

SEC. 2. If the supervisors of said town of Watertown fail to open said road, as provided in section one (1) of this chapter, then the board of county commissioners of Carver county shall proceed to open said road and prepare the same for travel, and shall charge the expense of opening the same to said town of Watertown, and the amount of such expense shall be added to the tax levy of said town of Watertown by the county auditor of Carver county.

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

Approved March 3, 1877.

CHAPTER 234.

[AN ACT ENTITLED] "AN ACT MAKING PAUPERS A TOWN CHARGE IN THE COUNTY OF STEARNS."

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

SECTION 1. Every poor person who is unable to earn a livelihood, in consequence of bodily infirmity, idiocy, or other cause, residing in Stearns county, Minnesota, shall be supported by the father, grandfather, mother, grandmother, children, grand-children, brothers or sisters of such poor person, if they or either of them are of sufficient ability; and every person who fails, or refuses to support father, grandfather, mother, grandmother, child or grandchild, sister or brother, when directed by the common council of the city of St. Cloud, or the board of supervisors of either of the towns of said Stearns county, in which said poor person is found, whether said relative resides in said city, or in either of said towns or not, shall forfeit and pay for the use of the poor, the sum of fifteen dollars (\$15) per month from the time of such failure or refusal, which sum may be recovered in the name of said city council, if said poor person is found in said city, or in the name of the board of supervisors of the town in which said poor person is found, by action in any court having jurisdiction. *Provided*, that no relative, except parent or child, shall be liable for the support of a person who becomes, or is a pauper from intemperance or other bad conduct.

SEC. 2. The children, if of sufficient ability, shall first be called upon to support their parents; if there are none of sufficient ability, the parents of such poor persons shall be next called upon, and if there are no children or parents of sufficient ability, the

brothers and sisters shall be next called upon, and if there are no brothers or sisters, the grandchildren of such poor persons shall be called upon, and then the grand parents.

SEC. 3. When any such poor person does not have any such relative within this State as are named in the preceding sections, or such relatives are not of sufficient ability, or fail or refuse to maintain such poor person, then said poor person shall receive such aid as the case may require, in the manner hereinafter provided.

SEC. 4. Any person other than those hereinafter mentioned, who has resided in said city, or in either of the towns of said county, one (1) year continuously shall, for the purposes of this act, be deemed to have gained a legal residence and settlement in said city or town.

Every indentured servant or apprentice legally within said county shall obtain a legal settlement in the city or town in which he shall serve his master one (1) year, and every married woman, during coverture, shall be considered legally settled in the town or city where her husband was last legally settled; but if she had no legal settlement, she shall be considered as settled in the place where she was last legally settled before marriage; and every minor who has not been emancipated from his parents, and gained a legal settlement in his own right, shall be considered as settled in the place where his parents, or surviving parent, was last legally settled.

SEC. 5. The aldermen of the city of St. Cloud, and the supervisors of the several towns of said county, shall, by virtue of their office, have the care, custody, and superintendence of the poor in said city or town.

SEC. 6. The president of the common council of said city shall, at the second regular meeting of said council held after each charter election, appoint a relief committee of one alderman from each of the wards of said city, to whom all applications mentioned in the next section of this act must be made, which relief committee may be allowed a reasonable compensation for their services as such.

SEC. 7. Whenever application is made to a member of said relief committee, by or in behalf of any person, in the ward of which he is an alderman, for public relief or support, or when application is made to the chairman of the board of supervisors of either of the towns of said county, by or in behalf of any person, in his said town, for public relief or support, and reliable information is furnished that such person is in a suffering condition from poverty, and requires public support or assistance, and said alderman or supervisor shall enquire into the condition and necessities of such person, and is satisfied that such person is in actual need of, and is a proper subject for public relief or support, and is legally settled in said ward or town, said alderman or supervisor shall forthwith issue his certificate on the city or town clerk for such sum as may be actually necessary for temporary relief to such poor person, not exceeding the sum of ten dollars (\$10), which said certificate shall be presented to the city or town clerk, and upon which said city

or town clerk shall issue his order upon the city or town treasurer for the amount specified in said certificate. Said orders shall be payable by said city or town treasurer, out of the fund appropriated for the relief of the poor. At each regular meeting of said city council, and the board of supervisors of said towns, each alderman or supervisor issuing such certificates shall report the same, the amount thereof, and to whom issued, which report shall be certified by the city or town clerk as in accordance with the record of orders issued on the same. No alderman shall issue more than one of said certificates, and no supervisor shall issue more than two of such certificates, before reporting the poor person, as hereinafter provided.

SEC. 8. If in the opinion of the alderman or supervisor authorized by section seven (7) of this act, the person applying for relief is not a fit person to entrust with the certificate and order mentioned therein, he may, and it is hereby made the duty of said alderman or supervisor to expend the money obtained upon said order himself, and in the purchase of proper articles for the relief of such poor person.

