

44:1-95

May 12, 1971

LEGISLATIVE HISTORY OF R.S. 24:1-95
(Expenses recoverable from poor person or estate; insurance)

COPY 2

L. 1924, Chapter 132 - A142 § 73
Introduced January 15 by Mr. Sexsmith.
Bill had statement (copy enclosed of Sec. 73 and statement
on original bill).
Committee Substitute passed (wording of Sec. 73 changed
from original bill - copy enclosed).

The report referred to in the statement is:

974.90 H.J. Commission to investigate, codify and
P823 revise the laws relating to the settlement
1923 and relief of the poor.
Report... 1923.

The 1923 bill referred to in the statement was:

1923 - A426
Introduced by Mr. Sexsmith.
This bill was amended several times and passed the
Assembly.
The wording of Sec. 73 is identical with that of the
original bill A142 of 1924 and the bill drafted
by the 1923 commission.

Amended by:

Laws 1953, Chapter 42 - S33
Not amended during passage.
No statement.

No other hearings or reports were located.

JH/PC

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STATE OF NEW JERSEY

INTRODUCED JANUARY 14, 1924.

By Mr. SENSEMITH.

Referred to Committee on Social Welfare.

AN ACT for the settlement and relief of the poor, and providing for municipal, county or joint county relief, excepting from county or joint county relief, certain municipalities (Revision of 1923).

1 BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

DEFINITIONS.

1 1. The following are defined within the meaning of this act:

2 (a) A poor person is one who is unable to maintain himself or those dependent
3 upon him.

4 (b) An overseer is such person as may be charged with the superintendence and
5 relief or removal of the poor within his jurisdiction as may be found in his munic-
6 pality, and shall be construed to mean superintendent in all cases where a superin-
7 tendent as defined in this act is authorized to act when there is no overseer.

8 (c) An almshouse is a place where the poor are maintained at the public ex-
9 pense of any municipality or county of this State, which has not established and does
10 not maintain a welfare-house.

11 (d) A welfare-house is a place where the poor are maintained at the public
12 expense under the superintendence of a county welfare board in any county or
13 portion thereof or districts composed of more than one county. District welfare-
14 house, where so mentioned, is one established and maintained by more than one
15 county or portions thereof.

16 (e) A settlement of a person shall be his right under the provisions of this act
17 to relief or maintenance and support in any municipality, county or counties.

18 (f) Temporary or outdoor poor are such persons who can be relieved tempor-
19 arily at their domicile or without being maintained in an almshouse or welfare-
20 house.

21 (g) Permanent or indoor poor are such persons who may be better relieved or
22 maintained and supported under the provisions of this act by removal to a welfare-
23 house, almshouse, or, with limitations, in the home.

24 (h) A welfare board is the board of one or more counties authorized to have
25 charge and supervision and control of a welfare-house and to supervise through a
26 superintendent such work for or in relation to the poor as directed or authorized.

27 (i) A superintendent is the employee of a welfare board of a county or district
28 authorized to act for it and under its direction and to act for overseers where there
29 are none.

30 (j) State board is the New Jersey State Board of Control of Institutions and
31 Agencies.

32 (k) Commissioner is the Commissioner of Institutions and Agencies of this
33 State.

34 (l) The word "may" shall be construed to be permissive.

35 (m) The miscellaneous board of poor shall include the committee.

36 (n) Public charge shall mean a person to whom it is necessary to furnish proper
37 relief as provided in this act.

38 (o) County adjuster is the official of that designation now authorized to act in
39 the cases of commitment or admission of insane persons to State or county hospitals
40 for the insane.

41 (p) The word "municipality" does not include, in meaning, a county, unless
42 otherwise indicated by the context, but includes any city, borough, township, town,
43 village or municipality governed by an improvement commission.

COUNTY WELFARE-HOUSE

1 2. The board of freeholders of any county may, by resolution, establish a county
2 almshouse, to be known as a welfare-house, or change the name and control and
3 management of any existing county almshouse for the care and maintenance of the

4 permanent poor, such persons requiring permanent relief other than in municipalities
 5 excepted therefrom as provided in this act shall be provided for therein by said county,
 6 and in almshouses maintained and supported in municipalities in such county as
 7 otherwise provided in this act, shall thereafter be abolished, and the permanent poor
 8 shall thereafter be maintained in the county institution, rather than in municipi-
 9 pal almshouses. The said board of chosen freeholders shall have power to purchase
 10 and lease real property therefor, or acquire such property and easements therein by
 11 lease, purchase, or condemnation, and the powers of eminent domain may be exer-
 12 cised as provided by "An act to regulate the ascertainment or payment of compensa-
 13 tion for property condemned or taken for public use (Revision of 1900)," and the
 14 supplements thereto and the amendments thereof. They shall have power to erect all
 15 necessary buildings, make all necessary improvements and repairs, and alter any exist-
 16 ing building for the use of said home, provided that the plans for such erection,
 17 alteration or repair shall first be approved by the State Board of Health and the State
 18 board. They shall have power to cause to be assessed, levied and collected from the
 19 municipalities of the county participating in such purpose such sums of money as
 20 shall be deemed necessary at first and annually thereafter to provide suitable land,
 21 buildings and improvements for said welfare-houses and for the maintenance thereof,
 22 and for all other necessary expenditures therefor, and the expenses of the superin-
 23 tendence thereof, as authorized and required in this act, and to borrow money
 24 for the erection of such welfare-houses, and for the purchase of a site for such wel-
 25 fare-houses, on the credit of the county, or portion thereof as provided in this act, and
 26 issue obligations therefor in such manner as it may do for other county purposes.
 27 The freeholders shall have power to accept and hold in trust for the county, or por-
 28 tion thereof so participating, any grant or devise of land, or any gift or bequest of
 29 money, or other personal property, or any donation to be applied, principal or in-
 30 come, or both, for the benefit of said welfare-house, and apply the same in accord-
 31 ance with the terms of the gift.

1 3. When the board of freeholders shall have determined to establish a welfare-
 2 house for the permanent maintenance and relief of the poor of any county or
 3 portion thereof, and shall have acquired a site therefor, and shall have awarded
 4 contracts for the necessary buildings and improvements thereon, or shall have

5 resolved to maintain and operate a welfare-house as provided in this act, there shall
6 be constituted and appointed a welfare board composed of five citizens of the
7 county, as follows: The director of the board of chosen freeholders of said
8 county, and four citizens of the county or municipalities participating, two of whom
9 may be women, to be appointed by the board of chosen freeholders, who shall con-
10 stitute the managers of said welfare-house. Members shall hold their offices for four
11 years, except that the first appointments shall be respectively for one, two, three and
12 four years, which terms as to duration shall be in the order of appointments as made
13 and indicated. Vacancies in such three offices shall be filled for the unexpired term
14 only. The holding of any other office by any member of said welfare board shall
15 not constitute such holding as incompatible with his office as member of such wel-
16 fare board. They shall receive no compensation for their services, except a fee of
17 five dollars for attendance at the regular monthly meetings of the board, and shall be
18 allowed their actual and necessary expenses, on the approval of the director, all of
19 which shall be audited and paid in the same manner as other expenses are paid in and
20 for such county.

1 4. They shall appoint a superintendent of welfare, who shall have the qualifi-
2 cations and be subject to the same examination as is required for that of an over-
3 seer.

1 5. Said welfare board shall elect from among its members a president, vice-
2 president and a secretary-treasurer. The superintendent appointed as herein pro-
3 vided shall not be a member of the board, and shall hold office for the term of
4 five years, or until the appointment of his successor, unless sooner removed for
5 cause after due notice and hearing. Said board of managers shall appoint such
6 other officers and employees as may be necessary; they shall fix the salaries of
7 the superintendent and such officers and employees within the limits of the appro-
8 priation made therefor by the board of freeholders, and such salaries shall be
9 compensation in full for all services rendered. The superintendent, officers and
10 employees shall be subject to such rules and regulations in the discharge of their
11 duties as may be provided by said board, and shall have, under the control of said
12 board, the general superintendence and management of said welfare-house, of the
13 grounds and buildings, and of the inmates thereof. The welfare board shall

14 have charge of all matters relating to the government, discipline, contracts and
15 fiscal concerns thereof, and shall make such rules and regulations as may be
16 necessary for carrying out the purposes of such welfare-house. They shall so
17 equip and maintain said home as to provide proper heat and all furniture,
18 materials and supplies, medical and otherwise, as may be necessary for the ade-
19 quate maintenance of the permanent poor, and said board shall meet at said
20 welfare-house at least once in every month, and at such other times as may be pre-
21 scribed in the by-laws or rules of said board, and shall hold their annual meeting
22 at least one month prior to the meeting of the board of freeholders at which appro-
23 priations for the ensuing year are to be considered. All appropriations for the ex-
24 penditure of money above set forth shall be subject to the approval of the board of
25 chosen freeholders. They shall keep a public record in a book provided for that pur-
26 pose of their proceedings. The welfare-house shall be subject to inspection to duly
27 authorized representatives of the State board, or the commissioner, and of the State
28 Board of Health. They shall certify all bills and accounts, including salaries and
29 wages, and transmit them to the board of freeholders of the county, who shall pro-
30 vide for their payment in the same manner as other charges against the county, except
31 such municipalities therein as do not participate as provided in this act, and shall
32 make annually, a report of the financial management and expenditures and other
33 operations of the welfare-house and the number of persons maintained therein, to-
34 gether with their recommendations to the said board of freeholders. The freeholders
35 shall provide and maintain, however, a working expense fund raised and collected as
36 the other expenses are required by this act to be provided not to exceed three hun-
37 dred dollars for the use of the welfare board. Payments therefrom shall be made
38 out of the county treasury on the voucher of the said secretary-treasurer.

1 6. The superintendent of welfare shall be the chief executive officer of such
2 welfare-house, subject to the control of said board. The said superintendent under
3 the general rules and regulations shall receive such poor persons as by law are
4 properly receivable as herein, or as otherwise by law may be, provided, and all
5 such persons as would otherwise be receivable in a county or municipal almshouse,
6 except such poor of municipalities excepted from the establishment, support and
7 maintenance thereof, who have settlements therein.

1 7. He shall, in addition to his duties and responsibilities as chief executive
 2 officer of such welfare-house and said board, have general jurisdiction throughout
 3 the county or portion of the county or district which maintains a welfare-house as in
 4 this act provided and the authority and power of an overseer with the consent and
 5 approval of the governing body in all such municipalities where such municipalities
 6 have no duly constituted overseer performing such duties by contract or otherwise,
 7 and in such work as overseer in any such municipality in any county, shall be sub-
 8 ject to all lawful rules and regulations of the said welfare board. The expense of
 9 said work of overseer by such superintendent shall be a charge upon the municipal-
 10 ities of such county or counties so participating as a district, to be assessed, levied
 11 and collected therefrom by the respective boards of chosen freeholders in the same
 12 manner as other county expenses are assessed and collected or in the manner pro-
 13 vided in this act as to the proportionate quota, assessment and collection of such taxes
 14 for the expenses of a county or district maintaining a welfare-house as provided in this
 15 act.

COUNTY MAY CONTRACT WITH ANOTHER COUNTY FOR MAINTENANCE
 OF PERMANENT POOR.

1 8. Upon the certificate of the State board that the housing conditions and ac-
 2 commodations are sufficient and adequate for the purpose and the approval of the
 3 State Board of Health, that the sanitary conditions are such as to properly safe-
 4 guard the health of such poor persons as may be maintained therein, the board of
 5 freeholders of any county may contract with any board of freeholders of any other
 6 county of this State to board and care for poor persons requiring permanent relief of
 7 such county, except such municipalities thereof as do not elect to participate in such
 8 county plan which maintain their own permanent poor, and such contract authorized
 9 by the board and entered into by the directors of the several counties concerned shall
 10 provide for the permanent maintenance and relief of such poor persons, and in such
 11 case any county so contracting may maintain the permanent poor under its jurisdic-
 12 tion and authority in such almshouse or welfare-house in such other county with
 13 which such contract shall be entered into. The expense under such contract for the
 14 support of the permanent poor of any county in the almshouse or welfare-house of
 15 another county shall be provided for by appropriation and paid in the same manner

16 as other county expenses, but levied, assessed and collected from the municipalities
 17 participating excepting such as elect not to participate which maintain their own
 18 permanent poor. Such almshouse or welfare-house shall always be open to inspec-
 19 tion of a duly authorized agent of the board of chosen freeholders of any county
 20 maintaining its permanent poor therein and of the State board and the State Board
 21 of Health. Whenever municipalities in a county elect not to participate in such
 22 county purpose the procedure shall be as set forth in sections twenty-two to twenty-
 23 four and as otherwise provided in this act as in the case of the establishment of a
 24 welfare-house.

JOINT COUNTY OR DISTRICT WELFARE-HOUSE.

1 9. The boards of chosen freeholders respectively in any two or more contigu-
 2 ous and adjoining counties may resolve that upon a like resolution being enacted
 3 in such other adjoining and contiguous county or counties as shall be named therein,
 4 provision may be made for the permanent relief of such poor persons in such coun-
 5 ties in a welfare-house to be jointly owned by such counties, or so many thereof as
 6 shall adopt the same or as the resolutions may provide, which shall constitute a
 7 district and be conducted by a welfare board as hereinafter constituted for the per-
 8 manent relief of the poor persons of such counties: in such case permanent relief
 9 shall be provided for the poor of such counties, except those of municipalities which
 10 maintain their own permanent poor in institutions and which have elected not to par-
 11 ticipate for such purpose, in almshouses or welfare-houses, but they shall be relieved
 12 and maintained in such jointly maintained welfare-house; *provided, however,* that
 13 the inhabitants of such counties shall, by a majority vote of the legal voters therein,
 14 excepting from such vote the electors of such municipalities maintaining their own
 15 permanent poor in institutions as have elected not to participate for such purpose,
 16 ratify and accept the provisions of such resolutions as have been adopted and of like
 17 purport in their respective counties as hereinafter provided. In case of the adoption by
 18 a majority of such legal voters in each such county, or such counties as shall so elect if
 19 the resolutions so provide, there shall be a Welfare Board of five persons, two of whom
 20 shall be women, appointed by the Governor, selected from those nominated by the
 21 respective boards of chosen freeholders. Each board may nominate no more than
 five persons resident of the same county, or portion thereof participating therein,

22 and the appointments shall be made from such nominations submitted to the Gov-
23 ernor by the several boards of chosen freeholders; *provided*, the certification of such
24 names to the Governor by any such board shall be made within thirty days after
25 the certification of the vote adopting the proposition has been made by the Secre-
26 tary of State to the respective boards of chosen freeholders as in this act provided,
27 and, thereafter, within thirty days prior to the expiration of the term of any incum-
28 bent, or in the case of a vacancy within ten days after the occurrence of such va-
29 cancy, on the failure of any such board to make such certification, the appointment
30 shall be made by the Governor from the citizens of the district. They shall be ap-
31 pointed so as to, as nearly as may be, make the quota in membership in said board
32 equal in representation from the counties concerned. They shall hold office for five
33 years, except that the first appointments shall respectively be for one, two, three,
34 four and five years, which terms as to duration shall be in the order of the appoint-
35 ments as made and indicated. Vacancies shall be filled for the unexpired term only.
36 The holding of any other office by any such member shall not be construed to be
37 the holding of an incompatible office.

1 10. They shall be constituted a body corporate and have a seal and shall have
2 power and authority to appoint a superintendent of welfare, who shall be a citizen
3 of one of such counties, and have the same qualifications and requirements and term
4 of office as provided for a superintendent of welfare in any county. They shall meet
5 regularly once each month and such other times as may be necessary or as they may
6 by rule provide. They shall be paid ten dollars each for attendance at the regular
7 monthly meetings and shall also be reimbursed for their expenses incurred in the
8 performance of duties imposed by this act. Like qualifications and authority shall
9 be vested in such welfare board as is vested in the welfare board of any single
10 county, and as herein authorized. They shall have power to enter into contract and
11 to sue and be sued and perform all acts necessary to carry out the purposes for which
12 they are authorized to act as herein provided. Their finances and accounts shall be
13 subject to the same supervision and control as any county is subjected and controlled
14 to the extent of their powers as authorized by any law of this State. They shall hold
15 their annual meeting at least six weeks prior to the meetings of the boards of free-
16 holders of the several counties at which appropriations for the ensuing year are to

17 be made, and shall provide in a budget to be made up six weeks prior to the annual
 18 meetings of the respective boards of chosen freeholders concerned, the total expense
 19 of the maintenance and operation of said welfare-house, and all expenses including
 20 wages and salaries, and shall apportion the same among the several counties accord-
 21 ing to the population of each respective county as ascertained at the last Federal cen-
 22 sus, excepting therefrom the population of such municipalities in such counties not
 23 participating for such purpose as in this act provided, and each respective county
 24 shall thereupon provide the funds as to their necessary quota; *provided, however,*
 25 that within two weeks after the budget herein provided for shall be made up the same
 26 shall be approved by the Commissioner of Municipal Accounts of the State of New
 27 Jersey, and certified as correct thereupon, when it shall be certified to the respective
 28 boards of chosen freeholders, in order that the quota of each county may be provided
 29 for, and shall be assessed and collected by the board of chosen freeholders from the
 30 municipalities of such counties so participating in said purpose for the establishment,
 31 and, thereafter, for the maintenance and upkeep of such welfare house in the same
 32 manner as other taxes are assessed and collected. Said cost shall be a charge upon
 33 each county or portion thereof participating in such purpose. The sums of money
 34 raised in any manner authorized shall, on receipt thereof by the respective county
 35 treasurers, be paid to and held by the treasurer of the county in which the welfare-
 36 house shall be situate, and be deposited in a separate account, in a State or National
 37 bank located and doing business in that county, and be subject to payment and
 38 expenditure by the welfare board as needed for the purposes of the establishment
 39 and maintenance of such welfare-house.

METHOD OF ADOPTING A JOINT COUNTY WELFARE PLAN.

1 II. Whenever two or more counties contiguous and adjoining shall, by the
 2 boards of chosen freeholders thereof, so resolve to construct and maintain jointly a
 3 welfare-house in lieu of a county welfarehouse and municipal almshouse, which, in
 4 such case, shall be abolished, except as otherwise provided in this act, the resolution
 5 shall be submitted to the legal voters of said county at the next general election,
 6 except such thereof as by municipalities maintaining their permanent poor in insti-
 7 tutions and have elected not to participate at the next general election. Public

8 notice thereof shall be given by said freeholders by publication not less than thirty
9 days prior to said election in a newspaper published and circulated in the county
10 seat of each of said counties. At any election at which the question of the adoption
11 of the resolution shall be submitted to the voters of any county there shall be
12 printed upon the official ballot for such county at the next general election the
13 word "for" and the word "against" above and immediately preceding the words
14 "Shall the county of adopt the resolution of the board of freeholders
15 providing for the joint establishment, operation and maintenance of a welfare-house
16 for the permanent relief of the poor of this and the county (or counties) of (nam-
17 ing them), or so many thereof (or all as the resolution shall provide) as may be
18 favorable thereto?"

1 12. If the word "for" be marked off or defaced upon the ballot, it shall be
2 counted as a vote against the acceptance of the resolution. If the word "against" be
3 marked off or defaced upon the ballot, it shall be counted as a vote in favor of the
4 acceptance of the resolution, and in case neither the word "for" nor the word "against"
5 be marked off or defaced upon the ballot, it shall not be counted as a vote either
6 for or against such acceptance. A canvass and return of the votes upon the question
7 of the acceptance of the resolution shall be made by the board of canvassers in the same
8 way and manner as for officers voted at such election and as other questions are
9 submitted on referendum, and the result thereof shall be certified to the Secretary of
10 State within five days thereafter, who shall canvass the vote of the two or more com-
11 ties voting on said question, and shall certify the same within ten days thereafter to
12 the respective county clerks and to the clerk of the board of chosen freeholders of
13 each such county, and if the majority of the votes cast in each county for and against
14 the acceptance of the resolution shall be found to be in favor of its acceptance, it shall
15 then become operative in such county with such other counties as have likewise,
16 resolved by the several governing bodies, accepted such resolutions in the respective
17 counties or municipalities thereof so voting.

1 13. The estimated cost of the establishment or enlargement of such joint wel-
2 fare-house, including the purchase of the real and personal property therefor shall
3 be submitted to the several boards of freeholders concerned for approval as to such

4 cost, and no proceedings shall be begun or action taken by the welfare board unless
5 and until such cost shall have been approved by such boards.

JOINT WELFARE BOARD MAY BORROW MONEY.

