.

Sec. 8. Any person or persons fraudulently obtaining or attempting to obtain any benefits under this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than five dollars nor more than one hundred dollars, or imprisonment in the county jail for a term not exceeding six months, or both.

Sec. 9. Every city or town making an appropriation for the purpose of providing aid for mothers of dependent children, available for expenditure by the local board and conforming to all requirements of this act, shall be reimbursed by the State for one-half of the amount expended for such aid in accordance with and subject to the provisions of chapter 102 of the General Laws, as amended.

Sec. 10. Chapter 102 of the General Laws, entitled "Of the State Home and School for Children," as amended by chapter 1476 of the Public Laws passed at the January session, A. D. 1917, is hereby further amended by adding thereto the following sections:

"Sec. 12. The commission shall establish a bureau of mothers' aid for dependent children, which shall function as a division of the State Home and School for Children, and shall appoint a woman qualified by training and experience as State director, who shall hold office during the pleasure of said commission and receive an annual salary of not exceeding twenty-five hundred dollars. Said State director shall devote all her time to the duties of the office and shall have general supervision of the operations of said bureau, and subject to the approval of the commission, may employ such assistants and agents as may be necessary and fix their compensation within the amounts appropriated therefor by the general assembly.

"Sec. 13. The State director, subject to the approval of the commission, shall have access to all records of the State Home and School for Children, and the employees of the 'placing-out department,' so called, shall cooperate with and render such assistance to the State director as may be required in carrying out the provisions of this act.

"Sec. 14. Said State director shall have general supervision over the work of the local boards of the several cities and towns, and shall act as general field organizer, and shall formulate and issue to said local boards rules of procedure by which they shall be governed, to the end that uniformity of interpretation and practice shall be obtained throughout the State. She shall have access to any records and other data kept by the local boards or their representatives relating to such aid and shall visit at least twice a year the local boards of each city and town accepting the provisions of this act and
shall personally or by a duly appointed agent visit and inspect all families aided under this act. She shall make a report annually to the commission, reviewing the work done under the provisions of this act by the local boards of the various cities and towns, laying special stress upon the educational progress of the children in families receiving assistance.

"Sec. 15. A detailed statement of the amount expended for such aid by the cities and towns in each calendar month shall be rendered by the local board on or before the fifteenth day of the month following to the director, together with such certificates and other guaranties as said director may require, and upon approval by said director the cities and towns shall be reimbursed by the State, for one-half of the amount so expended, out of the amount appropriated therefor by the general assembly.

"Sec. 16. If the mother so aided has a lawful settlement in another city or town the other one-half of the amount of such aid given may be recovered by the town giving it in an action of contract against the city or town liable for her support in accordance with the provisions of section 27, chapter 93, of the General Laws, and of any acts in amendment thereof or in addition thereto.

"Sec. 17. The general assembly shall annually appropriate the sum of twenty-five hundred dollars for the purpose of paying the salary of said director and such sum as it may deem necessary for the employment of assistants and agents, and for necessary traveling expenses authorized by this act, and such further sum as the general assembly may deem necessary for the purpose of reimbursing the cities and towns in accordance with the provisions of this act; and the State auditor is hereby directed to draw his orders upon the general treasurer for the payment of said sums or so much thereof as may from time to time be required upon receipt by him of proper vouchers and certificates duly approved by said director."

"Sec. 18. For the purpose of carrying out the provisions of this act during the fiscal year ending November 30, 1923, the sum of ten hundred fifty dollars for the payment of the salary of the director, the sum of four thousand dollars for the payment of assistants and agents and necessary traveling expenses, and a further sum of fifty thousand dollars for the reimbursement of cities and towns in accordance with the provisions of this act, or so much of the several sums as may be necessary, be and the same hereby is, appropriated out of any money in the treasury not otherwise appropriated; and the State auditor is hereby authorized and directed to draw his orders upon the general treasurer for the payment of said sums or so much thereof as may from time to time be required upon receipt by him of proper vouchers.

"Sec. 19. For the purpose of continuing and rendering effective the provisions of this act during the months of December, A. D. 1923, and January and February, A. D. 1924, sums equal to one-fifth of the different sums appropriated by section 11 of this act shall be available for expenditure for such month, and amounts sufficient therefore are hereby appropriated out of any money in the treasury not otherwise appropriated. The State auditor is hereby authorized and directed to draw his orders on the general treasury for the payment of such sums or so much thereof as may from time to time be required upon receipt by him of proper vouchers required by this act, and the general treasurer shall charge such expenditures authorized by this section to the proper items of appropriations when made for the fiscal year ending on the thirtieth day of November, A. D. 1924.

"Sec. 13. This act shall take effect on the first day of July, A. D. 1923, and all acts and parts of acts inconsistent herewith are hereby repealed.

Approved May 15, 1923.
TENNESSEE.

