

tofore provided, of a specific sum each month, or at other stated intervals, for the purpose hereinbefore specified, and may further require the father of such child to furnish such bond or other security for the performance of said order as may be proper and necessary. The court shall further fix the amount, and order the defendant to pay all expenses necessarily incurred by, or in behalf of, the mother of such child, in connection with her confinement and the care and maintenance of the child prior to judgment. If the defendant fails to comply with any order of the court, hereinbefore provided for, he may be summarily dealt with as for contempt of court, and shall likewise be subject to all the penalties for failure to care for and support such child, which are or shall be imposed by law upon the father of a legitimate child of like age and capacity, and in case of such failure to abide any order of the court, the defendant shall be fully liable for the support of such child without reference to such order."

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved April 24, 1925.

---

CHAPTER 355—H. F. No. 746.

*An act to amend Sections 8671, 8672 and 8675, General Statutes 1923, relating to "Support of Dependent Children in Their Own Homes and Procedure for Obtaining Same."*

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

Section 1. **Support of dependent children in their own homes and procedure for obtaining same.**—That Section 8671, General Statutes 1923, be amended so as to read as follows:

"Section 8671. Whenever any child under the age of sixteen years who is *regularly attending school, if physically able and of school age, or who is under school age, or who through physical or mental disability is unable to be employed* is found by 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 if a state hospital for inebriates; or is unable to labor for the support of his family by reason of physical disabilities; *or whether there is and has been for three months past an outstanding warrant for his arrest on a charge or after conviction for the crime of abandoning such child, or for abandoning his wife while pregnant*;

(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 subserved by permitting him to remain in the custody of the mother, if adequate means of support shall be provided;

(f) Whether the mother is a citizen of the United States or *has made application to become a citizen of the United States or has made declaration of intention to become a citizen and has resided two years in the state and one year in the country.*

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 courts 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 *the subject of an outstanding warrant of arrest for abandonment, as enumerated above*, 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, *and the county commissioner of the district in the county wherein the mother resides*, that an application has been made for the payment of an allowance. Such notice shall specify the name of *such* 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.

*Such notice shall be given at least one week before the date of hearing on such application, shall be in writing and may be given by mail. It shall be the duty of the county attorney, and of such county commissioner, to investigate the financial condition and status of such child or children and that of the mother. The county attorney shall 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, and such county commissioner shall report to the court any information he may have*

*relating to the application, and make such recommendations as he deems proper."*

**Sec. 2. Mothers pension to be paid from poor fund of counties.**—That Section 8672, General Statutes 1923, be amended so as to read as follows:

"Section 8672. 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, *except when such child being under the age of sixteen years is regularly attending school or through physical or mental disability is unable to be employed*, or who has ceased to be under the immediate care of the mother. The court may for cause duly 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. 3. Investigation and supervision—Official reports as basis of findings.**—That Section 8675, General Statutes 1923, be amended so as to read as follows:

"Section 8675. Before making any order or allowance under this act it shall be the duty of the court, either through the judge in person or through the county child welfare board and its agents or a probation officer designated for that purpose or an official investigator appointed as provided in *Section 8676 and Section 8677, General Statutes 1923*, 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 other 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 *except children under sixteen years of age attending school or who through physical or mental disability are unable to be employed* to contribute to its support and if need be to urge upon such members their proper con-

tribution 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 individuals, 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; and the court shall at least once in each year reconsider every case in which an allowance has been made, and take such action as the facts then existing shall warrant. All findings and orders provided for herein may be made upon the written reports of official investigators with like effect as if based upon competent testimony given in open court."

Approved April 24, 1925.

---

#### CHAPTER 356—H. F. No. 1013.

*An act providing for the furnishing by the register of deeds of each county to elevators making application and paying the fee provided therefor, of an abstract of all mortgages and liens upon grain grown during each year, and, filed in the office of the register of deeds.*

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

**Section 1. Register of Deeds to furnish Abstract of Chattel mortgages to elevators.**—Any elevator company doing business this state may annually make written application to the register of deeds for an abstract of all designated mortgages and liens upon grains grown during the year within the county. Such application shall state the name of the elevator and the post address thereof and shall be accompanied by a fee of \$5.00, as an advance for fees, and the register shall receive 15 cents for each instrument abstracted and at the end of the year may deduct from such advance fees or any further sums that may have been deposited, his fees earned hereunder and return the surplus, if any, to the party having made such deposit.

**Sec. 2.** Each register of deeds shall, on or before the 15th day of June of each year, mail to each and every applicant having paid such fee for such year, an abstract of all requested existing mortgages and liens upon grain or crops raised or to be raised during such year, showing the name of the person against whom the lien is claimed, arranged alphabetically, the name of the person holding or claiming such lien, a description of the land upon which the grain