1 14. At any time after a vote in favor of a welfare-house by more than one
2 county has been authorized, as aforesaid, the welfare board of such counties is em-
3 powered by resolution to borrow money and issue bonds or other obligations therefor
4 in the name of its president or vice-president and treasurer, and negotiate the same
5 for the purpose of raising money necessary to carry out the provisions of this act for
6 the purpose of establishing, altering or enlarging the said welfare-house, or its
7 appurtenances. The procedure for the issuance of such bonds shall be after the man-
8 ner provided in an act entitled "An act to authorize and regulate the issuance of
9 bonds and other obligations and the incurring of indebtedness by any county, city,
10 borough, village, town, township or any municipality governed by an improvement
11 commission," approved March twenty-second, one thousand nine hundred and six-
12 teen, its supplements and amendments or revision thereof except as herein otherwise
13 provided to the extent of the purposes herein authorized. Such bonds shall not be
14 of a denomination of less than one hundred dollars, nor bear interest at a higher rate
15 than six per centum. They shall be denominated "District Welfare Bonds" of the
16 district in which the welfare-house is to be constructed, and shall be sold at the price pro-
17 vided for the payment of cost and expenses, and shall not be sold below par, and
18 shall not be subject to taxation, except for State purposes. The respective counties,
19 except municipalities not so participating so jointly constructing, operating and main-
20 taining such welfare-house as herein provided shall, in the manner indicated in the
21 proceedings to bond the district, to be stated in the bonds, indicate the time, place
22 and manner of payment of the principal and interest thereof, and be liable for the
23 payment of such bonds, together with interest thereon in the proportion as in this act
24 indicated for such cost and expense at the time of the adoption of the resolution of
25 said board for the issuance thereof. The alteration or construction and completion
26 of such building or grounds as may be necessary for the purpose shall be approved
27 as to plans and specifications before work is commenced thereon by the State board.

1 15. Such bonds shall mature in not more than forty years from the issuance
 2 thereof, and the sums necessary for each annual maturity, together with all interest
 3 charges shall be provided for in the budget of said welfare board in the same man-
 4 ner as other expenses are provided for, and shall be raised by taxation in propor-
 5 tionate amount annually in the respective counties on the certification of the propor-
 6 tionate sum chargeable to and due by each such county by the Commissioner of Mu-
 7 nicipal Accounts of the quota and proportion respectively chargeable to each county.
 8 The interest and principal thereof, and other necessary sums of money or expenses,
 9 shall be the debt or obligation of the district wherein they were issued in the municipi-
 10 palities of each county participating in the proportion of the population as each
 11 county or part thereof bears to each other such county as determined at the last
 12 Federal census prior to their issue and prior to the resolution of the welfare board,
 13 except as in this act otherwise provided as to municipalities not so participating, and
 14 the payment thereof shall be provided for by taxation annually assessed and collected
 15 by the board of chosen freeholders from the municipalities of such counties par-
 16 ticipating in such purpose in the proportion herein indicated in the same manner
 17 that other debts and obligations of the several counties are provided for by taxation.

MANDATORY ORDER BY JUSTICE OF SUPREME COURT TO OFFICIALS.

1 16. On failure of any county, through its governing body, to make provision
 2 in any manner as required by this act or other law for the payment of the expenses
 3 and obligations imposed thereby for its proportionate share of the establishment or
 4 maintenance of a district welfare-house, the welfare board or the board of chosen
 5 freeholders of any county composing such district may appeal to any justice of the
 6 Supreme Court of Judicature of this State, on ten days' notice to such defaulting
 7 or delinquent board of chosen freeholders or any delinquent official thereof, or both,
 8 for a mandatory order directing the performance of such actions as may be neces-
 9 sary to accomplish the requisite lawful action and compel the carrying out of its ob-
 10 ligations as a county in the proper proportion as to expense and payment as pro-
 11 vided in this act or any other law of this State. Nothing herein contained, how-
 12 ever, shall be construed to interfere with or restrict the use of any prerogative writ

13 for such purpose or to review the legality of such order. The said proceedings shall
14 be summary.

NOTICE OF ESTABLISHMENT OF DISTRICT WELFARE-HOUSE.

1 17. When the buildings as constructed or altered and furnished are completed,
2 the said welfare board shall give notice to the chosen freeholders of each county
3 that they are prepared to accommodate the poor of such contiguous and adjoining
4 counties, which shall be denominated a district in the numerical order and by num-
5 ber as such districts shall be established in this State. Such notice shall be given
6 to each of the county adjusters and overseers within such district, and also by pub-
7 lication at the same time in a newspaper published and circulated in the county seat
8 of each of the said counties acting jointly for such purpose, and, thereafter, the
9 permanent poor shall be provided for by admission to such welfare house as pro-
10 vided by law for admission and maintenance to an almshouse or county welfare-
11 house.

DISTRICT WELFARE-HOUSE EXEMPT FROM TAXATION.

1 18. The property of such district used and maintained for such purpose shall
2 be free from taxation, and subject to the like privileges and immunities as exist
3 and are provided and extended to other almshouses or welfare-houses in counties or
4 municipalities.

CERTAIN MUNICIPAL ALMSHOUSES ABOLISHED.

1 19. Whenever the care and maintenance of the permanent poor shall be under-
2 taken and established by any county in lieu of municipal care of such persons,
3 municipal almshouses, other than county almshouses or welfare-houses, shall be abol-
4 ished, and the real and personal property which has been used for such purpose
5 may be sold by the governing body and the proceeds thereof shall fall into the
6 municipal treasury and used to pay other expenses of the municipality in the same
7 manner as may be otherwise lawful. Thereafter the expense of maintaining county
8 almshouses or welfare-houses shall be a charge upon the county as provided in this
9 act.

1 20. Whenever a district composed of more than one county shall be consti-
2 tuted for the maintenance of the permanent poor of such counties, as provided in

3 this act, such respective counties and the municipalities therein shall no longer pro-
4 vide and maintain almshouses or welfare-houses for the relief and maintenance of
5 the permanent poor, except in municipalities excepted therefrom as provided in this
6 act, and the real and personal property which has been so used may be disposed
7 of in like manner and for like purposes as authorized in the preceding paragraph.
8 The expense of the maintenance of and provisions for the relief of the permanent
9 poor maintained in such welfare-house shall be provided and raised in the propor-
10 tion as to the respective counties as authorized in this act, and shall be raised and
11 provided for, appropriated and paid as to such proportionate quota as such expenses
12 are to be paid as directed in this act.

ESTABLISHMENT OF ALMSHOUSES OTHERWISE NOT PROHIBITED.

1 21. Nothing in this act contained shall be construed to interfere with or pre-
2 vent any county from establishing or maintaining a county almshouse as hereto-
3 fore, unless it shall have adopted the provisions herein contained for the establish-
4 ment of a welfare-house, nor to prevent any municipality not having participated
5 in the welfare-house plan and purpose from doing likewise.

COUNTY CONTRACT AUTHORIZED BY RESOLUTION.

1 22. Whenever any county, as hereinabove provided, shall, in the manner
2 authorized in this act, provide for the relief and maintenance of the permanent poor
3 of such county by contract with another county for their support, relief and main-
4 tenance by such other county, either in an almshouse or welfare-house of such other
5 county, it shall authorize such contract to be entered into and adopt such other
6 other provisions as may be necessary for the purpose by resolution. Before the final
7 adoption of such resolution by any board of chosen freeholders upon the certifica-
8 tion to the clerk thereof by any municipality through its governing body in any
9 such county, which provides for and relieves and maintains its permanent poor, that
10 it elects not to participate in such county purpose, the said resolution shall be
11 amended to except therefrom such municipality or municipalities so electing not so
12 to participate, and the expense of such county for such purpose shall not be a
13 charge upon any such municipality, but shall be a charge upon that portion only
14 of the county whose permanent poor shall be thus provided for, and no imposts

15 for such purpose shall be generally levied, assessed and collected upon such taxable
16 persons or property in such county, but such imposts shall be a charge upon, levied,
17 assessed and collected from that portion of the county subject to benefit therefrom
18 by the chosen freeholders against the municipalities of the county other than those
19 maintaining the permanent poor in institutions and which have elected not to par-
20 ticipate in such county purpose.

RESOLUTION NOT TO BE PASSED WHEN INTRODUCED.

1 23. Whenever any county shall propose by resolution, as in this act provided,
2 to establish a county welfare-house, or to contract with another county for the
3 relief and maintenance of the permanent poor by such other county in a welfare-
4 house of such other county, or for the establishment of a joint county or district
5 welfare-house, the resolution so providing shall not be passed at the time of its
6 proposal, but after such proposal the action thereon shall be adjourned for one
7 month, at which time it shall be finally be acted upon by said board. Within two
8 weeks after the proposal of such resolution notice of the time and place of final
9 action thereon to be taken shall be published twice in two newspapers of general
10 circulation in the county, one of which is published in the county seat. The final
11 passage thereof may be adjourned thereafter to the next regular meeting of said
12 board of chosen freeholders. The resolution shall be amended on final passage to
13 except from the purpose such municipalities which have notified the said board
14 that they are maintaining their permanent poor and elect not to participate.

1 24. Whenever any county, as hereinafter provided, by its board of chosen
2 freeholders shall propose to establish a county welfare-house or a jointly main-
3 tained welfare-house, as hereinafter provided, and shall do so by resolution in
4 the manner required in this act for the purpose. If any municipality maintaining
5 its permanent poor in an institution in any such county shall, by resolution, elect not
6 to participate in such county purpose and certify the same to the clerk of the board
7 of chosen freeholders of such county before the final passage of such resolution, then
8 such proposal shall be amended accordingly, and such municipalities shall be **excepted**
9 from such county purpose as hereinafter provided, and such municipalities shall not
10 be chargeable with the expense thereof, and the sums of money deemed necessary to

11 carry out the provisions of this act shall be a charge by the chosen freeholders and
 12 levied, assessed and collected from the municipalities of each such county not excepted
 13 from said resolution, not so providing relief and maintenance for their own perma-
 14 nent poor.

REFERENDUM TO ELECTORS OF COUNTY OR PART THEREOF.

1 25. In case of proposed joint county establishment and maintenance of a dis-
 2 trict welfare-house after submission of the acceptance of any such resolution to
 3 the legal voters of more than one county, the question as to such acceptance shall
 4 not be submitted to the legal voters of any municipality so excepted from the pro-
 5 visions of such resolution, but only to the electors otherwise qualified in such
 6 county, and the proportionate expense of such joint establishment and maintenance
 7 of such district welfare-house shall be proportioned among such counties so estab-
 8 lishing and maintaining such district welfare-house, as herein provided, according to
 9 the population of such county or counties, excepting therefrom the population
 10 of any such municipality or municipalities not so participating, and the necessary
 11 sums required to be levied, assessed and collected shall be so raised by the chosen
 12 freeholders against the municipalities of the county or counties chargeable as pro-
 13 vided in this act.

MUNICIPALITIES EXCEPTED MAY JOIN PURPOSE LATER.

1 26. Nothing contained in this act shall operate to prevent any municipality
 2 from subsequently joining in such county or joint county purpose by ordinance,
 3 which shall be adopted by referendum in the manner provided by section twenty-
 4 four of Article XXXVII of an act entitled "An act concerning municipalities,"
 5 approved March twenty-seventh, one thousand nine hundred and seventeen, or any
 6 amendment or supplement thereof, containing a referendum provision and after the
 7 adoption of such ordinance and notification thereof to the board of chosen free-
 8 holders, such municipality shall thereafter have like responsibilities in respect to
 9 such purpose as if it had originally participated therein from that time. Munici-
 10 palities excepted from participation in the establishment or maintenance of a welfare-
 11 house, or counties not so determining, shall continue to support and relieve the per-
 12 manent poor thereof as is otherwise lawful.

OVERSEERS OF THE POOR.

1 27. Overseers shall be appointed, if qualified as provided in section twenty-nine,
2 by the municipal governing body after the passage of this act, and shall hold office
3 for five years; *providing*, that the term of office hereby fixed shall not repeal any
4 existing statute providing for a longer term. Any overseer may be removed by such
5 governing body for cause, upon written charges made by any citizen, after hearing, at
6 least one week's notice of which shall be given such overseer; *provided, however*, that
7 in cities governed by commissions under the act approved April twenty-fifth, one
8 thousand nine hundred and eleven, its supplements and amendments, if a member of
9 the governing body as the head of the department is overseer, he shall not be subject
10 to such qualifications, after examination, as required in this act, but they shall apply to
11 other overseers and deputies; *provided, further, however*, that it shall not be obliga-
12 tory upon any municipality not excepted from the welfare plan to appoint an overseer
13 in counties where there is a welfare board and superintendent of welfare, except
14 in municipalities in counties of the first class.

1 28. Females, as well as males, of full age, shall be eligible to appointment as
2 overseers in all municipalities.

1 29. No person shall be appointed as an overseer of any municipality but a citizen
2 of the State and of the United States, and unless such appointee shall be able to read
3 and write the English language, and is capable of making and keeping such records
4 and reports as are lawfully required of him, and shall have such knowledge of the laws
5 concerning the relief and maintenance of the poor, as may be satisfactory to the
6 governing body of the municipality in his jurisdiction, and such governing body may
7 ascertain such qualifications of such prospective applicants by sufficient tests through
8 the means of written examinations, and to this end the State board is authorized,
9 and the governing body or the welfare board, in the case of the appointment of su-
10 perintendents, is directed to obtain the aid and supervision thereof of the State Board
11 of Control, which board shall cause examinations to be made by such persons and at
12 such times within ten days' notice thereof and places as it may appoint and under
13 such rules and regulations as it may adopt for the purpose of determining the quali-
14 fications of superintendents, overseers and deputies. Every such examination shall
15

16 be conducted in such manner as the State board shall direct, and every prospective ap-
17 pointee or applicant whose examination shall be approved by said State board shall
18 be eligible but not otherwise for appointment as superintendent, overseer or deputy
19 overseer as the case may be.

1 30. In all municipalities, the overseer shall receive such salary as may be fixed
2 by the respective governing bodies in lieu of all fees; *provided, however*, where an
3 adjoining contiguous municipality, through the governing bodies thereof, may agree,
4 in writing, after resolution duly passed in each that the overseer of one or more mu-
5 nicipalities in any county, may and shall act for and in one or more such mmici-
6 palities in any county in which such municipalities may be situate in lieu and in
7 the place of the appointment in any such adjoining municipality, so contracting, of
8 an overseer therein, whereupon such additional salary shall be paid such overseer as
9 shall be agreed upon, with and not without his express consent, in writing, thereto.
10 in such case, such overseer shall have like authority and the same responsibilities as
11 other overseers; and the overseer theretofore appointed in such municipality con-
12 tracting for such other overseer shall upon notice to this effect to him cease to hold
13 such office within thirty days after the said agreement shall be executed; *provided*,
14 *however*, that such overseer may be removed from his responsibilities and duties in
15 such other municipality, by the governing body thereof, than that of his appointment
16 for cause or by reason of his inability to perform his duly authorized and required
17 functions if the territory is too great or the population too numerous for the proper
18 performance thereof on the complaint of the governing body of either municipality
19 on thirty days' notice to the other of application to the Court of Common Pleas of such
20 county for a summary hearing thereon and a final determination. The final deter-
21 mination, if according to the prayer of such complaint, shall terminate such con-
22 tract and relieve the overseer of such duties and responsibilities and the additional
23 salary theretofore agreed to be paid to such overseer. In case of the removal of
24 any such overseer, the municipality may appoint an overseer to act therein for the
25 full term as herein authorized.

APPEAL FROM OVERSEER.

1 31. The overseer shall determine who are to be relieved by him, subject to ap-
2 peal by any person on at least two days' notice to the Court of Common Pleas of

3 the county, by petition, in writing, for a summary review and determination by the
 4 court of the action of the overseer as to the extent and amount of relief, if any, to
 5 be given or rendered.

APPOINTMENT OF DEPUTY OVERSEERS.

1 32. In all cities or municipalities other than counties having not less than five
 2 thousand inhabitants, or where the overseer has jurisdiction in more than one mu-
 3 nicipality, the governing body may appoint a deputy overseer, who shall have resided
 4 at least one year in the State, and have other like qualifications as those necessary
 5 to the appointment of overseers, and be under the direction of such overseer, and
 6 be vested on his approval with the same power as an overseer in the distribution
 7 of relief, with like authority for the prosecution or defense in court proceedings
 8 as is now vested in an overseer.

APPOINTMENT OF ASSISTANTS.

1 33. Such governing body may also appoint such other assistants, clerks, visitors
 2 and nurses as in their judgment may be expedient, and fix their respective salaries.
 3 The salaries so fixed shall be in lieu of all fees provided for such deputy overseers,
 4 and any such assistants, clerks and nurses who shall work under the direction of the
 5 overseer and shall hold their office or employment during good behavior, and may be
 6 removed by the governing body for misconduct, neglect or incompetency.
 7 therefor, by the governing body for misconduct, neglect or incompetency.

CIVIL SERVICE ACT NOT NULLIFIED.

1 34. Nothing in this act shall operate to repeal or nullify the provisions of an act
 2 entitled "An act regulating the employment, tenure and discharge of certain officers
 3 and employees of this State and of the various counties and municipalities thereof,
 4 and providing for a Civil Service Commission and defining its powers and duties,"
 5 and the acts supplementary thereto and amendatory thereof in cities which have
 6 adopted, or will hereafter adopt, the same.

HELPERS TO OVERSEERS.

1 35. Overseers shall have power and authority to appoint resident helpers, with-
 2 out pay and without fees, to aid in the temporary relief of poor persons under his di-

3 rection, preferably by district, in any municipality, in order that such helpers may ob-
4 serve and ascertain and assist any such overseer or deputy in ascertaining the cause or
5 causes of dependency, obtain employment for poor persons when needed, and assist
6 and advise any such overseer or deputy in instituting and prosecuting to a determina-
7 tion such proceedings as may be necessary through other agencies of the State, or its
8 political subdivisions, for the relief of the poor, the admission of them, or their law-
9 ful dependents, to such institution or agency as may be provided for mental or physi-
10 cal disability or otherwise. All such agencies for relief, such as widows' pensions, as
11 provided by law, aid under the authority conferred upon the Rehabilitation Commis-
12 sion and Public Employment Service, or other aids to relief, support or assistance,
13 public or private, shall be made use of by such overseers and their subordinates and
14 helpers to the end that causes of dependency on the part of persons or their families
15 and the need for such public relief in whole or in part may be eliminated, and they
16 are authorized under direction of the overseer or deputy to take such legal steps,
17 either as prosecutors or petitioners in legal proceedings in aid of such persons or
18 their families, as may be necessary to such end. Disbursements of helpers shall be
19 paid, on the approval of the overseer of the poor, by the governing body. Helpers
20 shall be registered on appointment at the office of the overseer, and shall be furnished
21 and supplied with such evidence of their appointment and authority as the overseer,
22 with the approval of the governing body, shall determine.

OVERSEERS' RECORDS.

1 30. Overseers shall keep a record of all receipts and expenditures on their part
2 or that of their subordinates. They shall record the names of all applicants seeking
3 relief, which may be by card-index, on which the age, sex, residence, number and
4 names of children and their ages, when and where last employed, family income,
5 whether citizen or alien, place of abode for the five years preceding such applica-
6 tion for relief, and the place of nativity of every poor person who shall apply for
7 relief, together with a statement of the cause, direct and indirect, which shall have
8 operated to make such relief necessary as far as can be ascertained, together with a
9 statement of the relief or aid given, and of such relief as may have been, or is being
10 provided by all organizations as ascertained, and the name of the overseer or deputy
11 and helper having particular knowledge and charge of the case, and of witnesses of

12 the fact, with their addresses, shall be stated. On such record shall be also entered
 13 the name of those responsible by law for the support of such poor person and any
 14 relative agreeing or likely to agree to contribute in whole or in part, or assist in the
 15 support of such poor person. In case of the commitment or admission of any such
 16 person or a member of his family, through the agency of the overseer, or his assist-
 17 ants, to any almshouse or welfare-house, or other institution or family, he shall file
 18 a copy thereof, or a record of such admission or commitment, with the commis-
 19 sioner at his office at Trenton, and in the case of an infant, a record thereof shall
 20 be, within the same time, filed with the New Jersey State Board of Children's
 21 Guardians at its office. Such filing within the time limited may be by registered mail.
 22 Such overseers and deputies shall keep a book, setting forth therein all moneys,
 23 goods and materials received by them, when and by whom received, and to whom
 24 paid out and delivered, and, in addition thereto, a separate book of orders for
 25 relief, with stubs attached. Such printed order and stubs shall show the name, resi-
 26 dence, when issued, the amount and kind of relief expended, and by whom issued
 27 and delivered. Such order shall be endorsed by the recipient and the person fur-
 28 nishing such relief as made.

1 37. The governing body shall furnish to the overseer and his deputies the neces-
 2 sary material, card-indexes and other stationery for the purpose of this act, at the
 3 expense of the municipality.

OVERSEERS' REPORTS.

1 38. Overseers, annually, shall make to their municipal governing bodies, within
 2 thirty days after the first meeting thereof in the year, a report, in writing, which
 3 shall be a summary of the entries of the aforesaid records mentioned and author-
 4 ized in this act.

RELIEF BY OVERSEERS.