[Public Acts of Tennessee 1923, ch. 67.]
An Act To amend and reenact sections two, nine, ten, and eleven of chapter forty-six-b of Barnes's Code of one thousand nine hundred and eighteen relating to mothers' pensions.

Be it enacted by the Legislature of West Virginia: That sections two, nine, ten, and eleven of chapter forty-six-b of Barnes's Code of one thousand nine hundred and eighteen be amended and reenacted so as to read as follows:

"Sec. 2. A woman whose husband is dead or whose husband has been permanently incapacitated for work by reason of mental or physical infirmity or a woman who has been abandoned, a woman who is the mother of one or more children under the age of fourteen years or is the mother of one or more children under the age of sixteen years who are not eligible for a working permit under the Acts of One Thousand Nine Hundred and Nineteen, chapter seventeen, may file application for relief under this act: Provided, Such mother is a citizen of the United States of America, has a bona fide residence in this State for a period of two years, and in the county in which application is made for a period of one year previous to the filing of such application.

"Sec. 9. Upon the hearing in court of an application under this act the court, being advised in the premises, finding the facts alleged in the application to be true, shall make an order to pay the mother of said children in whose behalf the application is filed the amount of money necessary to enable the mother to properly care for such children. Such sum, however, shall not exceed the amount hereinafter fixed, and it shall be the duty of the county court to provide for the payment thereof to such mother, at such time as said order may designate, the amount so specified in said order for the care of such children until further order of the court. During the month preceding the end of each fiscal year the county court shall reconsider all cases that are then receiving mothers' pension or poor relief and shall enter orders fixing the aid to be given during the ensuing fiscal year. Such payments shall be made by order drawn by the court on the sheriff of said county, payable out of the county fund.

"Sec. 10. The allowance made to such mother shall be such as in the judgment of the court will provide such mother and her children with the necessities of life, and to enable her to keep her children at home, not to exceed a maximum of forty-five dollars per month.

"Sec. 11. Such relief shall be granted by said court upon the following conditions only:

"(a) The children for whose benefit the relief is granted must be living with such mother.

"(b) The court must find that it is for the welfare of the children to remain at home with the mother.

"(c) The relief shall be granted only when in the absence of such relief the mother would be required to work regularly away from her home and children and when by means of such relief she will be able to remain at home except she may be absent at work a definite number of days each week to be specified in
the court's orders when such work can be done without the sacrifice of her health and the neglect of home and children.

"(d) Such mother must, in the judgment of the court, be a proper person physically, mentally, and morally to bring up her children.

"(e) The relief granted shall be, in the judgment of the court, necessary to save the children from neglect.

"(f) A mother shall not receive such relief who is receiving from the workmen's compensation fund, from property, relatives, or any other source an amount equal to the maximum amount which may be allowed under this law.

"(g) The mother shall not receive relief who has not resided in the State of West Virginia at least two years next preceding the filing of such application and who has not been a bona fide resident of the county in which application is made for a period of one year preceding the filing of such application.

"(h) A mother shall not receive such relief if she harbors or permits to remain in her home any adult person not a member of her family.

"(i) Satisfactory reports must be given by the teacher of the district school stating that the children of the recipient of this fund are attending school, provided they are of the proper age and physically able to do so.

"All acts in conflict with this act are hereby repealed."

Approved May 1, 1923.
WISCONSIN.
[ Laws 1923, ch. 83.]

An Act To amend subsection (5) of section 48.33 of the statutes relating to mothers' pensions.

The people of the State of Wisconsin, represented in senate and assembly, do enact as follows: Section 1. Subsection (5) of section 48.33 of the statutes is amended to read:

(48.33) (5) Aid for dependent children shall only be granted upon the following conditions: There must be one or more children living with or dependent upon the mother or grandparents or person having the care and custody of such children, one or more of whom shall be under the age of fourteen or between the ages of fourteen and sixteen and unable to secure a permit to work; the mother or grandparent or such other person must have resided in the county in which application is made for aid for at least one year prior to the date of such application; the mother must be without a husband or the wife of a husband who is incapacitated for gainful work by permanent mental or physical disability, or of a husband who has been sentenced to a penal institution for three months or more, or of a husband who has continuously deserted her for three months or more during which time all provisions of law have been used to enforce support and none has been obtained, or such mother must be divorced from her husband and must show that she has used all provisions of law to compel her former husband to support her and has not been able to do so. Such deserted or divorced woman need not show that she has used all provisions of law to enforce support. If the court shall be of the opinion that such procedure on her part would be of no avail; the mother or grandparents or persons having the care and custody of such children must be a fit and proper person to have the custody and care of the dependent children and the period of aid must be likely to continue longer than one year. The ownership by a mother of a homestead shall not prevent the granting of aid under the provisions of this section if the rental thereof would not exceed the rental which a family of the same size as the family of such parent, receiving aid, would be obliged to pay for living quarters.”

Sec. 2. This act shall take effect upon passage and publication.

Approved May 1, 1923.