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# MOTHERS' PENSIONS

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## CHAPTER 185.

[H. B. No. 119—Lathrop.]

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### MOTHERS' PENSIONS.

AN ACT to Provide for the Support of Needy Women who are the Mothers of and who are Compelled to Support one or More Children Under Fourteen Years of Age.

*Be it Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. In every county in the State of North Dakota any woman, who has one or more children under fourteen years of age who are dependent upon her for support, shall receive an allowance of not more than fifteen dollars a month for each such child, such sum to be paid out of the county treasury as hereinafter provided.

§ 2. CONDITIONS ON WHICH ALLOWANCE SHALL BE MADE.] 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.

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. No person shall receive benefit under this Act who shall not have been a resident of the county in which the application is made for at least one year previous to the making of such application.

6. If the county court finds that the funds allowed under this Act are not used judiciously, he may order the allowance made in supplies and provisions, in which case it shall be administered by the overseer of the poor in the township, village, or city in which the applicant lives, or by some proper person appointed by the County Judge.

§ 3. ALLOWANCE TO CEASE WHEN.] When any child shall reach the age of fourteen years any allowance made to such mother for the benefit of such child shall cease.

§ 4. COURT MAY MODIFY—WHEN.] It being the purpose of this Act to provide conditions under which dependent children may

grow into useful citizens, when in the judgment of the county court allowance made under it is failing of this purpose the court may modify or discontinue such allowance to the mother of such child or children.

§ 5. COURT TO KEEP RECORD OF ALLOWANCE.] In each case where an allowance is made under the provisions of this Act 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, the County Auditor and County Treasurer that such allowance shall be made and it shall be the duty of such officers to make provision for and pay such allowance monthly until notified by the county court that it shall be discontinued.

§ 6. APPLICATION AND PROCEDURE.] Application may be made in writing to the county court by a person desiring aid, or by some citizen in her behalf, stating residence, number of dependent children and ages, and a statement of her income and probable needs in order to maintain her home. The court shall set a day for a hearing, giving notice in writing to the overseers of the poor, where applicant resides; to the County Commissioners and the applicant and other parties known by the judge to be interested; which hearing shall be not less than fifteen days from date of such notice. The County Commissioners, overseers of the poor or any tax-paying citizen may file a statement with the County Judge, or may appear in person on the day set for hearing, in support of, or protesting against application being granted, and may appeal to the district court for reversal or modification of the county court's action on such application.

§ 7. THIS ACT TO SUPPLEMENT EXISTING LAWS.] This Act is intended to supplement existing laws for aid of the poor, and is for the specific purpose of furnishing permanent aid to mothers who come under its provisions. In cases of temporary aid, it shall be granted under such laws as exist for such purpose; nothing in this Act shall be so construed as to change the proportionate payment by county, city, incorporated village, or township.

§ 8. EMERGENCY.] An emergency is hereby declared to exist in that there is no adequate provision of law providing for the support of needy women mentioned in this Act; therefore this Act shall take effect and be in force from and after its passage and approval.

Approved, March 11, 1915.