1 39. When any person shall apply for relief for himself or another to an over-
 2 seer or deputy, such overseer shall inquire into the facts, conditions and circum-
 3 stances of the case, and also into the matter of such person's settlement if it shall
 4 appear that such person is unable to earn a livelihood by his own labor and is a
 5 poor person and requires temporary or permanent relief; the overseer of the poor by

6 a written order shall render such aid and material relief as he may, in his discretion,
 7 deem necessary to the end that such person may not suffer unnecessarily from cold
 8 or hunger, or be deprived of shelter; he shall also ascertain the direct or indirect
 9 causes of poverty, and whether or not such person requiring permanent relief is
 10 without adequate home or without children, grandchildren, parents or grandparents,
 11 who are by law required and able to maintain him and other persons who are will-
 12 ing to do so; he shall be committed and removed to the proper almshouse or wel-
 13 fare-house in the municipality or county; *provided, however,* that the overseer in
 14 any municipality in which there is no almshouse may provide for the permanent
 15 relief and support of such poor person as in his discretion the circumstances may
 16 require, or contract, with the approval of his governing body, for the support of such
 17 person in the almshouse of another municipality in the same county, if there shall
 18 not be a county almshouse or county or district welfare-house. In all cases where
 19 there are relatives and others not otherwise chargeable by law who are able and
 20 willing to support and maintain or contribute to the support and maintenance of any
 21 poor person, the overseer or his deputies are authorized to enter into contract with
 22 such relatives in consideration of the support and maintenance of such poor person
 23 whereby such relatives may undertake and obligate themselves to that end, or induce
 24 such aid and support as may be possible. In all cases where a person is removed to
 25 the almshouse or welfare-house or receives permanent relief by the order of the
 26 overseer or his deputy, such order and commitment shall state the name, age, sex,
 27 nativity, place of settlement, names of children, grandchildren, parents or grand-
 28 parents, or relatives, and their place of residence, and the cause or causes of making
 29 such removal or relief necessary or advisable of every poor person so relieved,
 30 removed or committed, as aforesaid.

PLACE OF SETTLEMENT AND REMOVALS THERETO.

1 40. Every person of full age who shall be a resident of, and domiciled with-
 2 out interruption in, any municipality for five years, or in any county for five years,
 3 but not in any municipality thereof, shall be deemed settled respectively in such
 4 municipality or county and shall so remain until he shall have gained a like settle-
 5 ment in some other municipality or county in this State, or shall have removed

6 from this State and remained therefrom continuously for one year, or shall have
7 gained a legal settlement elsewhere in this State. In case such person shall have
8 removed from this State for more than one year as aforesaid, he shall not retain
9 his settlement in any county or municipality in this State.

1 41. A married woman and her minor children shall always follow and have
2 the settlement of her husband and of their father, if he has any within this State.
3 If he has no such settlement, her settlement shall be as it was at the time of her
4 becoming a resident and a domiciliary of such municipality or county wherein relief
5 is sought, provided she shall not have, in lieu thereof, gained a settlement as is
6 provided in section forty.

1 42. Legitimate children shall always follow and have the settlement of their
2 father, if there be one, until they shall have gained a settlement of their own.
3 If the father has no settlement, they shall follow and have the settlement of their
4 mother.

1 43. Illegitimate children shall follow and have the settlement of their mother,
2 unless the father is legally found or admitted by him to be such at the time and
3 place of their birth, in which case they shall follow and have the father's settle-
4 ment, if such parent has a settlement within this State. If either parent has no
5 settlement, then it shall be in such municipality or county in which such child shall
6 have been born, if such birth occurred in this State. Such children born in chari-
7 table or correctional institutions, or while the mother is legally an inmate thereof,
8 whether on parole or leave of absence, shall be chargeable to the place of the settle-
9 ment of the mother or father or from which they were admitted or committed,
10 rather than to the place where that institution is located.

1 44. Every minor whose parents have no settlement in this State, who shall have
2 resided five years without interruption in any municipality or county, shall as in
3 section forty provided gain a settlement within such municipality or county; *pro-*
4 *vided, however,* that no minor who shall be brought into any county in this State,
5 or who shall be placed out in any family therein by any person, society or corpora-
6 tion, public or private, of this or any other State, shall gain a settlement.

1 45. Nothing in this act shall apply to or affect any person from outside the
2 United States of America, or in any way to change the rights or liabilities of such

3 persons as may be conferred or imposed by any law of the United States of
 4 America, nor the right otherwise conferred by law to deport or remove such per-
 5 sons to any other State wherein such person still retains, or may have acquired, a
 6 settlement according to the laws of any State or country, and in all such cases no
 7 settlement shall be deemed to have been acquired within this State.

1 46. Where permanent relief is required by any poor person in any municipality
 2 in which he has gained a residence and is an inhabitant, and of such county in
 3 which he shall have gained a settlement, the overseer shall proceed to commit and
 4 remove such poor person to an almshouse or welfare-house, except as may be other-
 5 wise provided in this act for partial relief in a home or otherwise.

1 47. Where permanent relief is required by any poor person in any munici-
 2 pality in a county in which he has gained a settlement and of such county in which
 3 there is no almshouse or welfare-house, or district welfare-house, the overseer shall
 4 commit and remove such person to the municipal almshouse, or furnish relief at
 5 home, if the circumstances as otherwise herein provided may be lawful and pre-
 6 ferable, or to such other municipal almshouse in the county as may, by contract,
 7 provide such relief, as provided in an act entitled "An act concerning municipali-
 8 ties," approved March twenty-seventh, one thousand nine hundred and seventeen.

OVERSEER OF COUNTY

1 48. Where permanent relief is required by any poor person in any municipality
 2 in which he has not gained a settlement, but shall have gained a settlement in the
 3 county in which such municipality is situate, in which county there is not a county
 4 almshouse or welfare-house, or no provision for permanent relief, the overseer
 5 shall commit and remove such poor person to a municipal almshouse in such county
 6 by a written order, after which notice shall be served upon the board of freehold-
 7 ers of such county, who shall thereupon proceed to provide and make provision for
 8 the support and maintenance of such poor person as a county charge, the expense
 9 of which shall be borne by such entire county.

1 49. Where permanent relief is required by a poor person in any municipality
 2 in which he is a resident or an inhabitant, whose place of settlement is in another
 3 municipality or county than the one in which relief is sought the overseer shall

4 temporarily relieve such poor person and proceed to remove him to the place of
5 such settlement as directed in sections sixty-five to sixty-eight of this act, and until
6 such other place of settlement shall be ascertained the overseer, in his discretion,
7 may place such poor person as other permanent poor having a settlement in such
8 place are maintained and relieved.

1 50. Permanent relief shall not be rendered by any overseer to any person who
2 is otherwise lawfully removable who has no settlement in the municipality or
3 county in which relief is sought or necessary, but all such persons shall be tem-
4 porarily provided for and shall be removed by such procedure as may be lawfully
5 necessary by the overseer as in this act is provided, or as otherwise may be pro-
6 vided by law.

1 51. Where relief is required by a poor person in any municipality or county
2 in which he is a resident and inhabitant, who shall not have gained a settlement
3 in any municipality or county within this State, or in any other State, the overseer
4 shall provide relief. If it shall be ascertained that such person became poor from
5 causes existing prior to his being found in, or becoming an inhabitant and resi-
6 dent in, such municipality, the overseer shall proceed to remove such poor person
7 to such place from which he came by whatever lawful proceedings may be neces-
8 sary to such end with the aid of such officers as provided in this act, and the
9 expense of his removal shall be borne by the municipality from which he is removed.

1 52. When temporary relief is required by a poor person in any municipality
2 in which he is a resident and inhabitant, whose place of settlement is in some other
3 county in this State, or he shall not have become poor from any causes existing
4 prior to his becoming an inhabitant and resident in the municipality in which relief
5 is sought, the overseer shall provide and render temporary relief.

1 53. Where temporary relief is required by a poor person in any municipality
2 or county in which he may be a resident and inhabitant, and it shall be ascertained
3 that his place of settlement is outside this State, the overseer shall provide relief
4 and immediately make such application, with the aid of the county adjuster, as
5 may be necessary and otherwise lawful for his removal; *provided, however, that*
6 a record thereof shall be filed with the commissioner and his aid obtained for such

7 purpose when necessary, which aid the commissioner is authorized and directed to
8 give forthwith.

1 54. Every person who heretofore has, or shall have, acquired a settlement in
2 any county, but not in any municipality thereof, shall be chargeable as to perma-
3 nent relief and be supported and maintained or relieved by such entire county, the
4 governing body of which shall provide for the payment of the expense thereof as
5 other county expenses are paid.

CERTAIN PERMANENT ADULT POOR MAINTAINED IN THEIR HOMES.

1 55. If adult poor persons own the property where they reside in whole or
2 in part, and it is possible to maintain them more adequately and profitably within
3 the intent of this act, the overseer or superintendent, when acting in place of the
4 overseer, may apply to the Court of Common Pleas of such county for their per-
5 manent relief in such homes in lieu of committing or place them in an almshouse
6 or welfare-house.

PROCEDURE.

1 56. The overseer shall, by petition to said court, setting forth therein the nec-
2 essary facts, apply for such person's relief in such manner, whereupon said court
3 shall fix a day and date for hearing the said petition within not less than ten days
4 from the date of such application.

1 57. Said court shall proceed in a summary manner to examine into the facts,
2 and, upon being satisfied that permanent relief in the home to such poor person
3 should be furnished, shall, in its discretion, order a fixed sum to be paid not ex-
4 ceeding the rate of two hundred dollars per annum for such poor person's mainte-
5 nance and support in such home for the period of six months from the date of such
6 order. Such sum shall be a charge against the municipality, county or district in
7 which such poor person has a settlement, and shall be payable monthly upon the ap-
8 plication of the overseer or the superintendent out of the same funds that other
9 expenses for the relief and support of the permanent poor are paid.

1 58. At the expiration of such time and every succeeding such period of time
2 thereafter, the overseer, if further relief is necessary in such case, may apply to
3 the said court for an order directing the continuance of such relief for a like period

4 of time, and such relief shall be payable upon the further order of the said court;
 5 *provided, however,* that the said court may, in its discretion, summarily revoke any
 6 such order so made by him, and, thereafter, all maintenance and relief for such
 7 poor person shall cease forthwith.

1 59. Such necessary sum for the maintenance and care of such poor persons shall
 2 be paid by the governing body within a reasonable time and not less than thirty days
 3 from the date of ordering the support of such poor person, for the use only of the
 4 care and maintenance of such persons for whom such permanent relief in such case
 5 has been ordered.

CERTIFICATION BY OVERSEER OF SUMS NECESSARY TO BE APPROPRIATED.

1 60. The overseer shall within sixty days after this act takes effect transmit to
 2 the governing body an estimate of the amount necessary for carrying into effect this
 3 provision of this act for the year nineteen hundred and twenty three, and said gov-
 4 erning body shall appropriate an amount sufficient to meet such estimated expendi-
 5 ture.

1 61. Thereafter, in December of each year, the overseer shall forward to the
 2 governing body an estimate of the amount necessary for carrying into effect the
 3 provisions of this act. Such provision for expense shall be included in the budget
 4 for the ensuing calendar or fiscal year, and a sufficient amount appropriated to meet
 5 the necessary expenditures.

TIME OF STAY OF POOR PERSON IN INSTITUTION.

1 62. Whenever any poor person or child shall have been committed or removed
 2 to an almshouse or welfare-house by the overseer, such poor person or child shall
 3 be received by the supervisor or superintendent, and be supported and relieved therein
 4 until in the case of a person not a minor it shall appear that such person is no longer
 5 a poor person within the meaning of this act, when in the discretion of the war-
 6 den or superintendent such person so removed may be discharged, and imme-
 7 diately thereafter a written notice of such removal or discharge shall be sent to the
 8 overseer or superintendent on whose order such person was received into the
 9 almshouse, stating the reason or cause of such removal or discharge, and the name

10 of the person, society or board, if any, in whose care or custody such person has been
 11 discharged; *provided, however,* that the supervisor or the superintendent of all alms-
 12 houses or welfare-houses shall notify the New Jersey State Board of Children's
 13 Guardians of the commitment of all minor children under the age of eighteen years
 14 to the almshouse or welfare-house and that the New Jersey State Board of Chil-
 15 dren's Guardians, viz.: the board designated by the State board for that purpose,
 16 shall thereupon become on such admission the legal guardians of said child or chil-
 17 dren as well as when such children are thus placed elsewhere in the manner herein
 18 and otherwise provided by law.

PLACING OF POOR MINOR.

1 63. The overseer of the poor may, upon application for permanent relief, com-
 2 mit any minor poor child, who shall have gained a legal settlement within the mean-
 3 ing of this act in the almshouse or welfare-house, and it shall be within his dis-
 4 cretion for a period not to exceed thirty days and if funds are available for the
 5 purpose in this section to place or remove such child to some private institu-
 6 tion having the care of poor children, or with the mother of such child, as other-
 7 wise provided by law, pending the delivery to the New Jersey State Board of Chil-
 8 dren's Guardians, and paying therefor from the funds at his disposal for a period
 9 of not more than thirty days thereafter, and of such placement due notice, in writing,
 10 shall be given to the said Board of Children's Guardians, which shall from time to
 11 time proceed to relieve, remove, care for and place such child as the circumstances
 12 may require in the manner provided by law; *provided, however,* that for the pur-
 13 pose of the expense of maintaining said child if placed with the mother said State
 14 Board of Children's Guardians, when and if the fund hereinafter authorized for the
 15 purpose shall be available shall during the first month in which it is chargeable
 16 for the support of such child, or during the time it shall not have collected
 17 such expense from the governing body therefor shall pay such sum as may be
 18 necessary and otherwise lawful out of any sum appropriated to said board out
 19 of the treasury of the State, and there shall be provided for such purpose out of the
 20 State Fund payable by the State Treasurer on the warrant of the Comptroller of the
 21 Treasury a sum sufficient for the use of said board for such purpose. Said fund shall

22 be replenished by said State Board of Children's Guardians, by repayment thereto of
 23 such sums as may have been advanced temporarily for such purpose when received
 24 from the governing body ultimately chargeable with such expense, and said board
 25 shall make report of such receipts and expenditures in their annual report. It shall
 26 be the duty of the State board annually to make application to the Governor and the
 27 Appropriation Committee of the Legislature of this State for such sum, or so much
 28 thereof as shall be necessary for the purpose. The State House Commission is
 29 authorized in the failure of the Legislature to make express appropriation therefor
 30 to consider and treat such situation as an emergency and allow payment thereof as
 31 the payments for other emergencies are permitted to be financed.

METHOD OF REMOVAL TO PLACE OF SETTLEMENT.

1 64. The removal of poor persons to the place of their settlement or to the place
 2 where they became poor before their being found or becoming domiciled in the place
 3 from which they may be removed, shall, when such removal is to another place in
 4 the same county, be done by action of the overseer where such person may be found
 5 or reside, and in all other cases where there is no superintendent or county adjuster
 6 to act as hereinafter provided, the overseer shall act.

1 65. The county adjuster shall, on the application of any overseer, forthwith take
 2 such necessary steps for the removal of any poor person without this State, or to
 3 another county, by negotiating with the proper authority in such other State for the
 4 reception of such poor person, who may be properly removable to any place in such
 5 State, and shall perform that function for all overseers in the county, and all over-
 6 seers in any such county are hereby directed and authorized to take the necessary
 7 steps looking to the removal of any poor person from without this State, or to
 8 another county in this State, through and by means of the aid and authority of such
 9 county adjuster.

1 66. When the removal of a poor person from the place of his domicile or where
 2 he is found to the place of his settlement is lawful and necessary, such removal shall
 3 be made by means of a written notice signed by such official to the officer having
 4 jurisdiction in the place to which such person is to be removed, if the removal is to
 5 be to a municipality in the county; if otherwise, then the county adjuster shall act

6 for such overseer forthwith on the application of or notice from such overseer,
7 except as otherwise provided, that on a day certain, not less than ten nor more than
8 twelve days, after the date and mailing of such notice, an order will be made by the
9 removing overseer, or, if the removal is outside the county, by the county adjuster,
10 that such poor person be removed to the place of his settlement, stating the reasons
11 therefor, the place of his settlement or the place where he became poor prior to his
12 becoming an inhabitant of the municipality from whence he is to be removed. On
13 the day named in said notice, said order for removal shall be made by the overseer
14 of the poor of the municipality or county adjuster, as the case may be, from which
15 such poor person is to be removed, and, thereafter, such poor person shall, forthwith,
16 be removed to the place indicated in such notice upon the making of an order that
17 such poor person has no settlement in the municipality, county or district in which he
18 is a resident or is found, and has a settlement or became poor in such other munici-
19 pality or county prior to his becoming a resident and inhabitant or being found in
20 such municipality from whence he is to be removed, unless within ten days after
21 the mailing of such written notice the overseer to whom the same shall have been
22 mailed shall proceed to contest the allegation of the settlement of such poor person
23 or of the right to remove such poor person to the municipality or county in which
24 he has jurisdiction. Such contest shall be made by notice to the officer giving such
25 original notice, fixing a time and place when the contesting overseer shall apply to the
26 Court of Common Pleas of the county in which such poor person may be and from
27 which he is to be removed when and where the court shall hear and determine the
28 controversy, which said time and place shall not be less than ten nor more than thirty
29 days from the time of giving such original notice thereof. On failure to resist such
30 removal by the receiving overseer, such receiving overseer may not decline to receive
31 such poor person, but he shall receive him and provide such relief as is lawful: *pro-*
32 *vided, however,* that for good cause shown for the failure to contest such removal
33 the receiving overseer may, within thirty days after the receipt of such poor person
34 in his municipality, apply to the Court of Common Pleas of the county from whence
35 such person was removed to review the proceeding and to make such revised order
36 and disposition for the care and relief of such poor person and his removal, if lawful,
37 as may be proper and necessary.

1 67. If any overseer neglects to receive or remove as in this act provided a poor
2 person after the determination of the matter by any Court of Common Pleas hav-
3 ing jurisdiction, the municipality where such neglect shall have occurred shall be
4 liable for the expense of the support and relief of such poor person, which shall
5 be recoverable from time to time by the overseer incurring the cost of such relief
6 and support in the name of the municipality in an action against the municipality
7 liable therefor, with costs, which action shall be prosecuted in any court of compe-
8 tent jurisdiction, in which such action against the offending municipality the over-
9 seer, whose duty it was to receive or remove such poor person, shall be served with
10 notice of such action at law in the same manner as any summons is required to be
11 served.

USE OF OTHER AGENCIES TO REMOVE CAUSE OF DEPENDENCY.

1 68. Wherever an application for relief shall be made upon the overseer or deputy
2 of a municipality in behalf of any person claiming or alleging to be poor and in dis-
3 tress, and if such person or any member of his family appears to be in good health
4 and capable of earning a livelihood sufficient for the support of such poor person
5 in whole or in part, the overseer shall make every possible effort to secure employ-
6 ment for such person and all or any other members of the same family, and shall use
7 to that end the services of such helpers as may be appointed in his jurisdiction to
8 and in accomplishing such purpose and in maintaining supervision over such poor
9 person and have contact with his employers for the purpose not only of obtaining
10 such employment but of continuing the same, if possible, and there shall be ascer-
11 tained and remedied, if possible, the causes interfering, if any, in the obtaining or
12 continuation of such or any employment. To this end all public employment agen-
13 cies or rehabilitation bureaus, or any other agencies, public, private or charitable,
14 may be made use of, and the expense thereof, not properly an expense of any such
15 agency, in the discretion of the overseer, shall be chargeable to the municipality,
16 county in whole or in part or joint district. Should any person for whom proper
17 employment is found willfully neglect to work or labor and become, or continue,
18 chargeable to any municipality, county or part thereof or district by reason of such
19 failure and neglect, or any person chargeable by law for the support of any poor

20 person shall neglect to perform reasonable work or labor, in such case the overseer
21 of the municipality shall proceed against such person.

CONTRIBUTION TO SUPPORT BY RELATIVES.

1 69. It shall be the duty of an overseer in cases of application for relief of a
2 poor person or persons to ascertain, if possible, the relatives chargeable by law
3 for their support, and to proceed to obtain their assistance for such poor person or
4 to compel them to render such assistance as is provided by law in such cases, or if
5 such relatives are not chargeable by law with the support of such poor person but
6 able to do so, overseers may in such case, if possible, if such relatives are willing to
7 support such poor person in whole or in part, contract, in writing, with such per-
8 sons for the support of such poor person.

PENALTY FOR UNLAWFUL REMOVAL OR DEPOSIT OF POOR PERSONS.