SEC. 9. At the next meeting of said city council, or the board of supervisors, the officer to whom application has been made as aforesaid, shall report fully upon the application, and if the applicant be entitled to public support or assistance in said city or in said town in which the application is so made, said city council or board of supervisors shall forthwith make suitable provision for permanent aid and relief to and for such poor person, and such poor person shall become a city or town charge, as the case may be.

SEC. 10. The common council of said city of St. Cloud shall have power, and it is hereby made its duty, to levy annually upon the taxable property of said city, taxes sufficient to suitably provide for the support and relief of such poor persons as may become paupers as aforesaid.

SEC. 11. Whenever application is made for public relief or support by any person who has not a legal settlement as heretofore defined in the city or in the town in which such application is made, but who has a legal settlement in some other city or town in this State, at the time of making such application, the officer to whom such application is made shall warn such person to depart from said city or town, and if such person is unable, or refuses so to depart within ten (10) days after being so warned, and is likely to become a pauper, any city justice or justice of the peace in said county may issue an order under his official hand, directed to the sheriff or any constable of said county, and commanding him to take such person to the city or town in said Stearns county in which he has a legal settlement; or if his legal settlement be outside of said Stearns county, then and in that case to the county in which he has a legal settlement, and the sheriff or constable to whom said order is delivered, shall forthwith take such person and convey him to the city, town or county designated in such order; and all reasonable expenses of such removal shall be paid out of the

treasury of the city or town from which such removal is made, and the amount thereof shall be a legal and valid claim against the city, town or county in which such person had a legal settlement at the time of such removal, and may be recovered in any court having jurisdiction in an action brought in the name of the common council or board of supervisors of the city or town from which said removal is made.

SEC. 12. In case application is made for support or relief to the officers before mentioned by or on behalf of any person whose legal settlement is at the time in another city, town or county in this State, and who is so sick, infirm or disabled as to render it unsafe or inhuman to remove him, as provided in the preceding section, and who is in actual and immediate need of public relief or support, the alderman or supervisor to whom such application is made, shall proceed in all respects as if such applicant had a legal settlement in the city or town in which such application is made. And the city, town or county in which such poor person had a legal settlement at the time such relief or support is provided and furnished, shall pay to the city or town providing and furnishing relief or support, the full amount and value thereof, upon being presented with a bill of the same. Such bill may be presented at any meeting of said common council or board of supervisors, or board of county commissioners. And if not paid, the amount thereof may be recovered in any court having jurisdiction in an action brought in the name of the common council of said city, or board of supervisors of the town furnishing such support or relief.

SEC. 13. When any minor becomes chargeable upon said city, or upon any town in said county, said common council or board of supervisors shall bind such minor as an apprentice to some respectable householder of said county, if such person can be found who will take such minor by written indenture of the same tenor and effect. And which shall be binding upon said minor to the same degree as is now provided by the statutes of this State, relating to masters and servants.

SEC. 14. When any person dies in said city, or in either of the towns of said county, leaving no property out of which his necessary funeral expenses may be defrayed, and having no relatives of sufficient ability to procure his burial, the alderman of said city constituting the committee of relief aforesaid, if said death shall be in said city, or the chairman of supervisors, if said death shall be in either of said towns, shall procure a decent burial of the remains of such deceased person at the expense of the city, town or county in which said person had a legal settlement as defined by this act at the time of said death. And the amount of the expense of such burial may be recovered in any court having jurisdiction in an action brought in the name of the said common council, or board of supervisors. *Provided*, that said action shall not be brought until a bill therefor and of said expenses has been presented at a meeting of said common council or the board of supervisors of the town in which said deceased person had legal

settlement at the time of said death, if in said Stearns county, or to the county commissioners of the county of said legal settlement, if not in said Stearns county.

SEC. 15. Any persons receiving aid from the county of Stearns at the time this act takes effect, residing or being maintained in said city, or in any of the towns of said county, other than the city or town which was their actual residence when becoming paupers, shall, for the purposes of this act, be deemed and considered to have a legal settlement in the city or town in which they had actual residence when first making application for public relief or support. And it is hereby made the duty of the commissioners of said county, at their first session after this act takes effect, to designate the city or towns in which such persons had actual residence when first making application for relief or support, and to provide for their removal, if removal be necessary, to the city or town so designated. And in case said commissioners refuse or neglect to provide for such removal, said persons may be warned to depart as provided by section eleven (11) of this act, and thereupon like proceedings shall be had and like liabilities follow, as is provided by section eleven (11) aforesaid.

SEC. 16. After the next settlement between the auditor and treasurer of said Stearns county, and after each settlement thereafter, so long as may be necessary, said auditor shall draw his warrants on said treasurer for the amounts hereafter collected from the taxable property in said city of St. Cloud, and in each of said towns heretofore levied by the commissioners of said county for the support of the poor. Said warrants shall be payable to the order of the city or town treasurer entitled thereto, and the amounts of money paid thereon shall constitute a poor fund for said city or town.

SEC. 17. All other acts or parts of acts in conflict herewith are hereby repealed.

SEC. 18. This act shall take effect and be in force from and after its passage.

Approved February 15, 1877.