1 70. Any person who shall send, remove or entice to remove, or bring, or cause
2 to be sent, enticed or brought, any poor person from any municipality within this
3 State, or from any municipality without this State, or any other State, into any
4 municipality within this State, and there leave, or attempt to leave, such person with-
5 out having first given notice to the overseer of such municipality, or superintendent
6 if there be no overseer appointed and qualified therein, in order that the support or
7 maintenance of such poor person upon the municipality may be avoided, shall be sub-
8 ject to a fine of not less than \$100 and not more than \$500, recoverable in an action brought in
9 any court of competent jurisdiction, and in default of payment thereof shall be
10 subject to imprisonment in the common jail of the county for a period not ex-
11 ceeding thirty days, or until such fine shall have been paid, and such person shall,
12 as otherwise provided in this act, be returned from whence he came in the manner
13 otherwise provided by law; *provided, however,* that such sentence or fine may be
14 suspended before or after conviction upon condition that such person or persons
15 shall convey such poor person to such place where he has a settlement or where he
16 became poor; without this State from which such poor person was removed, sent
17 or caused to be removed, enticed or brought, or support him at his own expense,
18 which such removal by such person or persons shall be conditioned upon a bond
19 to the overseer with sufficient sureties satisfactory to said court, that such removal

20 shall be made as herein provided for, or that such person or persons shall make
21 proper provisions with the overseer for the relief and support of such poor person.

NOTIFICATION OF APPOINTMENT OF OVERSEER OR COUNTY ADJUSTER.

1 71. Every overseer shall forthwith, or within ten days after his appointment,
2 and every county adjuster shall forthwith, and within the like time after his ap-
3 pointment, file with the Commissioner of Institutions and Agencies, at Trenton, a
4 certificate, showing the date of his appointment and his post-office address properly
5 authenticated by the clerk of the governing body of the municipality in which he
6 has jurisdiction. It shall be the duty of the commissioner to keep a complete list
7 of all overseers of this State, and to furnish a list thereof, from time to time, and
8 on application, to overseers, superintendents and county adjusters.

ARRIVAL OF ALIEN POOR PERSONS BY SHIP OR VESSEL.

1 72. In all cases wherein any ship or vessel shall arrive within any port, harbor
2 or municipality within this State, having on board passengers or employees coming
3 from any foreign port, or place, or coming from any municipality within this or
4 without this State into any municipality within this State, it shall and may be law-
5 ful for the overseer of the poor of the municipality at which such ship or vessel may
6 arrive, to require of the master or commander of such ship or vessel, a bond with
7 approved security, to the inhabitants of such municipality, in the sum of and not
8 exceeding two hundred dollars, conditioned for the maintenance and support of
9 any passenger or employee on board such ship or vessel, as aforesaid, who may
10 be sick, infirm or otherwise incapable and a poor person within the meaning of this
11 act, in the opinion of the said overseer of the poor of the municipality in which
12 he may be found or brought to provide the support of such poor person.

1 73. If the master or commander of any ship or vessel, arriving as aforesaid,
2 shall land or suffer to be landed from on board his ship or vessel any passenger, or
3 employee, who may be sick, infirm or otherwise incapable of providing for his or
4 her own support, without having immediately upon arrival of such passenger, or
5 employee, notified the overseer of the poor and by reason thereof such person is
6 likely to become a public charge of such municipality, except by permit from the
7 overseer of the poor of such municipality in which such poor person may be found,

8 or brought and without first having entered into such a bond as aforesaid such
 9 master or commander so neglecting shall be liable for the expenses of the support
 10 of such poor person, which may be recovered from time to time by the overseer of
 11 the poor incurring such expense for the relief and care of such poor person in
 12 such municipality by an action in any court of competent jurisdiction in the county
 13 wherein such poor person may be for the use of the same, in an action of debt,
 14 with costs of suit, before any court having cognizance thereof.

RELATIVES CHARGEABLE.

1 74. The father and the grandfather, mother and grandmother, the children and
 2 grandchildren, severally and respectively of every poor, old, blind, lame and impotent
 3 person or other poor person or child not able to work, being of sufficient ability,
 4 shall at his, her or their charges and expense, relieve and maintain every such poor
 5 person or child, as aforesaid, in such manner as the overseer of the poor shall order,
 6 or the court, upon its own initiative or the information of any person, after notice
 7 to such person or persons and hearing the said overseer, may so order. Should any
 8 of the relatives mentioned in this paragraph fail to perform the order or directions
 9 of the overseer with regard to the support of such poor person, or should such
 10 poor person be supported at public expense, it shall be lawful for the Court of
 11 Common Pleas of the county wherein such poor person may have a legal settle-
 12 ment, upon the complaint of the overseer of the poor or two residents of the
 13 municipality or county to summon the persons chargeable before it as in other
 14 actions and to summon witnesses, to order, adjudge and decree the able relatives
 15 above mentioned of any poor person or persons to pay such sum as the circum-
 16 stances may require in the discretion of the court, for each poor person or persons,
 17 as will maintain and relieve him or them, and as will relieve the public from the
 18 burden of such care and maintenance. Violation of any such order of the Court of
 19 Common Pleas shall be and is hereby declared to be a contempt of said court and
 20 the person so violating shall be subject to all the pains and penalties which by
 21 law now may be imposed for other contempts of such court. The county, through
 22 its governing body, may also bring appropriate action at law in any court of com-

23 petent jurisdiction to recover any sum of money due for the relief, support and
 24 maintenance of any poor person against any persons chargeable by law therefor.

1 75. The provisions of the foregoing section shall apply to the minor children
 2 of any mother in case her husband shall fail to properly support and maintain such
 3 minor children, and that by reason thereof such minor children are likely to become
 4 a public charge upon the municipality in which they shall have gained a legal settle-
 5 ment.

DUTIES OF OFFICIAL PHYSICIANS AND NURSES—HOSPITALS.

1 76. When a physician or nurse who is employed by the governing body of any
 2 municipality in this State shall be called upon or notified by the overseer of the
 3 poor of such municipality to visit any poor person who may be ill or injured, he
 4 or she shall visit the same, and render such medical aid as the case may demand.
 5 If in his or her discretion such person is a poor person within the meaning of this
 6 act, then such physician or nurse shall report the same, in writing, to the overseer
 7 of the poor of such municipality, who may grant such further medical, surgical
 8 or other relief as the circumstances may require to the said poor person as he may
 9 deem necessary; *provided, however,* that in all cases wherein medical or surgical
 10 treatment is urgent, any person may be removed and admitted to any public or
 11 private hospital in such municipality in which he is found, and the director, or
 12 those having charge of such hospital, shall, within a reasonable time, ascertain
 13 from such sick person his name, and place of residence, and if he is a poor person
 14 is a poor person within the meaning of the act, a notice in writing shall imme-
 15 diately be sent to the overseer of the poor of such municipality from which such
 16 poor person was removed or resided prior to such removal. Upon receipt of such
 17 a notice, the overseer of the poor shall proceed and provide in a like manner for
 18 the relief of such sick indigent person as is provided for, and within the meaning
 19 of this act, and the expense for the same shall be borne by such municipality in
 20 which he shall have gained a settlement.

1 77. Overseers of the poor shall from time to time as persons may become a
 2 permanent charge upon their municipalities, as paupers, who shall have been poor
 3 persons within the meaning of this act, have such persons removed to the proper
 4 almshouse or welfare-house.

RECOVERY OF EXPENSES FROM POOR PERSONS.

1 78. If at any time it shall be ascertained that any person who has been assisted
2 by or received support from any municipality has real or personal property over
3 and above that necessary for the maintenance in whole or in part of such poor
4 person, if such poor person shall be maintained by the municipality at home, or
5 over and above that sufficient for his family, or if any such person shall die, leav-
6 ing real or personal property, an action may be maintained in the Court of Com-
7 mon Pleas of the county by the overseer, who has furnished or provided such
8 assistance or support, or any part thereof, against such person or his or her estate,
9 to recover such sums of money as may have been expended by the municipality
10 or county in the assistance and support of such person during the period for which
11 such support was furnished, and if any person should die having received relief
12 or maintenance as a poor person, having insurance upon his life, the proceeds of
13 such insurance, after the payment of the expense of the last illness and the funeral
14 expenses of such person, if the terms of the policy so permit, shall be first applied
15 to the reimbursement of the county, municipality or district for the cost of the
16 support and maintenance of such person, but no action shall lie, nor shall any
17 appropriation of said insurance be made against any estate when it shall be shown
18 to the satisfaction of the court that the proceeds thereof, or the estate, are needed
19 to prevent the widow or minor children of the said poor person from becoming
20 dependent upon the public.

UNLAWFUL TO TRANSFER POOR TO IMPROPER PLACE.

1 79. It shall be unlawful to furnish any nonresident, who may be sick, aged,
2 injured or crippled, with transportation at the cost of the municipality until the
3 overseer shall have ascertained the legal residence of the person applying; and any
4 transportation furnished to such person or persons shall be to their legal residence,
5 when it shall appear that the person in distress has some valid claim for support
6 or some means of support in some other place to which he or she shall ask to be
7 sent.

DEATH AND BURIAL OF POOR.

1 80. If any person shall die in any municipality, who shall not leave money
2 or other means necessary to defray his or her funeral expenses, it shall be the
3 duty of the overseer of the poor of such municipality to provide some person to
4 provide for and superintend the burial of such deceased person, the necessary and
5 reasonable expenses as fixed by the governing body chargeable with the expense
6 shall be paid by it upon the order of such overseer.

1 81. Any municipality may acquire by devise, gift, purchase, condemnation or
2 in any other manner, such land as in the judgment of the governing body may
3 be necessary and proper for a burial ground for those who may die therein with-
4 out leaving means necessary to defray their funeral expenses. Such lands may be
5 within the boundaries of an existing cemetery. The cost of the acquisition, if in
6 the opinion of the governing body the amount of such cost will be too burdensome
7 to be borne by the taxpayers in any one year, they may issue bonds therefor, to
8 run for a period of not more than ten years, to bear interest at a rate not
9 exceeding five per centum, and may sell such bonds at public or private sale, but
10 in no case for less than the par value thereof.

CLASSIFICATION OF POOR IN INSTITUTIONS.

1 82. In the management of almshouses or welfare-houses the inmates shall be
2 classified according to age, condition of health and ability to perform manual labor.
3 Some form of employment shall be provided for such of the inmates as are able to
4 work. Inmates afflicted with any tubercular disease shall be separated from the
5 other inmates and cared for in separate dwellings.

1 83. In every almshouse, poorhouse, welfare-house, or other institutions for the
2 reception and maintenance of poor persons in this State, females shall be kept sepa-
3 rate from males at all times in their livingrooms, bedrooms, toilets, halls, stair-
4 ways, kitchens, eating rooms, outbuildings and yards; and it shall be the duty of the
5 municipal bodies to provide the accommodations necessary to carry out the inten-
6 tions of this act; *provided, however,* that the provisions of this act shall not apply
7 to aged persons who are lawfully married and living together as man and wife, and

8 who shall now or hereafter become inmates of such almshouse, poorhouse, welfare-
 9 house, or other institutions. The keeper of all almshouses, except welfare-houses,
 10 under the control of a welfare board in any county, shall be hereafter denominated
 11 "supervisor," instead of "keeper" or "warden," as heretofore.

RECORDS KEPT IN INSTITUTIONS.

1 84. The supervisor or superintendent and person in charge of every institution
 2 for the poor in this State shall keep a book, to be provided by the authority charged
 3 with the care of the institution, in which book he shall enter from time to time the
 4 name, date of the commitment, age, sex, color, description, physical and mental con-
 5 dition, education, habits, occupations, condition of ancestors and family relations,
 6 cause of dependence, birthplace and date of discharge, or of death and place of
 7 burial of each and every person coming into the care of such institution, together
 8 with any other information about them which may be ascertained, and said book
 9 shall be open to the inspection of the public at all times.

1 85. For the wrongful neglect or refusal to keep the said book according to
 2 the requirements of this act, or for the willful alteration of any entry in the same, or
 3 the willful mutilation or destruction thereof, the said supervisor or superintendent,
 4 or person in charge shall be liable to a penalty of twenty-five dollars, to be recov-
 5 ered in any court of competent jurisdiction, together with the costs of suit, by the
 6 overseer of the poor of the municipality, superintendent or governing body con-
 7 trolling said institution, for the use of the said municipality, county or district.

DEFICIENCIES.

1 86. When separate appropriations are made for indoor and outdoor relief of the
 2 poor in any municipality in this State, and any one of the appropriations has been or
 3 shall be expended, or is or may be inadequate alone for either such indoor or out-
 4 door relief, it shall be lawful for the governing body to provide for the continuance
 5 of such relief as may be necessary for the balance of the fiscal year, and the board
 6 of finance or other body having control of the finances of such municipality or dis-
 7 trict may provide the funds necessary for such continuance by the issuance of tem-
 8 porary loan bonds, the amount whereof shall be placed in the budget for the next

9 ensuing fiscal year, which bonds shall be issued as otherwise provided and limited by
 10 law for counties or municipalities of this State, or as provided in this act for wel-
 11 fare-houses jointly or by more than one county.

1 87. In order to meet the expense of erecting additions to or new buildings or
 2 accommodations at any county almshouse buildings or welfare-houses, or making
 3 repairs to any such buildings or providing proper furniture therefor or apparatus
 4 for lighting, heating, or otherwise fitting up the same, the board of chosen freehold-
 5 ers of any county or municipality lawfully authorized to maintain almshouses or
 6 welfare-houses, or the welfare board acting for more than one county, of this State
 7 may from time to time issue bonds in the manner otherwise provided by law in the
 8 corporate name and under the corporate seal of said county, or as provided herein
 9 for joint county control.

DESERTION OF FAMILY.

1 88. If any husband or father shall desert his wife or children, or if any woman
 2 shall so desert her child or children and leave them, or any of them, as public
 3 charges, the overseer may apply to the Court of Common Pleas of the county, and
 4 the said court may order such suitable support and maintenance to be paid and
 5 provided by the said husband or wife, or either of them, to be made out of his
 6 property, and for such time as the nature of the case and circumstances of the parties
 7 render suitable and proper, or the capital and other property of the said
 8 defendant to give reasonable security for such maintenance and support, and from
 9 time to time to make such further orders touching the same as shall be just and
 10 to enforce such orders; to issue process for the immediate sequestration of the
 11 personal estate and the rents and profits of the real estate of the party so charged,
 12 and to appoint the overseer, or another person, receiver thereof, and cause such
 13 personal estate and the rents and profits of such real estate, or so much thereof as
 14 shall be necessary, to be applied toward such maintenance and support as to the
 15 said court shall, from time to time, seem reasonable and just, and to enforce the
 16 same by proceedings as for contempt. Such orders may be revised and altered by the
 17 court from time to time as circumstances may require.

1 80. Service in the absence of said party so charged and the method of proce-
2 dure shall be such as is provided in sections twenty-five, twenty-six and twenty-seven
3 of an act entitled "An act providing for divorces and for decrees of nullity of mar-
4 riage and for alimony and the maintenance of children (Revision of 1907)."

1 90. The said overseer may bring an action at law from time to time in said
2 court, in the same manner as actions are prosecuted on contract, for such amount
3 as may be necessary to pay any expense incurred or unpaid, and upon recovery of
4 judgment and the sale of any property, real or personal, of the defendant, the pro-
5 ceeds realized therefrom as in other cases on contract shall be paid to such overseer
6 and applied by him for the support and maintenance of such deserted persons, or to
7 reimburse the municipality, county or board to the extent of the expenditures so
8 made by it for such support and maintenance. Such sum so realized on execution
9 sale and not immediately used shall be kept by said overseer in a separate account in
10 a National or State bank in the place where said deserted wife or children, or any
11 of them, are placed or maintained. All surplus proceeds not expended for such pur-
12 pose shall be the property of and payable to the said defendant.

1 91. Any husband or father, who shall willfully desert his wife or children, or
2 any of them, or any woman who shall willfully desert her children, or any of them,
3 or either of whom who refuses or neglects to provide and maintain any such persons
4 so deserted or neglected, shall be deemed and adjudged a disorderly person, and if
5 any overseer of the poor otherwise having jurisdiction in such cases believes that
6 such desertion or willful refusal or neglect to so provide for any such wife and chil-
7 dren, or any of them, will cause such family to become chargeable as poor persons
8 to any county, municipality or joint county district, it shall be his duty to make com-
9 plaint thereof, under oath, before a magistrate having jurisdiction in the municipal-
10 ity, county or district where such persons reside or in the place where such father
11 or husband resides.

1 92. The proceedings against any husband, father or mother before such magis-
2 trate shall be in the manner provided in an act entitled "An act to amend an act
3 entitled 'An act to amend an act entitled "An act concerning disorderly persons (Re-
4 vision of 1808)," approved June fourteenth, one thousand eight hundred and ninety-
5 eight," approved May twenty-third, one thousand nine hundred and six, including

6 the proceeding for the apprehension and appearance of such person so complained
7 of. Such proceedings in such case where persons are chargeable as poor for the bet-
8 ter relief of the governing body or other authority or authorities having the direc-
9 tion and government of such poor house, almshouse or welfare-house may be applied
10 by the overseer, director, or any member of the body having charge of such institu-
11 tion, in the same manner as in section ninety-one set forth and in the act referred to.

1 93. A bond to the State of New Jersey may be required by such magistrate,
2 with good and sufficient sureties, to be approved by him in the sum directed on
3 the warrant, conditioned for his or her appearance before the magistrate who
4 issued said warrant, at a time therein to be named, to answer said complaint, and
5 abide all orders, judgments and decrees that may be made against such defendant
6 touching said complaint.

1 94. Any such husband or father who deserts or willfully neglects or refuses
2 to provide for and maintain his said wife or children, or any mother who so
3 deserts or so willfully neglects or refuses to provide for and maintain her chil-
4 dren, who shall be in consequence thereof adjudged a disorderly person shall be
5 committed to the workhouse or county jail of the county or of that county compos-
6 ing a district in which such person resided at the time of the desertion, or neglect
7 or refusal to so provide, occurred for a period not exceeding sixty days in the
8 discretion of said magistrate.

1 95. None of the provisions of this act shall be construed or held to repeal
2 any of the provisions of the act entitled "An act concerning disorderly persons
3 (Revision of 1898)," and the several supplements thereto and amendments thereof,
4 nor "An act for the creation of the State Board of Children's Guardians and for
5 defining their duties and powers with respect to the maintenance, care and general
6 supervision over indigent, helpless, dependent, abandoned, friendless and poor chil-
7 dren now or hereafter becoming public charges of this State," approved March
8 twenty-fourth, one thousand eight hundred and ninety-nine, and the various
9 amendments and supplements thereto, nor to the provisions of "An act establish-
10 ing a court for the trial of juvenile offenders and defining its duties and powers,"
11 approved April eighteenth, one thousand nine hundred and three, and the several
12 supplements and amendments thereof, nor to an act entitled "An act to provide

13 for the appointment of probation officers and defining their duties and powers,"
14 approved April second, one thousand nine hundred and six, and the various
15 amendments and supplements thereto, nor "An act concerning the charitable, cor-
16 rectional, reformatory and penal institutions, boards and commissions, located and
17 conducted in this State which are supported in whole or in part from county,
18 municipal or State funds," approved February twenty-eighth, one thousand nine
19 hundred and eighteen.

1 96. All acts and parts of acts, general, special or local, inconsistent with the
2 provisions of this act be and the same are hereby repealed; *provided, however,*
3 that nothing in this act shall be construed to alter, change or repeal the existing
4 statutes affecting settlement and indigency in any county of this State, concerning
5 the commitment, care and maintenance of the insane or the settlement or indigency
6 of any alleged insane, epileptic, feeble-minded, idiotic, or other dependent person
7 under the provisions of any existing statutes or under any statute relating to the
8 welfare of children or to provide home life for dependent children.

1 97. Any part or parts of this act which may be found to be invalid or
2 unconstitutional shall be severable, and the remainder of the act shall stand, and
3 the provisions contained in this act shall not be construed to be exclusive and
4 shall not be construed to repeal other provisions of law not inconsistent herewith.
5 any particular grant of power contained in this act shall be held to be in speci-
6 fication but not in limitation of general powers.

1 98. This act shall take effect immediately.

STATEMENT.

This is the same law which unanimously passed the House of Assembly at the
1923 session without a dissenting vote. It incorporates the report and findings of the
Joint Commission appointed by a concurrent resolution of the Legislature of 1921 and
of the Legislature of 1922 to investigate, codify and revise the laws of this State re-
lating to the settlement and relief of the poor. It endeavors so to revise the laws con-
cerning the poor that within reasonable and proper limits due economy and better su-
pervision of the situation may be obtained for the benefit of the State and its various

subdivisions, with the hope that so far as possible the causes of dependency may be eliminated.

The provisions of this bill are permissive rather than mandatory. In effect, the provisions establish a standard of qualification for the office of overseer of the poor, give more jurisdiction, increased responsibilities and an adequate salary to the overseers of the poor. The bill does not, however, operate to affect any present incumbent in the office of overseer during his term of office.

It provides for larger units of relief with the accompanying advantages in concentrating and organizing administration. It carries with it provision for family rehabilitation.

It has features for relieving the public of the care of "natural dependents" wherever there are relatives able to support them.

SUMMARY.

The proposed legislation will, in effect, tend to eliminate the causes of dependency and make more adequate the means to deal with the poor. It is also the object of the proposed legislation that the old system of handing out temporary relief or alms will be gradually done away with and poor persons will be so helped that they may be enabled to help themselves and not be further pauperized by the giving to them of a meal ticket, or a mere order for food for the day, or a bag of coal.

COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 142

STATE OF NEW JERSEY

INTRODUCED JANUARY 14, 1924.

By Mr. SENS SMITH.

Referred to Committee on Social Welfare.

AN ACT for the settlement and relief of the poor, and providing for municipal, county or joint county relief, excepting from county or joint county relief, certain municipalities (Revision of 1923).

1 BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

DEFINITIONS.

1 1. The following are defined within the meaning of this act:

2 (a) A poor person is one who is unable to maintain himself or those dependent
3 upon him.

4 (b) An overseer is such person as may be charged with the superintendence and
5 relief or removal of the poor within his jurisdiction as may be found in his munici-
6 pality, and shall be construed to mean superintendent in all cases where a superin-
7 tendent as defined in this act is authorized to act when there is no overseer.

8 (c) An almshouse is a place where the poor are maintained at the public ex-
9 pense of any municipality or county of this State, which has not established and does
10 not maintain a welfare-house.

11 (d) A welfare-house is a place where the poor are maintained at the public
12 expense under the superintendence of a county welfare board in any county or
13 portion thereof or districts composed of more than one county. District welfare-
14 house, where so mentioned, is one established and maintained by more than one
15 county or portions thereof.

16 (e) A settlement of a person shall be his right under the provisions of this act
17 to relief or maintenance and support in any municipality, county or counties.

18 (f) Temporary or outdoor poor are such persons who can be relieved tempor-
19 arily at their domicile or without being maintained in an almshouse or welfare-
20 house.

21 (g) Permanent or indoor poor are such persons who may be better relieved or
22 maintained and supported under the provisions of this act by removal to a welfare-
23 house, almshouse, or, with limitations, in the home.

24 (h) A welfare board is the board of one or more counties authorized to have
25 charge and supervision and control of a welfare-house and to supervise through a
26 superintendent such work for or in relation to the poor as directed or authorized.

27 (i) A superintendent is the employee of a welfare board of a county or district
28 authorized to act for it and under its direction and to act for overseers where there
29 are none.

30 (j) State board is the New Jersey State Board of Control of Institutions and
31 Agencies.

32 (k) Commissioner is the Commissioner of Institutions and Agencies of this
33 State.

34 (l) The word "may" shall be construed to be permissive.

35 (m) The word "person" shall include the feminine.

36 (n) Public charge shall mean a person to whom it is necessary to furnish proper
37 relief as provided in this act.

38 (o) County adjuster is the official of that designation now authorized to act in
39 the cases of commitment or admission of insane persons to State or county hospitals
40 for the insane.

41 (p) The word "municipality" does not include, in meaning, a county, unless
42 otherwise indicated by the context, but includes any city, borough, township, town,
43 village or municipality governed by an improvement commission.

COUNTY WELFARE-HOUSE

1 2. The board of freeholders of any county may, by resolution, establish a county
2 almshouse, to be known as a welfare-house, or change the name and control and
3 management of any existing county almshouse for the care and maintenance of the

4 permanent poor, such persons requiring permanent relief other than in municipalities
5 excepted therefrom as provided in this act shall be provided for therein by said county,
6 and in almshouses maintained and supported in municipalities in such county as
7 otherwise provided in this act, shall thereafter be abolished, and the permanent poor
8 shall thereafter be maintained in the county institution, rather than in municipi-
9 pal almshouses. The said board of chosen freeholders shall have power to purchase
10 and lease real property therefor, or acquire such property and easements therein by
11 lease, purchase, or condemnation, and the powers of eminent domain may be exer-
12 cised as provided by "An act to regulate the ascertainment or payment of compensa-
13 tion for property condemned or taken for public use (Revision of 1900)," and the
14 supplements thereto and the amendments thereof. They shall have power to erect all
15 necessary buildings, make all necessary improvements and repairs, and alter any exist-
16 ing building for the use of said home, provided that the plans for such erection,
17 alteration or repair shall first be approved by the State Board of Health and the State
18 board. They shall have power to cause to be levied, assessed and collected from the
19 municipalities of the county participating in such purpose such sums of money as
20 shall be deemed necessary at first and annually thereafter to provide suitable land,
21 buildings and improvements for said welfare-houses and for the maintenance thereof,
22 and for all other necessary expenditures therefor, and the expenses of the superin-
23 tendent and his assistants as authorized and required in this act, and to borrow money
24 for the erection of such welfare-houses, and for the purchase of a site for such wel-
25 fare-houses, on the credit of the county, or portion thereof as provided in this act, and
26 issue obligations therefor in such manner as it may do for other county purposes.
27 The chosen freeholders shall have power to accept and hold in trust for the county, or
28 portion thereof so participating, any grant or devise of land, or any gift or bequest of
29 money, or other personal property, or any donation to be applied, principal or in-
30 come, or both, for the benefit of said welfare-house, and apply the same in accord-
31 ance with the terms of the gift.

1 3. When the board of chosen freeholders shall have determined to establish a wel-
2 fare-house for the permanent maintenance and relief of the poor of any county or
3 portion thereof, and shall have acquired a site therefor, and shall have awarded
4 contracts for the necessary buildings and improvements thereon, or shall have

5 resolved to maintain and operate a welfare-house as provided in this act, there shall
6 be constituted and appointed a welfare board composed of five citizens of the
7 county, as follows: The director of the board of chosen freeholders of said
8 county, and four citizens of the county or municipalities participating, two of whom
9 may be women, to be appointed by the board of chosen freeholders, who shall con-
10 stitute the managers of said welfare-house. Members shall hold their offices for four
11 years, except that the first appointments shall be respectively for one, two, three and
12 four years, which terms as to duration shall be in the order of appointments as made
13 and indicated. Vacancies in such offices shall be filled for the unexpired term
14 only. The holding of any other office by any member of said welfare board shall
15 not constitute such holding as incompatible with his office as member of such wel-
16 fare board. They shall receive no compensation for their services, except a fee of
17 five dollars for attendance at the regular monthly meetings of the board, and shall be
18 allowed their actual and necessary expenses, on the approval of the director, all of
19 which shall be audited and paid in the same manner as other expenses are paid in and
20 for such county.

1 4. They shall appoint a superintendent of welfare, who shall have the qualifi-
2 cations and be subject to the same examination as is required for that of an over-
3 seer.

1 5. Said welfare board shall elect from among its members a president, vice-
2 president and a secretary-treasurer. The superintendent appointed as herein pro-
3 vided shall not be a member of the board, and shall hold office for the term of
4 five years, or until the appointment of his successor, unless sooner removed for
5 cause after due notice and hearing. Said board of managers shall appoint such
6 other officers and employees as may be necessary; they shall fix the salaries of
7 the superintendent and such officers and employees within the limits of the appro-
8 priation made therefor by the board of freeholders, and such salaries shall be
9 compensation in full for all services rendered. The superintendent, officers and
10 employees shall be subject to such rules and regulations in the discharge of their
11 duties as may be provided by said board, and shall have, under the control of said
12 board, the general superintendence and management of said welfare-house, of the
13 grounds and buildings, and of the inmates thereof. The welfare board shall

14 have charge of all matters relating to the government, discipline, contracts and fiscal
15 concerns thereof as appropriated by the chosen freeholders and shall make such rules
16 and regulations as may be necessary for carrying out the purposes of such welfare-
17 house. They shall so equip and maintain said house as to provide proper heat and all
18 furniture, materials and supplies, medical and otherwise, as may be necessary for the
19 adequate maintenance of the permanent poor, and said board shall meet at said
20 welfare-house at least once in every month, and at such other times as may be pre-
21 scribed in the by-laws or rules of said board, and shall hold their annual meeting
22 at least one month prior to the meeting of the board of freeholders at which appro-
23 priations for the ensuing year are to be considered. All appropriations for the ex-
24 penditure of money above set forth shall be subject to the approval of the board of
25 chosen freeholders. They shall keep a public record in a book provided for that pur-
26 pose of their proceedings. The welfare-house shall be subject to inspection to duly
27 authorized representatives of the State board, or the commissioner, and of the State
28 Board of Health. They shall certify all bills and accounts, including salaries and
29 wages, and transmit them to the board of freeholders of the county, who shall pro-
30 vide for their payment in the same manner as other charges against the county, except
31 such municipalities therein as do not participate as provided in this act, and shall
32 make annually, a report of the financial management and expenditures and other
33 operations of the welfare-house, and the number of persons maintained therein, to-
34 gether with their recommendations to the said board of freeholders. The freeholders
35 shall provide and maintain, however, a working expense fund raised and collected as
36 the other expenses are required by this act to be provided not to exceed three hun-
37 dred dollars for the use of the welfare board. Payments therefrom shall be made
38 out of the county treasury on the voucher of the said secretary treasurer.

1 6. The superintendent of welfare shall be the chief executive officer of such
2 welfare-house, subject to the control of said board. The said superintendent under
3 the general rules and regulations shall receive such poor persons as by law are
4 properly receivable therein, or as otherwise by law may be provided, and all
5 such persons as would otherwise be receivable in a county or municipal almshouse,
6 except such poor of municipalities excepted from the establishment, support and
7 maintenance thereof, who have settlements therein.

1 7. He shall, in addition to his duties and responsibilities as chief executive
 2 officer of such welfare-house and said board, have general jurisdiction throughout
 3 the county or portion of the county which maintains a welfare-house as in
 4 this act provided and the authority and power of an overseer with the consent and
 5 approval of the governing body in all such municipalities where such municipalities
 6 have no duly constituted overseer performing such duties, by contract or otherwise,
 7 and in such work as overseer in any such municipality in any county, shall be sub-
 8 ject to all lawful rules and regulations of the said welfare board. The expense of
 9 said work of overseer by such superintendent shall be a charge upon the municipal-
 10 ities of such county so participating, to be levied, assessed and collected therefrom by
 11 the board of chosen freeholders in the same manner as other county expenses are as-
 12 sessed and collected.

COUNTY MAY CONTRACT WITH ANOTHER COUNTY FOR MAINTENANCE
 OF PERMANENT POOR.

1 8. Upon the certificate of the State board that the housing conditions and ac-
 2 commodations are sufficient and adequate for the purpose and the approval of the
 3 State Board of Health, that the sanitary conditions are such as to properly safe-
 4 guard the health of such poor persons as may be maintained therein, the board of
 5 chosen freeholders of any county may contract with the board of chosen freeholders
 6 of any other county of this State to board and care for poor persons requiring perma-
 7 nent relief of such county, except such municipalities thereof as do not elect to partici-
 8 pate in such county plan which maintain their own permanent poor, and such contract
 9 authorized by the board, and entered into by the directors of the several counties con-
 10 cerned, shall provide for the permanent maintenance and relief of such poor persons,
 11 and in such case, any county so contracting, may maintain the permanent poor under its
 12 jurisdiction and authority in such almshouse or welfare-house in such other county
 13 with which such contract shall be entered into. The expense under such contract for
 14 the support of the permanent poor of any county in the almshouse or welfare-house of
 15 another county shall be provided for by appropriation and paid in the same manner
 16 as other county expenses, but levied, assessed and collected from the municipalities
 17 participating, excepting such as elect not to participate, which maintain their own

18 permanent poor. Such almshouse or welfare-house shall always be open to inspec-
19 tion of a duly authorized agent of the board of chosen freeholders of any county
20 maintaining its permanent poor therein, and of the State board and the State Board
21 of Health. Whenever municipalities in a county elect not to participate in such
22 county purpose, the procedure shall be as set forth in sections twenty-two to twenty-
23 four and as otherwise provided in this act, as in the case of the establishment of a
24 welfare-house.

JOINT COUNTY OR DISTRICT WELFARE-HOUSE.

1 9. The boards of chosen freeholders respectively in any two or more contigu-
2 ous and adjoining counties may resolve that upon a like resolution being enacted
3 in such other adjoining and contiguous county or counties as shall be named therein,
4 provision may be made for the permanent relief of such poor persons in such coun-
5 ties in a welfare-house to be jointly owned by such counties, or so many thereof as
6 shall adopt the same, or as the resolutions may provide, which shall constitute a
7 district and be conducted by a welfare board as hereinafter constituted for the per-
8 manent relief of the poor persons of such counties; in such case permanent relief
9 shall be provided for the poor of such counties, except those municipalities which
10 maintain their own permanent poor and which have elected not to participate for such
11-12 purpose, in such jointly maintained district welfare house; *provided, however,* that
13 the inhabitants of such counties shall, by a majority vote of the legal voters therein,
14 excepting from such vote the electors of such municipalities maintaining their own
15 permanent poor in institutions as have elected not to participate for such purpose,
16 ratify and accept the provisions of such resolutions as have been adopted and of like
17 purport in their respective counties as hereinafter provided. In case of the adoption by
18 a majority of such legal voters in each such county, or such counties as shall so elect if
19 the resolutions so provide, there shall be constituted and appointed at a joint meeting
20 of the respective boards of chosen freeholders concerned therein a District Welfare
21 Board of five persons, citizens of the district, two of whom shall be women, who with
22 the directors of the respective boards of chosen freeholders shall constitute the man-
23 agers of said district welfare-house. They shall be elected so as to, as nearly as may
24 be, make the quota in membership in said board equal in representation from the coun-
25 ties concerned. They shall hold office for five years, except that the first appoint-

26 ments shall respectively be for one, two, three, four and five years, which terms as
27 to duration shall be in the order of the appointments as made and indicated. Vacan-
28 cies shall be filled for the unexpired term only. The holding of any other office by
29 any such member shall not be construed to be the holding of an incompatible office.

1 10. They shall have power and authority to appoint a superintendent of welfare,
2 who shall be a citizen of one of such counties, and have the same qualifications and re-
3 quirements and term of office as provided for a superintendent of welfare in any
4 county. They shall meet regularly once each month and such other times as may be
5 necessary or as they may by rule provide. They shall be paid ten dollars each for at-
6 tendance at the regular monthly meetings and shall also be reimbursed for their ex-
7 penses incurred in the performance of duties imposed by this act. Like qualifications
8 and authority shall be vested in such district welfare board as is vested in the welfare
9 board of any single county, and as herein authorized. They shall hold their annual
10 meeting at least six weeks prior to the meetings of the boards of free-
11-16 holders of the several counties at which appropriations for the ensuing year are to
17 be made, and shall provide in a budget to be made up six weeks prior to the annual
18 meetings of the respective boards of chosen freeholders concerned, the total expense
19 of the maintenance and operation of said district welfare-house, and all expenses in-
20 cluding wages and salaries, and shall apportion the same among the several counties
21 according to the population of each respective county as ascertained at the last Federal
22 census, excepting therefrom the population of such municipalities in such counties not
23 participating for such purpose as in this act provided, and each respective county
24 shall thereupon provide the funds as to their necessary quota: *provided, however,*
25 *that within two weeks after the budget herein provided for shall be made up the same*
26 *shall be approved by the Commissioner of Municipal Accounts of the State of New*
27 *Jersey, and certified as correct, when it shall be certified to the respective*
28 *boards of chosen freeholders, in order that the quota of each county may be provided*
29 *for, and shall be assessed and collected by the board of chosen freeholders from the*
30 *municipalities of such counties so participating in said purpose for the establishment,*
31 *maintenance and upkeep of such district welfare-house in the same manner*
32 *as other taxes are assessed and collected. Said cost shall be a charge upon*
33 *each county or portion thereof participating in such purpose. The sums of money*

34 raised in any manner authorized shall, on receipt thereof by the respective county
 35 treasurers, be paid to and held by the treasurer of the county in which the district
 36 welfare-house shall be situate, and be deposited in a separate account, in a State or
 37 National bank located and doing business in that county. The district welfare
 38 board shall certify all bills and accounts, including salaries and wages, and transmit
 39 them to the boards of freeholders concerned, who shall examine and approve the
 40 same for payment, and when so certified, transmitted, examined and approved for
 41 payment by the boards of chosen freeholders concerned the treasurer shall pay the
 42 same from said account.

METHOD OF ADOPTING A JOINT COUNTY WELFARE PLAN.

1 11. Whenever two or more counties contiguous and adjoining shall, by the
 2 boards of chosen freeholders thereof, so resolve to construct and maintain jointly a
 3 district welfare-house in lieu of a county welfare-house and municipal almshouses,
 4 which, in such case, shall be abolished, except as otherwise provided in this act, the
 5 resolution shall be submitted to the legal voters of said county at the next general elec-
 6 tion, except such thereof as are municipalities maintaining their permanent poor in
 7 institutions and have elected not to participate, at the next general election. Public
 8 notice thereof shall be given by said boards of chosen freeholders by publication not
 9 less than thirty days prior to said election in a newspaper published and circulated in
 10 the county seat of each of said counties. At any election at which the question of the
 11 adoption of the resolution shall be submitted to the voters of any county, there shall
 12 be printed upon the official ballot for such county at the next general election the
 13 word "for" and the word "against" above and immediately preceding the words
 14 "Shall the county of adopt the resolution of the board of chosen
 15 freeholders providing for the joint establishment, operation and maintenance of a
 16 district welfare-house for the permanent relief of the poor of this and the county
 17 (or counties) of (naming them), or so many thereof (or all as the resolution shall
 18 provide) as may be favorable thereto?"

1 12. If the word "for" be marked off or defaced upon the ballot, it shall be
 2 counted as a vote against the acceptance of the resolution. If the word "against" be
 3 marked off or defaced upon the ballot, it shall be counted as a vote in favor of the

4 acceptance of the resolution, and in case neither the word "for" nor the word "against"
5 be marked off or defaced upon the ballot, it shall not be counted as a vote either
6 for or against such acceptance. A canvass and return of the votes upon the question
7 of the acceptance of the resolution shall be made by the board of canvassers in the same
8 way and manner as for officers voted at such election and as other questions are
9 submitted on referendum, and the result thereof shall be certified to the Secretary of
10 State within five days thereafter, who shall canvass the vote of the two or more coun-
11 ties voting on said question, and shall certify the same within ten days thereafter to
12 the respective county clerks and to the clerk of the board of chosen freeholders of
13 each such county, and if the majority of the votes cast in each county for and against
14 the acceptance of the resolution shall be found to be in favor of its acceptance, it shall
15 then become operative in such county with such other counties as have likewise,
16 voted in favor of the adoption of such district welfare-house.

1 13. The estimated cost of the establishment or enlargement of such district wel-
2 fare-house, including the purchase of the real and personal property therefor shall
3 be submitted to the several boards of freeholders concerned for approval as to such
4 cost, and no proceedings shall be begun or action taken by the welfare board unless
5 and until such cost shall have been approved by such boards.

JOINT WELFARE BOARD MAY BORROW MONEY.

1 14. At any time after a vote in favor of a district welfare-house by more than
2 one county has been authorized, as aforesaid, the boards of chosen freeholders of such
3 counties are empowered by joint resolution to borrow money and issue bonds or other
4 obligations therefor in the name of the counties concerned, and negotiate the same
5 for the purpose of raising money necessary to carry out the provisions of this act for
6 the purpose of establishing, altering or enlarging the said district welfare-house, or its
7 appurtenances. The procedure for the issuance of such bonds shall be after the man-
8 ner provided in an act entitled "An act to authorize and regulate the issuance of
9 bonds and other obligations and the incurring of indebtedness by any county, city,
10 borough, village, town, township or any municipality governed by an improvement
11 commission," approved March twenty-second, one thousand nine hundred and six-
12 teen, its supplements and amendments or revision thereof except as herein otherwise

13 provided to the extent of the purposes herein authorized. Such bonds shall not be
14 of a denomination of less than one hundred dollars, nor bear interest at a higher rate
15 than six per centum. They shall be denominated "District Welfare Bonds" of the
16 counties to be named, as obligated. They shall be payable pro rata as by this act pro-
17 vided for the payment of cost and expenses, and shall not be sold below par, and
18 shall not be subject to taxation, except for State purposes. The respective counties,
19 except municipalities not so participating so jointly constructing, operating and main-
20 taining such district welfare-house as herein provided shall, in the manner indicated in
21 the proceedings to bond the district, to be stated in the bonds, indicate the time, place
22 and manner of payment of the principal and interest thereof, and be liable for the
23 payment of such bonds, together with interest thereon in the proportion as in this act
24 indicated for such cost and expense at the time of the adoption of the resolution of
25 said board for the issuance thereof. The alteration or construction and completion
26 of such building or grounds as may be necessary for the purpose shall be approved
27 as to plans and specifications before work is commenced thereon by the State board.

1 15. Such bonds shall mature in not more than forty years from the issuance
2 thereof, and the sums necessary for each annual maturity, together with all interest
3 charges shall be provided for in the budgets of the counties participating in the same
4 manner as other expenses are provided for, and shall be raised by taxation in propor-
5 tionate amount annually in the respective counties on the certification of the propor-
6 tionate sum chargeable to and due by each such county by the Commission of Mu-
7 nicipal Accounts of the quota and proportion respectively chargeable to each county.
8 The interest and principal thereof, and other necessary sums of money or expenses,
9 shall be the debt or obligation of the district wherein they were issued in the munici-
10 palities of each county participating in the proportion of the population as each
11 county or part thereof bears to each other such county or part like-
12 wise participating as determined at the last Federal census prior to their
13 issue and prior to the passage of the joint resolution of the said boards
14 of chosen freeholders of the counties concerned, except as in this act
15 otherwise provided as to municipalities not so participating, and the pay-
ment thereof shall be provided for by taxation annually levied, assessed and collected
by the board of chosen freeholders from the municipalities of such counties par-

16 ticipating in such purpose in the proportion herein indicated in the same manner
17 that other debts and obligations of the several counties are provided for by taxation.

MANDATORY ORDER BY JUSTICE OF SUPREME COURT TO OFFICIALS.

1 16. On failure of any county, through its governing body, to make provision
2 in any manner as required by this act or other law for the payment of the expenses
3 and obligations imposed thereby for its proportionate share of the establishment or
4 maintenance of a district welfare-house, the board of chosen freeholders
5 of any county composing such district may appeal to any justice of the
6 Supreme Court of Judicature of this State, on ten days' notice to such defaulting
7 or delinquent board of chosen freeholders or any delinquent official thereof, or both,
8 for a mandatory order directing the performance of such actions as may be neces-
9 sary to accomplish the requisite lawful action and compel the carrying out of its ob-
10 ligations as a county in the proper proportion as to expense and payment as pro-
11 vided in this act or any other law of this State. Nothing herein contained, how-
12 ever, shall be construed to interfere with or restrict the use of any prerogative writ
13 for such purpose or to review the legality of such order. The said proceedings shall
14 be summary.

NOTICE OF ESTABLISHMENT OF DISTRICT WELFARE-HOUSE.

1 17. When the building, as constructed or altered, and furnished are completed,
2 the said district welfare board shall give notice to the boards of chosen freeholders of
3 each county that they are prepared to accommodate the poor of such contiguous and
4 adjoining counties, which shall be denominated a district in the numerical order and by
5 number as such districts shall be established in this State. Such notice shall be given
6 to each of the county adjusters and overseers within such district, and also by pub-
7 lication at the same time in a newspaper published and circulated in the county seat
8 of each of the said counties acting jointly for such purpose, and, thereafter, the
9 permanent poor shall be provided for by admission to such district welfare-house as
10 provided by law for admission and maintenance to an almshouse or county welfare-
11 house.

DISTRICT WELFARE-HOUSE EXEMPT FROM TAXATION.

1 18. The property of such district used and maintained for such purpose shall
2 be free from taxation, and subject to the like privileges and immunities as exist

3 and are provided and extended to other almshouses or welfare-houses in counties or
4 municipalities.

CERTAIN MUNICIPAL ALMSHOUSES ABOLISHED.

1 19. Whenever the care and maintenance of the permanent poor shall be under-
2 taken and established by any county in lieu of municipal care of such persons,
3 municipal almshouses, other than county almshouses or welfare-houses, shall be abol-
4 ished, and the real and personal property which has been used for such purpose
5 may be sold by the governing body and the proceeds thereof shall fall into the
6 municipal treasury and used to pay other expenses of the municipality in the same
7 manner as may be otherwise lawful or such land and premises may be put to such
8 other public use as may be lawful. Thereafter the expense of maintaining county
9 almshouses or welfare-houses shall be a charge upon the county as provided in this
10 act.

1 20. Whenever a district composed of more than one county shall be consti-
2 tuted for the maintenance of the permanent poor of such counties, as provided in
3 this act, such respective counties and the municipalities therein shall no longer pro-
4 vide and maintain almshouses or welfare houses for the relief and maintenance of
5 the permanent poor, except in municipalities excepted therefrom as provided in this
6 act, and the real and personal property which has been so used may be disposed
7 of in like manner and for like purposes as authorized in the preceding paragraph.
8 The expense of the maintenance of and provisions for the relief of the permanent
9 poor maintained in such district welfare-house shall be provided and raised in the pro-
10 portion as to the respective counties as authorized in this act, and shall be raised and
11 provided for, appropriated and paid as to such proportionate quota as such expenses
12 are to be paid as directed in this act.

ESTABLISHMENT OF ALMSHOUSES OTHERWISE NOT PROHIBITED.

1 21. Nothing in this act contained shall be construed to interfere with or pre-
2 vent any county from establishing or maintaining a county almshouse as hereto-
3 fore, unless it shall have adopted the provisions herein contained for the establish-
4 ment of a welfare-house, nor to prevent any municipality not having participated
5 in the welfare-house plan and purpose from doing likewise.

COUNTY CONTRACT AUTHORIZED BY RESOLUTION EXEMPTING FROM EXPENSE THEREOF
MUNICIPALITIES NOT PARTICIPATING.

1 22. Whenever any county, as hereinabove provided, shall, in the manner
2 authorized in this act, provide for the relief and maintenance of the permanent poor
3 of such county by contract with another county for their support, relief and main-
4 tenance by such other county, either in an almshouse or welfare-house of such other
5 county, it shall authorize such contract to be entered into and adopt such other
6 other provisions as may be necessary for the purpose by resolution. Before the final
7 adoption of such resolution by any board of chosen freeholders upon the certifica-
8 tion to the clerk thereof by any municipality through its governing body in any
9 such county, which provides for and relieves and maintains its permanent poor, that
10 it elects not to participate in such county purpose, the said resolution shall be
11 amended to except therefrom such municipality or municipalities so electing not so
12 to participate, and the expense of such county for such purpose shall not be a
13 charge upon any such municipality, but shall be a charge upon that portion only
14 of the county whose permanent poor shall be thus provided for, and no imposts
15 for such purpose shall be generally levied, assessed and collected upon such taxable
16 persons or property in such county, but such imposts shall be a charge upon, levied,
17 assessed and collected from that portion of the county subject to benefit therefrom
18 by the chosen freeholders against the municipalities of the county other than those
19 maintaining the permanent poor in institutions and which have elected not to par-
20 ticipate in such county purpose.

RESOLUTION NOT TO BE PASSED WHEN INTRODUCED.

1 23. Whenever any county shall propose by resolution, as in this act provided,
2 to establish a county welfare-house, or to contract with another county for the
3 relief and maintenance of the permanent poor by such other county in a welfare-
4 house of such other county, or for the establishment of a district
5 welfare-house, the resolution so providing shall not be passed at the time of its
6 proposal, but after such proposal the action thereon shall be adjourned for at least one
7 month, when it shall be finally acted upon by said board except as herein provided.
8 Within two weeks after the proposal of such resolution, notice of the time and place of

9) final action thereon to be taken shall be published twice in two newspapers of general
10 circulation in the county, one of which is published in the county seat. The final
11 passage thereof may be adjourned thereafter to the next regular meeting of said
12 board of chosen freeholders.

1 24. Whenever any county, as hereinafter provided, by its board of chosen
2 freeholders shall propose to establish a county welfare-house or a jointly main-
3 tained district welfare-house, as hereinafter provided, and shall do so by resolution in
4 the manner required in this act for the purpose, if any municipality maintaining
5 its permanent poor in an institution in any such county shall, by resolution, elect not
6 to participate in such county purpose and certify the same to the clerk of the board
7 of chosen freeholders of such county before the final passage of such resolution, then
8 such proposal shall be amended accordingly, and such municipalities shall be excepted
9 from such county purpose as hereinafter provided, and such municipalities shall not
10 be chargeable with the expense thereof, and the sums of money deemed necessary to
11 carry out the provisions of this act shall be a charge by the chosen freeholders and
12 levied, assessed and collected from the municipalities of each such county not excepted
13 from said resolution.

REFERENDUM TO ELECTORS OF COUNTY OR PART THEREOF.

1 25. In case of proposed joint county establishment and maintenance of a dis-
2 trict welfare-house after submission of the acceptance of any such resolution to
3 the legal voters of more than one county, the question as to such acceptance shall
4 not be submitted to the legal voters of any municipality so excepted from the pro-
5 visions of such resolution, but only to the electors otherwise qualified in such
6 county, and the proportionate expense of such joint establishment and maintenance
7 of such district welfare-house shall be proportioned among such counties so estab-
8 lishing and maintaining such district welfare-house, as herein provided, according to
9 the population of such county or counties, excepting therefrom the population
10 of any such municipality or municipalities not so participating, and the necessary
11 sums required to be levied, assessed and collected shall be so raised by the board of
12 chosen freeholders against the municipalities of the county or counties chargeable as
13 provided in this act.

MUNICIPALITIES EXCEPTED MAY JOIN PURPOSE LATER.

1 26. Nothing contained in this act shall operate to prevent any municipality
2 from subsequently joining in such county or joint county purpose by ordinance,
3 which shall be adopted by referendum in the manner provided by section twenty-
4 four of Article XXXVII of an act entitled "An act concerning municipalities,"
5 approved March twenty-seventh, one thousand nine hundred and seventeen, or any
6 amendment or supplement thereof, containing a referendum provision and after the
7 adoption of such ordinance and notification thereof to the board of chosen free-
8 holders, such municipality shall thereafter have like responsibilities in respect to
9 such purpose as if it had originally participated therein: *provided, however,* that such
10 ordinance or ordinances shall be accepted and approved by the board of chosen free-
11 holders of the county by resolution after notice of the time and place of the consider-
12 ation of such ordinance shall be given to the public who shall have an opportunity to
13 be heard thereon. Municipalities excepted from participation in the establishment or
14 maintenance of a welfare-house, or counties not so determining, shall continue to sup-
15 port and relieve the permanent poor thereof as is otherwise lawful.

OVERSEERS OF THE POOR.

1 27. Overseers shall be appointed, if qualified as provided in section twenty-nine,
2 by the municipal governing body after the passage of this act, and shall hold office
3 for five years: *providing,* that the term of office hereby fixed shall not repeal any
4 existing statute providing for a longer term. Any overseer may be removed by such
5 governing body for cause, upon written charges made by any citizen, after hearing, at
6 least one week's notice of which shall be given such overseer; *provided, however,* that
7 in cities governed by commissions under the act approved April twenty-fifth, one
8 thousand nine hundred and eleven, its supplements and amendments, if a member of
9 the governing body as the head of the department is overseer, he shall not be subject
10 to such qualifications, after examination, as required in this act, but such shall apply to
11 other overseers and deputies; *provided, further, however,* that it shall not be obliga-
12 tory upon any municipality not excepted from the welfare plan to appoint an overseer
13 in any county or counties where there is a welfare board and superintendent of wel-
14 fare, except in municipalities in counties of the first class.

1 28. Females, as well as males, of full age, shall be eligible to appointment as
2 overseers.

1 29. No person shall be appointed as an overseer of any municipality but a citizen
2 of the State and of the United States, and unless such appointee shall be able to read
3 and write the English language, and is capable of making and keeping such records
4 and reports as are lawfully required of him, and shall have such knowledge of the laws
5 concerning the relief and maintenance of the poor, as may be satisfactory to the
6-7 governing body of the municipality in his jurisdiction, and such governing body may
8 ascertain such qualifications of such prospective applicants by sufficient tests through
9 the means of written examinations, and to this end the State board is authorized,
10 and the governing body or the welfare board, in the case of the appointment of su-
11 perintendents by the welfare board, is directed to obtain the aid and
12 supervision thereof of the State Board of Control, which board shall
13 cause examinations to be made by such persons and at such times
14 within ten days' notice thereof and places as it may appoint and under
15 such rules and regulations as it may adopt for the purpose of determining the quali-
16 fications of superintendents, overseers and deputies. Every such examination shall
17 be conducted in such manner as the State board shall direct, and every prospective ap-
18 pointee or applicant whose examination shall be approved by said State board shall
19 be eligible for appointment as superintendent, overseer or deputy
20 overseer as the case may be.

1 30. In all municipalities, the overseer shall receive such salary as may be fixed
2 by the respective governing bodies in lieu of all fees; *provided, however* where
3 adjoining contiguous municipalities, through the governing bodies thereof, may agree,
4 in writing, after resolution duly passed in each that the overseer of one or more such
5 municipalities in any county, may and shall act for and in one or more such munici-
6 palities in any county in which such municipalities may be situate in lieu and in
7 the place of the appointment in any such adjoining municipality, so contracting, of
8 an overseer therein, thereupon such additional salary shall be paid such overseer as
9 shall be agreed upon, with and not without his express consent, in writing, thereto.
10 in such case, such overseer shall have like authority and the same responsibilities as
11 other overseers; and the overseer theretofore appointed in such municipality con-

12 tracting for such other overseer shall upon notice to this effect to him cease to hold
13 such office within thirty days after the said agreement shall be executed; *provided*,
14 *however*, that such overseer so appointed may be removed from his responsibilities and
15 duties in such other municipality, by the governing body thereof, than that of his ap-
16 pointment for cause or by reason of his inability to perform his duly authorized and re-
17 quired functions if the territory is too great or the population too numerous for the
18 proper performance thereof on the complaint of the governing body of either munici-
19 pality on thirty days' notice to the other of application to the Court of Common Pleas
20 of such county for a summary hearing thereon and a final determination. The final de-
21 termination, if according to the prayer of such complaint, shall terminate such con-
22 tract and relieve the overseer of such duties and responsibilities and the additional
23 salary theretofore agreed to be paid to such overseer. In case of the removal of
24 any such overseer, the municipality may appoint an overseer to act therein for the
25 full term as herein authorized.

APPEAL FROM OVERSEER.

1 31. The overseer shall determine who are to be relieved by him, subject to ap-
2 peal by any person on at least two days' notice to the Court of Common Pleas of
3 the county, by petition, in writing, for a summary review and determination by the
4 court of the action of the overseer as to the extent and amount of relief, if any, to
5 be given or rendered.

APPOINTMENT OF DEPUTY OVERSEERS.

1 32. In all cities or municipalities, other than counties, having not less than five
2 thousand inhabitants, or where the overseer has jurisdiction in more than one mu-
3 nicipality, the governing body or bodies may appoint a deputy overseer, who shall
4 have resided at least one year in the State, and have other like qualifications as those
5 necessary to the appointment of overseers, and be under the direction of such overseer,
6 and be vested on his approval with the same power as an overseer in the distribution
7 of relief, with like authority for the prosecution or defense in court proceedings
8 as is now vested in an overseer.

APPOINTMENT OF ASSISTANTS.

1 33. Such governing body or bodies may also appoint such other assistants, clerks,
2 visitors and nurses as in their judgment may be expedient, and fix their respective sal-
3 aries. The salaries so fixed shall be in lieu of all fees provided for such deputy over-
4 seers, and any such assistants, clerks and nurses who shall work under the direction of
5 the overseer and shall hold their office or employment during good behavior, and may
6 be removed upon written charges and after a hearing, due notice of which shall be given
7 therefor, by the governing body for misconduct, neglect or incompetency.

CIVIL SERVICE ACT NOT NULLIFIED.

1 34. Nothing in this act shall operate to repeal or nullify the provisions of an act
2 entitled "An act regulating the employment, tenure and discharge of certain officers
3 and employees of this State and of the various counties and municipalities thereof,
4 and providing for a Civil Service Commission and defining its powers and duties,"
5 and the acts supplementary thereto and amendatory thereof in cities which have
6 adopted, or will hereafter adopt, the same.

HELPERS TO OVERSEERS.

1 35. Overseers shall have power and authority to appoint resident helpers, with-
2 out pay and without fees, to aid in the temporary relief of poor persons under his di-
3 rection, preferably by district, in any municipality, in order that such helpers may ob-
4 serve and ascertain and assist any such overseer or deputy in ascertaining the cause or
5 causes of dependency, obtain employment for poor persons when needed, and assist
6 and advise any such overseer or deputy in instituting and prosecuting to a determina-
7 tion such proceedings as may be necessary through other agencies of the State, or its
8 political subdivisions, for the relief of the poor, the admission of them, or their law-
9 ful dependents, to such institution or agency as may be provided for mental or physi-
10 cal disability or otherwise. All such agencies for relief, such as widows' pensions, as
11 provided by law, aid under the authority conferred upon the Rehabilitation Commis-
12 sion and Public Employment Service, or other aids to relief, support or assistance,
13 public or private, shall be made use of by such overseers and their subordinates and
14 helpers to the end that causes of dependency on the part of persons or their families

15 and the need for such public relief in whole or in part may be eliminated, and they
16 are authorized under direction of the overseer or deputy to take such legal steps,
17 either as prosecutors or petitioners in legal proceedings in aid of such persons or
18 their families, as may be necessary to such end. Disbursements of helpers shall be
19 paid, on the approval of the overseer of the poor, by the governing body or district
20 welfare board. Helpers shall be registered on appointment at the office of the over-
21 seer, and shall be furnished and supplied with such evidence of their appointment and
22 authority as the overseer, with the approval of the governing body, shall determine.

OVERSEERS' RECORDS.

1 30. Overseers shall keep a record of all receipts and expenditures on their part
2 or that of their subordinates. They shall record the names of all applicants seeking
3 relief, which may be by card-index, on which the age, sex, residence, number and
4 names of children and their ages, when and where last employed, family income,
5 whether citizen or alien, place of abode for the five years preceding such applica-
6 tion for relief, and the place of nativity of every poor person who shall apply for
7 relief, together with a statement of the cause, direct and indirect, which shall have
8 operated to make such relief necessary as far as can be ascertained, together with a
9 statement of the relief or aid given, and of such relief as may have been, or is being
10 given, and all receipts and expenditures, and the name of the overseer or deputy
11 and helper having particular knowledge and charge of the case, and of witnesses of
12 the fact, with their addresses, shall be stated. On such record shall be also entered
13 the name of those responsible by law for the support of such poor person and any
14 relative agreeing or likely to agree to contribute in whole or in part, or assist in the
15 support of such poor person. In case of the commitment or admission of any such
16 person or a member of his family, through the agency of the overseer, or his assist-
17 ants, to any almshouse or welfare-house, or other institution or family, he shall file
18 a copy thereof, or a record of such admission or commitment, with the commis-
19 sioner at his office at Trenton, and in the case of an infant, a record thereof shall
20 be, within the same time, filed with the New Jersey State Board of Children's
21 Guardians at its office. Such filing within the time limited may be by registered mail.
22 Such overseers and deputies shall keep a book, setting forth therein all moneys.

23 goods and materials received by them, when and by whom received, and to whom
 24 paid out and delivered, and, in addition thereto, a separate book of orders for
 25 relief, with stubs attached. Such printed order and stubs shall show the name, resi-
 26 dence, when issued, the amount and kind of relief expended, and by whom issued
 27 and delivered. Such order shall be endorsed by the recipient and the person fur-
 28 nishing such relief as made.

1 37. The governing body or bodies shall furnish to the overseer and his deputies
 2 the necessary material, card-indexes and other stationery for the purpose of this
 3 act, at the expense of the municipality.

OVERSEERS' REPORTS.

1 38. Overseers, annually, shall make to their county, municipal governing bodies,
 2 or district board, as the case may be, within thirty days after the first meeting there-
 3 of in the year, a report or reports, in writing, which shall be a summary of the en-
 4 tries of the aforesaid records mentioned and authorized in this act.

RELIEF BY OVERSEERS.

1 39. When any person shall apply for relief for himself or another to an over-
 2 seer or deputy, such overseer shall inquire into the facts, conditions and circum-
 3 stances of the case, and also into the matter of such person's settlement if it shall
 4 appear that such person is unable to earn a livelihood by his own labor and is a
 5 poor person and requires temporary or permanent relief; the overseer of the poor by
 6 a written order shall render such aid and material relief as he may, in his discretion,
 7 deem necessary to the end that such person may not suffer unnecessarily from cold
 8 or hunger, or be deprived of shelter; he shall also ascertain the direct or indirect
 9 causes of poverty, and whether or not such person requiring permanent relief is
 10 without adequate home or without children, grandchildren, parents or grandparents,
 11 who are by law required and able to maintain him and other persons who are will-
 12 ing to do so; he shall be committed and removed to the proper almshouse or wel-
 13 fare-house in the municipality, county or district: *provided, however,* that the overseer
 14 in any municipality in which there is no almshouse may provide for the permanent
 15 relief and support of such poor person as in his discretion the circumstances may
 16 require, or contract, with the approval of his governing body, for the support of such

17 person in the almshouse of another municipality in the same county, if there shall
 18 not be a county almshouse or county or district welfare-house. In all cases where
 19 there are relatives and others not otherwise chargeable by law who are able and
 20 willing to support and maintain or contribute to the support and maintenance of any
 21 poor person, the overseer or his deputies are authorized to enter into contract with
 22 such relatives in consideration of the support and maintenance of such poor person
 23 whereby such relatives may undertake and obligate themselves to that end, or induce
 24 such aid and support as may be possible. In all cases where a person is removed to
 25 the almshouse or welfare-house or receives permanent relief by the order of the
 26 overseer or his deputy, such order and commitment shall state the name, age, sex,
 27 nativity, place of settlement, names of children, grandchildren, parents or grand-
 28 parents, or relatives, and their place of residence, and the cause or causes of making
 29 such removal or relief necessary or advisable of every poor person so relieved,
 30 removed or committed, as aforesaid.

PLACE OF SETTLEMENT AND REMOVALS THERETO.

1 40. Every person of full age who shall be a resident of, and domiciled with-
 2 out interruption in, any municipality for five years, or in any county for five years,
 3 but not in any municipality thereof, shall be deemed settled respectively in such
 4 municipality or county and shall so remain until he shall have gained a like settle-
 5 ment in some other municipality or county in this State, or shall have removed
 6 from this State and remained therefrom continuously for one year, or shall have
 7 gained a legal settlement elsewhere in this State. In case such person shall have
 8 removed from this State for more than one year as aforesaid, he shall not retain
 9 his settlement in any county or municipality in this State.

1 41. A married woman and her minor children shall always follow and have
 2 the settlement of her husband and of their father, if he has any within this State.
 3 If he has no such settlement, her settlement shall be as it was at the time of her
 4 becoming a resident and a domiciliary of such municipality or county wherein relief
 5 is sought, provided she shall not have, in lieu thereof, gained a settlement as is
 6 provided in section forty.

1 42. Legitimate children shall always follow and have the settlement of their
 2 father, if there be one, until they shall have gained a settlement of their own.

3 If the father has no settlement, they shall follow and have the settlement of their
4 mother.

1 43. Illegitimate children shall follow and have the settlement of their mother,
2 unless the father is legally found or admitted by him to be such at the time and
3 place of their birth, in which case they shall follow and have the father's settle-
4 ment, if such parent has a settlement within this State. If either parent has no
5 settlement, then it shall be in such municipality or county in which such child shall
6 have been born, if such birth occurred in this State. Such children born in chari-
7 table or correctional institutions, or while the mother is legally an inmate thereof,
8 whether on parole or leave of absence, shall be chargeable to the place of the settle-
9 ment of the mother or father or from which they were admitted or committed,
10 rather than to the place where that institution is located.

1 44. Every minor whose parents have no settlement in this State, who shall have
2 resided five years without interruption in any municipality or county, shall as in
3 section forty provided gain a settlement within such municipality or county; *pro-*
4 *vided, however,* that no minor who shall be brought into any county in this State,
5 or who shall be placed out in any family therein by any person, society or corpora-
6 tion, public or private, of this or any other State, shall gain a settlement.

1 45. Nothing in this act shall apply to or affect any person from outside the
2 United States of America, or in any way to change the rights or liabilities of such
3 persons as may be conferred or imposed by any law of the United States of
4 America, nor the right otherwise conferred by law to deport or remove such per-
5 sons to any other State wherein such person still retains, or may have acquired, a
6 settlement according to the laws of any State or country, and in all such cases no
7 settlement shall be deemed to have been acquired within this State.

1 46. Where permanent relief is required by any poor person in any municipality
2 in which he has gained a residence and is an inhabitant, and of such county in
3 which he shall have gained a settlement, the overseer shall proceed to commit and
4 remove such poor person to an almshouse or welfare-house, except as may be other-
5 wise provided in this act for partial relief in a home or otherwise.

1 47. Where permanent relief is required by any poor person in any munici-
2 pality in a county in which he has gained a settlement and of such county in which

3 there is no almshouse or welfare-house, or district welfare-house, the overseer shall
 4 commit and remove such person to the municipal almshouse, or furnish relief at
 5 home, if the circumstances as otherwise herein provided may be lawful and pre-
 6 ferable, or to such other municipal almshouse in the county as may, by contract,
 7 provide such relief, as provided in an act entitled "An act concerning municipali-
 8 ties," approved March twenty-seventh, one thousand nine hundred and seventeen.

SETTLEMENT IN COUNTY.

1 48. Where permanent relief is required by any poor person in any municipality
 2 in which he has not gained a settlement, but shall have gained a settlement in the
 3 county in which such municipality is situate, in which county there is not a county
 4 almshouse or welfare-house, or no provision for permanent relief, the overseer
 5 shall commit and remove such poor person to a municipal almshouse in such county
 6 by a written order, after which notice shall be served upon the board of freehold-
 7 ers of such county, who shall thereupon proceed to provide and make provision for
 8 the support and maintenance of such poor person as a county charge, the expense
 9 of which shall be borne by such entire county.

1 49. Where permanent relief is required by a poor person in any municipality
 2 in which he is a resident or an inhabitant, whose place of settlement is in another
 3 municipality or county than the one in which relief is sought the overseer shall
 4 temporarily relieve such poor person and proceed to remove him to the place of
 5 such settlement as directed in sections sixty-five to sixty-eight of this act, and until
 6 such other place of settlement shall be ascertained the overseer, in his discretion,
 7 may place such poor person as other permanent poor having a settlement in such
 8 place are maintained and relieved.

1 50. Permanent relief shall not be rendered by any overseer to any person who
 2 is otherwise lawfully removable who has no settlement in the municipality or
 3 county in which relief is sought or necessary, but all such persons shall be tem-
 4 porarily provided for and shall be removed by such procedure as may be lawfully
 5 necessary by the overseer as in this act is provided, or as otherwise may be pro-
 6 vided by law.

1 51. Where relief is required by a poor person in any municipality or county
2 in which he is a resident and inhabitant, who shall not have gained a settlement
3 in any municipality or county within this State, or in any other State, the overseer
4 shall provide relief. If it shall be ascertained that such person became poor from
5 causes existing prior to his being found in, or becoming an inhabitant and resi-
6 dent in, such municipality, the overseer shall proceed to remove such poor person
7 to such place from which he came by whatever lawful proceedings may be neces-
8 sary to such end with the aid of such officers as provided in this act, and the
9 expense of his removal shall be borne by the municipality from which he is removed.

1 52. When temporary relief is required by a poor person in any municipality
2 in which he is a resident and inhabitant, whose place of settlement is in some other
3 county in this State, or he shall not have become poor from any causes existing
4 prior to his becoming an inhabitant and resident in the municipality in which relief
5 is sought, the overseer shall provide and render temporary relief.

1 53. Where temporary relief is required by a poor person in any municipality
2 or county in which he may be a resident and inhabitant, and it shall be ascertained
3 that his place of settlement is outside this State, the overseer shall provide relief
4 and immediately make such application, with the aid of the county adjuster, as
5 may be necessary and otherwise lawful for his removal; *provided, however,* that
6 a record thereof shall be filed with the commissioner and his aid obtained for such
7 purpose when necessary, which aid shall be paid by the county or directed to
8 give forthwith.

1 54. Every person who heretofore has, or shall have, acquired a settlement in
2 any county, but not in any municipality thereof, shall be chargeable as to perma-
3 nent relief and be supported and maintained or relieved by such entire county, the
4 governing body of which shall provide for the payment of the expense thereof as
5 other county expenses are paid.

CERTAIN PERMANENT ADULT POOR MAINTAINED IN THEIR HOMES.

1 55. If adult poor persons own the property where they reside in whole or
2 in part, and it is possible to maintain them more adequately and profitably within
3 the intent of this act, the overseer or superintendent, when acting in place of the

4 overseer, may apply to the Court of Common Pleas of such county for their per-
 5 manent relief in such homes in lieu of committing or place them in an almshouse
 6 or welfare-house.

PROCEDURE.

1 56. The overseer shall, by petition to said court, setting forth therein the nec-
 2 essary facts, apply for such person's relief in such manner, whereupon said court
 3 shall fix a day and date for hearing the said petition within not less than ten days
 4 from the date of such application.

1 57. Said court shall proceed in a summary manner to examine into the facts,
 2 and, upon being satisfied that permanent relief in the home to such poor person
 3 should be furnished, shall, in its discretion, order a fixed sum to be paid not ex-
 4 ceeding the rate of two hundred dollars per annum for such poor person's mainte-
 5 nance and support in such home for the period of six months from the date of such
 6 order. Such sum shall be a charge against the municipality, county or district in
 7 which such poor person has a settlement, and shall be payable monthly upon the ap-
 8 plication of the overseer or the superintendent out of the same funds that other
 9 expenses for the relief and support of the permanent poor are paid.

1 58. At the expiration of such time and every succeeding such period of time
 2 thereafter, the overseer, if further relief is necessary in such case, may apply to
 3 the said court for an order directing the continuance of such relief for a like period
 4 of time, and such relief shall be payable upon the further order of the said court;
 5 *provided, however,* that the said court may, in its discretion, summarily revoke any
 6 such order so made by him, and, thereafter, all maintenance and relief for such
 7 poor person shall cease forthwith.

1 59. Such necessary sum for the maintenance and care of such poor persons shall
 2 be paid by the governing body or district welfare board within a reasonable time and
 3 not less than thirty days from the date of ordering the support of such poor person,
 4 for the use only of the care and maintenance of such persons for whom such perma-
 5 nent relief in such case has been ordered.

CERTIFICATION BY OVERSEER OF SUMS NECESSARY TO BE APPROPRIATED.

1 60. The overseer shall within sixty days after this act takes effect transmit to
 2 the governing body or district board within sixty days after a district board has

2½ been appointed an estimate of the amount necessary for carrying into effect this
 3 provision of this act for the year nineteen hundred and twenty-three, and said gov-
 4 erning body shall appropriate an amount sufficient to meet such estimated expendi-
 5 ture.

1 61. Thereafter, in December of each year, the overseer shall forward to the
 2 governing body or district welfare board if acting thereunder an estimate of the
 3 amount necessary for carrying into effect the provisions of this act. Such provision
 4 for expense shall be included in the budget or budgets of the respective counties on
 5 certification thereof by the overseer or district board for the ensuing calendar or fiscal
 6 year, and a sufficient amount appropriated to meet the necessary expenditures.

TIME OF STAY OF POOR PERSON IN INSTITUTION.

1 62. Whenever any poor person or child shall have been committed or removed
 2 to an almshouse or welfare-house by the overseer, such poor person or child shall
 3 be received by the supervisor or superintendent, and be supported and relieved therein
 4 until in the case of a person not a minor it shall appear that such person is no longer
 5 a poor person within the meaning of this act, when in the discretion of the war-
 6 den or superintendent such person so removed may be discharged, and imme-
 7 diately thereafter a written notice of such removal or discharge shall be sent to the
 8 overseer or superintendent on whose order such person was received into the almshouse
 9 or welfare-house, stating the reason or cause of such removal or discharge, and
 10 the name of the person, society or board, if any, in whose care or custody such person
 11 has been discharged; *provided, however,* that the supervisor or the superintendent of
 12 all almshouses or welfare-houses shall notify the New Jersey State Board of Chil-
 13 dren's Guardians of the commitment of all minor children under the age of eighteen
 14 years to the almshouse or welfare-house and that the New Jersey State Board of Chil-
 15 dren's Guardians, viz.: the board designated by the State board for that purpose,
 16 shall thereupon become on such admission the legal guardians of said child or chil-
 17 dren as well as when such children are thus placed elsewhere in the manner herein
 18 and otherwise provided by law.

PLACING OF POOR MINOR.

1 63. The overseer of the poor shall, upon application for permanent relief, if
 2 granted, commit any minor poor child, who shall have gained a legal settlement

3 within the meaning of this act to the almshouse or welfare-house, for a period not to
 4 exceed thirty days on or before which time said child or children shall be removed by
 5 said board, viz., the agency designated by the State board for the purpose to the care
 6 of such persons or institution as is authorized by law subject to the supervision here-
 7 after of such board or agency by said overseer and the supervisor or superintendent,
 8 and of such placement due notice, in writing, shall be given to the said Board of
 9 Children's Guardians, which board shall from time to time proceed to relieve, re-
 10 move, care for and place such child as the circumstances may require in the manner
 11 provided by law.

METHOD OF REMOVAL TO PLACE OF SETTLEMENT.

1 64. The removal of poor persons to the place of their settlement or to the place
 2 where they became poor before their being found or becoming domiciled in the place
 3 from which they may be removed, shall, when such removal is to another place in
 4 the same county, be done by action of the overseer where such person may be found
 5 or reside, and in all other cases where there is no superintendent or county adjuster
 6 to act as hereinafter provided, the overseer shall act.

1 65. The county adjuster shall, on the application of any overseer, forthwith take
 2 such necessary steps for the removal of any poor person without this State, or to
 3 another county, by negotiating with the proper authority in such other State for the
 4 reception of such poor person, who may be properly removable to any place in such
 5 State, and shall perform that function for all overseers in the county, and all over-
 6 seers in any such county are hereby directed and authorized to take the necessary
 7 steps looking to the removal of any poor person from without this State, or to
 8 another county in this State, through and by means of the aid and authority of such
 9 county adjuster.

1 66. When the removal of a poor person from the place of his domicile or where
 2 he is found to the place of his settlement is lawful and necessary, such removal shall
 3 be made by means of a written notice signed by such official to the officer having
 4 jurisdiction in the place to which such person is to be removed, if the removal is to
 5 be to a municipality in the county; if otherwise, then the county adjuster shall act
 6 for such overseer forthwith on the application of or notice from such overseer,

7 except as otherwise provided, that on a day certain, not less than ten nor more than
8 twelve days, after the date and mailing of such notice, an order will be made by the
9 removing overseer, or, if the removal is outside the county, by the county adjuster,
10 that such poor person be removed to the place of his settlement, stating the reasons
11 therefor, the place of his settlement or the place where he became poor prior to his
12 becoming an inhabitant of the municipality from whence he is to be removed. On
13 the day named in said notice, said order for removal shall be made by the overseer
14 of the poor of the municipality or county adjuster, as the case may be, from which
15 such poor person is to be removed, and, thereafter, such poor person shall, forthwith,
16 be removed to the place indicated in such notice upon the making of an order that
17 such poor person has no settlement in the municipality, county or district in which he
18 is a resident or is found, and has a settlement or became poor in such other munici-
19 pality or county prior to his becoming a resident and inhabitant or being found in
20 such municipality from whence he is to be removed, unless within ten days after
21 the mailing of such written notice the overseer to whom the same shall have been
22 mailed shall proceed to contest the allegation of the settlement of such poor person
23 or of the right to remove such poor person to the municipality or county in which
24 he has jurisdiction. Such contest shall be made by notice to the officer giving such
25 original notice, fixing a time and place when the contesting overseer shall apply to the
26 Court of Common Pleas of the county in which such poor person may be and from
27 which he is to be removed when and where the court shall hear and determine the
28 controversy, which said time and place shall not be less than ten nor more than thirty
29 days from the time of giving such original notice thereof. On failure to resist such
30 removal by the receiving overseer, such receiving overseer may not decline to receive
31 such poor person, but he shall receive him and provide such relief as is lawful; *pro-*
32 *vided, however,* that for good cause shown for the failure to contest such removal
33 the receiving overseer may, within thirty days after the receipt of such poor person
34 in his municipality, apply to the Court of Common Pleas of the county from whence
35 such person was removed to review the proceeding and to make such revised order
36 and disposition for the care and relief of such poor person and his removal, if lawful,
37 as may be proper and necessary.

1 67. If any overseer neglects to receive or remove as in this act provided a poor
2 person after the determination of the matter by any Court of Common Pleas hav-
3 ing jurisdiction, the municipality where such neglect shall have occurred shall be
4 liable for the expense of the support and relief of such poor person, which shall
5 be recoverable from time to time by the overseer incurring the cost of such relief
6 and support in the name of the municipality in an action against the municipality
7 liable therefor, with costs, which action shall be prosecuted in any court of compe-
8 tent jurisdiction, in which such action against the offending municipality the over-
9 seer, whose duty it was to receive or remove such poor person, shall be served with
10 notice of such action at law in the same manner as any summons is required to be
11 served.

USE OF OTHER AGENCIES TO REMOVE CAUSE OF DEPENDENCY.

1 68. Wherever an application for relief shall be made upon the overseer or deputy
2 of a municipality or superintendent acting when there is no overseer in
3 behalf of any person claiming or alleging to be poor and in distress,
4 and if such person or any member of his family appears to be in good health
5 and capable of earning a livelihood sufficient for the support of such poor person
6 in whole or in part, the overseer or superintendent acting as aforesaid
7 shall make every possible effort to secure employment for such person
8 and all or any other members of the same family, and shall use to
9 that end the services of such helpers as may be appointed in his jurisdiction to
10 aid in accomplishing such purpose and in maintaining supervision over such poor
11 person and have contact with his employers for the purpose not only of obtaining
12 such employment but of continuing the same, if possible, and there shall be ascer-
13 tained and remedied, if possible, the causes interfering, if any, in the obtaining or
14 continuation of such or any employment. To this end all public employment agen-
15 cies or rehabilitation bureaus, or any other agencies, public, private or charitable,
16 may be made use of, and the expense thereof, not properly an expense
of any such agency, in the discretion of the overseer or superintendent
so acting, shall be chargeable to the municipality, county in whole or
in part or joint district. Should any person for whom proper em-

17 ployment is found willfully neglect to work or labor and become, or continue,
 18 chargeable to any municipality, county or part thereof or district by reason of such
 19 failure and neglect, or any person chargeable by law for the support of any poor
 20 person shall neglect to perform reasonable work or labor, in such case the overseer
 21 of the municipality shall proceed against such person.

CONTRIBUTION TO SUPPORT BY RELATIVES.

1 69. It shall be the duty of an overseer in cases of application for relief of a
 2 poor person or persons to ascertain, if possible, the relatives chargeable by law
 3 for their support, and to proceed to obtain their assistance for such poor person or
 4 to compel them to render such assistance as is provided by law in such cases, or if
 5 such relatives are not chargeable by law with the support of such poor person but
 6 able to do so, overseers may in such case, if possible, if such relatives are willing to
 7 support such poor person in whole or in part, contract, in writing, with such per-
 8 sons for the support of such poor person.

PENALTY FOR UNLAWFUL REMOVAL OR DEPOSIT OF POOR PERSONS.

1 70. Any person who shall send, remove or entice to remove, or bring, or cause
 2 to be sent, enticed or brought, any poor person from any municipality within this
 3 State, or from any municipality without this State, or any other State, into any
 4 municipality within this State, and detain such person, or deposit such person with-
 5 out having first given notice to the overseer of such municipality, or superintendent
 6 if there be no overseer appointed and qualified therein, in order that the support or
 7 maintenance of such poor person upon the municipality may be avoided, shall be sub-
 8 ject to a fine of one hundred dollars and costs, recoverable in an action of debt in
 9 any court of competent jurisdiction, and in default of payment thereof shall be
 10 subject to imprisonment in the common jail of the county for a period not ex-
 11 ceeding thirty days, or until such fine shall have been paid, and such person shall,
 12 as otherwise provided in this act, be returned from whence he came in the manner
 13 otherwise provided by law; *provided, however,* that such sentence or fine may be
 14 suspended before or after conviction upon condition that such person or persons
 15 shall convey such poor person to such place where he has a settlement or where he
 16 became poor without this State from which such poor person was removed, sent

17 or caused to be removed, enticed or brought, or support him at his own expense,
 18 which such removal by such person or persons shall be conditioned upon a bond
 19 to the overseer with sufficient sureties satisfactory to said court, that such removal
 20 shall be made as herein provided for, or that such person or persons shall make
 21 proper provisions with the overseer for the relief and support of such poor person.

NOTIFICATION OF APPOINTMENT OF OVERSEER OR COUNTY ADJUSTER.

1 71. Every overseer shall forthwith, or within ten days after his appointment,
 2 and every county adjuster shall forthwith, and within the like time after his ap-
 3 pointment, file with the Commissioner of Institutions and Agencies, at Trenton, a
 4 certificate, showing the date of his appointment and his post-office address properly
 5 authenticated by the clerk of the governing body of the municipality in which he
 6 has jurisdiction. It shall be the duty of the commissioner to keep a complete list
 7 of all overseers of this State, and to furnish a list thereof, from time to time, and
 8 on application, to overseers, superintendents and county adjusters.

ARRIVAL OF ALIEN POOR PERSONS BY SHIP OR VESSEL.

1 72. In all cases wherein any ship or vessel shall arrive within any port, harbor
 2 or municipality within this State, having on board passengers or employees coming
 3 from any foreign port, or place, or coming from any municipality within this or
 4 without this State into any municipality within this State, it shall and may be law-
 5 ful for the overseer of the poor of the municipality at which such ship or vessel may
 6 arrive, to require of the master or commander of such ship or vessel, a bond with
 7 approved security, to the inhabitants of such municipality, in the sum of and not
 8 exceeding two hundred dollars, conditioned for the maintenance and support of
 9 any passenger or employee on board such ship or vessel, as aforesaid, who may
 10 be sick, infirm or otherwise incapable and a poor person within the meaning of this
 11 act, in the opinion of the said overseer of the poor of the municipality in which
 12 he may be found or brought to provide the support of such poor person.

1 73. If the master or commander of any ship or vessel, arriving as aforesaid,
 2 shall land or suffer to be landed from on board his ship or vessel any passenger, or
 3 employee, who may be sick, infirm or otherwise incapable of providing for his or

4 her own support, without having immediately upon arrival of such passenger, or
 5 employec, notified the overseer of the poor and by reason thereof such person is
 6 likely to become a public charge of such municipality, except by permit from the
 7 overseer of the poor of such municipality in which such poor person may be found,
 8 or brought and without first having entered into such a bond as aforesaid such
 9 master or commander so neglecting shall be liable for the expenses of the support
 10 of such poor person, which may be recovered from time to time by the overseer of
 11 the poor incurring such expense for the relief and care of such poor person in
 12 such municipality by an action in any court of competent jurisdiction in the county
 13 wherein such poor person may be for the use of the same, in an action of debt,
 14 with costs of suit, before any court having cognizance thereof.

RELATIVES CHARGEABLE.

1 74. The father and the grandfather, mother and grandmother, the
 2 children and grandchildren, husband and wife, severally and respectively
 3 of every poor, old, blind, lame and impotent person or other poor per-
 4 son or child not able to work, being of sufficient ability, shall at his,
 5 her or their charges and expense, relieve and maintain every such poor
 6 person or child, as aforesaid, in such manner as the overseer of the poor shall order,
 7 or the court, upon its own initiative or the information of any person, after notice
 8 of the relatives mentioned in this paragraph fail to perform the order or directions
 9 of the overseer with regard to the support of such poor person, or should such
 10 poor person be supported at public expense, it shall be lawful for the Court of
 11 Common Pleas of the county wherein such poor person may have a legal settle-
 12 ment, upon the complaint of the overseer of the poor or two residents of the
 13 municipality or county to summon the persons chargeable before it as in other
 14 actions and to summon witnesses, to order, adjudge and decree the able relatives
 15 above mentioned of any poor person or persons to pay such sum as the circum-
 16 stances may require in the discretion of the court, for each poor person or persons,
 17 as will maintain and relieve him or them, and as will relieve the public from the
 18 burden of such care and maintenance. Violation of any such order of the Court of

19 Common Pleas shall be and is hereby declared to be a contempt of said court and
20 the person so violating shall be subject to all the pains and penalties which by
21 law now may be imposed for other contempts of such court. The county, through
22 its governing body, may also bring appropriate action at law in any court of com-
23 petent jurisdiction to recover any sum of money due for the relief, support and
24 maintenance of any poor person against any persons chargeable by law therefor.

1 75. The provisions of the foregoing section shall apply to the minor children
2 of any mother in case her husband shall fail to properly support and maintain such
3 minor children, and that by reason thereof such minor children are likely to become
4 a public charge upon the municipality in which they shall have gained a legal settle-
5 ment.

DUTIES OF OFFICIAL PHYSICIANS AND NURSES - HOSPITALS.

1 76. When a physician or nurse who is employed by the governing body of any
2 municipality in this State shall be called upon or notified by the overseer of the
3 poor of such municipality to visit any poor person who may be ill or injured, he
4 or she shall visit the same, and render such medical aid as the case may demand.
5 If in his or her discretion such person is a poor person within the meaning of this
6 act, then such physician or nurse shall report the same, in writing, to the overseer
7 of the poor of such municipality, who may grant such further medical, surgical
8 or other relief as the circumstances may require to the said poor person as he may
9 deem necessary; *provided, however,* that in all cases wherein medical or surgical
10 treatment is urgent, any person may be removed and admitted to any public or
11 private hospital in such municipality in which he is found, and the director, or
12 those having charge of such hospital, shall, within a reasonable time, ascertain
13 from such sick person his name, and place of residence, if it shall appear that he
14 is a poor person within the meaning of the act, a notice in writing shall imme-
15 diately be sent to the overseer of the poor of such municipality from which such
16 poor person was removed or resided prior to such removal. Upon receipt of such
17 a notice, the overseer of the poor shall proceed and provide in a like manner for
18 the relief of such sick indigent person as is provided for, and within the meaning
19 of this act, and the expense for the same shall be borne by such municipality in
20 which he shall have gained a settlement.

1 77. Overseers of the poor shall from time to time as persons may become a
2 permanent charge upon their municipalities as paupers, who shall be poor persons
3 within the meaning of this act, have such persons removed to the proper
4 almshouse or welfare-house.

RECOVERY OF EXPENSES FROM POOR PERSONS.

1 78. If at any time it shall be ascertained that any person who has
2 been assisted by or received support from any municipality or county
2½ has real or personal property over and above that necessary for the
3 maintenance in whole or in part of such poor person, if such poor
4 person shall be maintained by the municipality or county at home, or
5 over and above that sufficient for his family, or if any such person shall die, leav-
6 ing real or personal property, an action may be maintained in the Court of Com-
7 mon Pleas of the county by the overseer, who has furnished or provided such
8 assistance or support, or any part thereof, against such person or his or her estate,
9 to recover such sums of money as may have been expended by the municipality
10 or county in the assistance and support of such person during the period for which
11 such support was furnished, and if any person should die having received relief
12 or maintenance as a poor person; having insurance upon his life, the proceeds of
13 such insurance, after the payment of the expense of the last illness and the funeral
14 expenses of such person, if the terms of the policy so permit, shall be first applied
15 to the reimbursement of the county, municipality or district for the cost of the
16 support and maintenance of such person, but no action shall lie, nor shall any
17 appropriation of said insurance be made against any estate when it shall be shown
18 to the satisfaction of the court that the proceeds thereof, or the estate, are needed
19 to prevent the widow or minor children of the said poor person from becoming
20 dependent upon the public.

UNLAWFUL TO TRANSFER POOR TO IMPROPER PLACE.

1 79. It shall be unlawful to furnish any nonresident, who may be sick, aged,
2 injured or crippled, with transportation at the cost of the municipality until the
3 overseer shall have ascertained the legal residence of the person applying; and any

4 transportation furnished to such person or persons shall be to their legal residence,
 5 when it shall appear that the person in distress has some valid claim for support
 6 or some means of support in some other place to which he or she shall ask to be
 7 sent.

DEATH AND BURIAL OF POOR.

1 80. If any person shall die in any municipality, who shall not leave money
 2 or other means necessary to defray his or her funeral expenses, it shall be the
 3 duty of the overseer of the poor of such municipality or superintendent of a county
 4 or district to employ some person to provide for and superintend the burial of such
 5 deceased person, the necessary and reasonable expenses as fixed by the governing body
 6 chargeable with the expense shall be paid by it upon the order of such overseer.

1 81. Any municipality, county or district may acquire by devise, gift, purchase,
 2 condemnation or in any other manner, such land as in the judgment of the governing
 3 body may be necessary and proper for a burial ground for those who may die therein
 4 without leaving means necessary to defray their funeral expenses. Such lands may
 5 be within the boundaries of an existing cemetery. The cost of the acquisition, if in
 6 the opinion of the governing body or bodies where there is a district
 7 welfare-house the amount of such cost will be too burdensome to be
 8 borne by the taxpayers in any one year, they may issue bonds therefor, to
 9 be paid in equal installments over a period of years, or bear interest at a rate not
 10 exceeding five per centum, and may sell such bonds at public or private sale, but
 in no case for less than the par value thereof.

CLASSIFICATION OF POOR IN INSTITUTIONS.

1 82. In the management of almshouses or welfare-houses the inmates shall be
 2 classified according to age, condition of health and ability to perform manual labor.
 3 Some form of employment shall be provided for such of the inmates as are able to
 4 work. Inmates afflicted with any tubercular disease shall be separated from the
 5 other inmates and cared for in separate dwellings.

1 83. In every almshouse, poorhouse, welfare-house, or other institutions for the
 2 reception and maintenance of poor persons in this State, females shall be kept sepa-
 3 rate from males at all times in their livingrooms, bedrooms, toilets, halls, stair-

4 ways, kitchens, eating rooms, outbuildings and yards; and it shall be the duty of the
 5 municipal bodies to provide the accommodations necessary to carry out the inten-
 6 tions of this act; *provided, however,* that the provisions of this act shall not apply
 7 to aged persons who are lawfully married and living together as man and wife, and
 8 who shall now or hereafter become inmates of such almshouse, poorhouse, welfare-
 9 house, or other institutions. The keeper of all almshouses, except welfare-houses,
 10 under the control of a welfare board in any county, shall be hereafter denominated
 11 "supervisor," instead of "keeper" or "warden," as heretofore.

RECORDS KEPT IN INSTITUTIONS.

1 84. The supervisor or superintendent and person in charge of every institution
 2 for the poor in this State shall keep a book, to be provided by the authority charged
 3 with the care of the institution, in which book he shall enter from time to time the
 4 name, date of the commitment, age, sex, color, description, physical and mental con-
 5 dition, education, habits, occupations, condition of ancestors and family relations,
 6 cause of dependence, birthplace and date of discharge, or of death and place of
 7 burial of each and every person coming into the care of such institution, together
 8 with any other information about them which may be ascertained, and said book
 9 shall be open to the inspection of the public at all times.

1 85. For the wrongful neglect or refusal to keep the said book according to
 2 the requirements of this act, or for the wilful alteration or any entry in the same, or
 3 the willful mutilation or destruction thereof, the said supervisor or superintendent,
 4 or person in charge shall be liable to a penalty of twenty-five dollars, to be recov-
 5 ered in an action of debt in any court of competent jurisdiction, together with the
 6 costs of suit, by the overseer of the poor of the municipality, superintendent or wel-
 7 fare board controlling said institution, for the use of the said municipality, county
 8 or district.

DEFICIENCIES.

1 86. When separate appropriations are made for indoor and outdoor relief of the
 2 poor in any municipality in this State, and any one of the appropriations has been or
 3 shall be expended, or is or may be inadequate alone for either such indoor or out-
 4 door relief, it shall be lawful for the governing body to provide for the continuance

5 of such relief as may be necessary for the balance of the fiscal year, and the board
 6 of finance or other body having control of the finances of such municipality or dis-
 7 trict in proper proportion may provide the funds necessary for such continuance by
 8 the issuance of temporary loan bonds, the amount whereof shall be placed in the
 9 budget for the next ensuing fiscal year, which bonds shall be issued as otherwise
 10 provided and limited by law for counties or municipalities of this State, or as pro-
 11 vided in this act for district welfare-houses by more than one county or parts there-
 12 of.

1 87. In order to meet the expense of erecting additions to or new buildings or
 2 accommodations at any county almshouse buildings or welfare-houses, or making
 3 repairs to any such buildings or providing proper furniture therefor or apparatus
 4 for lighting, heating, or otherwise fitting up the same, the board of chosen freehold-
 5 ers of any county or municipality lawfully authorized to maintain almshouses or
 6 welfare-houses, or the boards of chosen freeholders acting for more than one county,
 7 of this State may from time to time issue bonds in the manner otherwise provided by
 8 law in the corporate name and under the corporate seal of said county, or as pro-
 9 vided herein for joint county control.

DESERTION OF FAMILY.

1 88. If any husband or father shall desert his wife or children, or if any woman
 2 shall so desert her child or children and leave them, or any of them, as public
 3 charges, the overseer may apply to the Court of Common Pleas of the county, and
 4 the said court may order such suitable support and maintenance to be paid and
 5 provided by the said husband or wife, or either of them, to be made out of his
 6 property, and for such time as the nature of the case and circumstances of the parties
 7 render suitable and proper in the opinion of the court, and may compel the de-
 8 fendant to give reasonable security for such maintenance and support, and from
 9 time to time to make such further orders touching the same as shall be just and
 10 to enforce such orders; to issue process for the immediate sequestration of the
 11 personal estate and the rents and profits of the real estate of the party so charged,
 12 and to appoint the overseer, or another person, receiver thereof, and cause such
 13 personal estate and the rents and profits of such real estate, or so much thereof as

14 shall be necessary, to be applied toward such maintenance and support as to the
15 said court shall, from time to time, seem reasonable and just, and to enforce the
16 same by proceedings as for contempt. Such orders may be revised and altered by the
17 court from time to time as circumstances may require.

1 89. Service in the absence of said party so charged and the method of proce-
2 dure shall be such as is provided in sections twenty-five, twenty-six and twenty-seven
3 of an act entitled "An act providing for divorces and for decrees of nullity of mar-
4 riage and for alimony and the maintenance of children (Revision of 1907)."

1 90. The said overseer may bring an action at law from time to time in said
2 court, in the same manner as actions are prosecuted on contract, for such amount
3 as may be necessary to pay any expense incurred or unpaid, and upon recovery of
4 judgment and the sale of any property, real or personal, of the defendant, the pro-
5 ceeds realized therefrom as in other cases on contract shall be paid to such overseer
6 and applied by him for the support and maintenance of such deserted persons, or to
7 reimburse the municipality, county or board to the extent of the expenditures so
8 made by it for such support and maintenance. Such sum so realized on execution
9 sale and not immediately used shall be kept by said overseer in a separate account in
10 a National or State bank in the place where said deserted wife or children, or any
11 of them, are placed or maintained. All surplus proceeds not expended for such pur-
12 pose shall be the property of and payable to the said defendant.

1 91. Any husband or father, who shall willfully desert his wife or children, or
2 any of them, or any woman who shall willfully desert her children, or any of them,
3 or either of whom who refuses or neglects to provide and maintain any such persons
4 so deserted or neglected, shall be deemed and adjudged a disorderly person, and if
5 any overseer of the poor otherwise having jurisdiction in such cases believes that
6 such desertion or willful refusal or neglect to so provide for any such wife and chil-
7 dren, or any of them, will cause such family to become chargeable as poor persons
8 to any county, municipality or joint county district, it shall be his duty to make com-
9 plaint thereof, under oath, before a magistrate having jurisdiction in the municipal-
10 ity, county or district where such persons reside or in the place where such father
11 or husband resides.

1 92. The proceedings against any husband, father or mother before such magis-
2 trate shall be in the manner provided in an act entitled "An act to amend an act
3 entitled 'An act to amend an act entitled "An act concerning disorderly persons (Re-
4 vision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-
5 eight,'" approved May twenty-third, one thousand nine hundred and six, including
6 the proceeding for the apprehension and appearance of such person so complained
7 of. Such proceedings in such case where persons are chargeable as poor for the bet-
8 ter relief of the governing body or other authority or authorities having the direc-
9 tion and government of such poor house, almshouse or welfare-house may be applied
10 by the overseer, director, or any member of the body having charge of such institu-
11 tion, in the same manner as in section ninety-one set forth and in the act referred to.

1 93. A bond to the State of New Jersey may be required by such magistrate,
2 with good and sufficient sureties, to be approved by him in the sum directed on
3 the warrant, conditioned for his or her appearance before the magistrate who
4 issued said warrant, at a time therein to be named, to answer said complaint, and
5 abide all orders, judgments and decrees that may be made against such defendant
6 touching said complaint.

1 94. Any such husband or father who deserts or willfully neglects or refuses
2 to provide for and maintain his said wife or children, or any mother who so
3 deserts or so willfully neglects or refuses to provide for and maintain her chil-
4 dren, who shall be in consequence thereof adjudged a disorderly person shall be
5 committed to the workhouse or county jail of the county or of that county compos-
6 ing a district in which such person resided at the time of the desertion, or neglect
7 or refusal to so provide, occurred for a period not exceeding sixty days in the
8 discretion of said magistrate.

1 95. None of the provisions of this act shall be construed or held to repeal
2 any of the provisions of the act entitled "An act concerning disorderly persons
3 (Revision of 1898)," and the several supplements thereto and amendments thereof,
4 nor "An act for the creation of the State Board of Children's Guardians and for
5 defining their duties and powers with respect to the maintenance, care and general
6 supervision over indigent, helpless, dependent, abandoned, friendless and poor chil-
7 dren now or hereafter becoming public charges of this State," approved March

8 twenty-fourth, one thousand eight hundred and ninety-nine, and the various
 9 amendments and supplements thereto, nor to the provisions of "An act establish-
 10 ing a court for the trial of juvenile offenders and defining its duties and powers,"
 11 approved April eighteenth, one thousand nine hundred and three, and the several
 12 supplements and amendments thereof, nor to an act entitled "An act to provide
 13 for the appointment of probation officers and defining their duties and powers,"
 14 approved April second, one thousand nine hundred and six, and the various
 15 amendments and supplements thereto, nor "An act concerning the charitable, cor-
 16 rectional, reformatory and penal institutions, boards and commissions, located and
 17 conducted in this State which are supported in whole or in part from county,
 18 municipal or State funds," approved February twenty-eighth, one thousand nine
 19 hundred and eighteen.

1 96. All acts and parts of acts, general, special or local, inconsistent with the
 2 provisions of this act be and the same are hereby repealed; *provided, however,*
 3 that nothing in this act shall be construed to alter, change or repeal the existing
 4 statutes affecting settlement and indigency in any county of this State, concerning
 5 the commitment, care and maintenance of the insane or the settlement or indigency
 6 of any alleged insane, epileptic, feeble-minded, idiotic, or other dependent person
 7 under the provisions of any existing statutes or under any statute relating to the
 8 welfare of children or to provide home life for dependent children.

1 97. Any part or parts of this act which may be found to be invalid or
 2 unconstitutional shall be severable, and the remainder of the act shall stand, and
 3 the provisions contained in this act shall not be construed to be exclusive and
 4 shall not be construed to repeal other provisions of law not inconsistent herewith.
 5 any particular grant of power contained in this act shall be held to be in speci-
 6 fication but not in limitation of general powers.

STATEMENT.

This is the same law which unanimously passed the House of Assembly at the
 1923 session without a dissenting vote. It incorporates the report and findings of the
 Joint Commission appointed by a concurrent resolution of the Legislature of 1921 and

of the Legislature of 1922 to investigate, codify and revise the laws of this State relating to the settlement and relief of the poor. It endeavors so to revise the laws concerning the poor that within reasonable and proper limits due economy and better supervision of the situation may be obtained for the benefit of the State and its various subdivisions, with the hope that so far as possible the causes of dependency may be eliminated.

The provisions of this bill are permissive rather than mandatory. In effect, the provisions establish a standard of qualification for the office of overseer of the poor, give more jurisdiction, increased responsibilities and an adequate salary to the overseers of the poor. The bill does not, however, operate to affect any present incumbent in the office of overseer during his term of office.

It provides for larger units of relief with the accompanying advantages in concentrating and organizing administration. It carries with it provision for family rehabilitation.

It has features for relieving the public of the care of "natural dependents" wherever there are relatives able to support them.

SUMMARY.

The proposed legislation will, in effect, tend to eliminate the causes of dependency and make more adequate the means to deal with the poor. It is also the object of the proposed legislation that the old system of handing out temporary relief or alms will be gradually done away with and poor persons will be so helped that they may be enabled to help themselves and not be further pauperized by the giving to them of a meal ticket, or a mere order for food for the day, or a bag of coal.

ASSEMBLY, NO. 142

STATE OF NEW JERSEY

1 Amend second official copy reprint Committee Substitute for Assembly Bill
2 No. 142 as follows:

3 Amend on page 2, section 2, by striking out on line 2 after the word "house"
4 the following: "for the care and maintenance of the management of any existing
5 county almshouse or change the name and control" and insert in lieu thereof on line
6 2 after the words "welfare house" the following: "or change the name and control
7 and management of any existing county almshouse for the care and maintenance
8 of the' .

9 Page 16, section 27, on line 12, after the word "excepted" strike out the letters
10 "F.A." and in lieu thereof insert the words "from the" and after the word "wel-
11 fare" strike out the words "Board and Superintendent of Wel" and in lieu thereof,
12 insert the words "Plan to appoint an Overseer" and on line 13, after the word "is"
13 strike out the words "from the" and in lieu thereof insert the letter "a" and after
14 the word "Welfare" strike out the words "Plan to appoint an Overseer" and in lieu
15 thereof insert the words "Board and Superintendent of Welfare"

16 And on line 14, strike out the first word "fare".

17 On page 17, section 29, strike out all of the lines 9-10 both inclusive and insert
18 in lieu thereof the following: "the means of written and oral competitive examina-
19 tions, conducted by the State Civil Service Commission, pursuant to the general
20 authority now vested in it by statute and when the results of such examinations have
21 been ascertained, said Civil Service Commission shall certify to such governing body
22 the lists of those who are eligible for appointment as superintendent, overseer or
23 deputy, as the case may be."

COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 142

STATE OF NEW JERSEY

INTRODUCED JANUARY 14, 1924.

By Mr. SENSMITH.

Referred to Committee on Social Welfare.

AN ACT for the settlement and relief of the poor, and providing for municipal, county or joint county relief, excepting from county or joint county relief, certain municipalities (Revision of 1923).

1 *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

DEFINITIONS.

1 1. The following are defined within the meaning of this act:

2 (a) A poor person is one who is unable to maintain himself or those dependent
3 upon him.

4 (b) An overseer is such person as may be charged with the superintendence and
5 relief or removal of the poor within his jurisdiction as may be found in his munic-
6 pality, and shall be construed to mean superintendent in all cases where a superin-
7 tendent as defined in this act is authorized to act when there is no overseer.

8 (c) An almshouse is a place where the poor are maintained at the public ex-
9 pense of any municipality or county of this State, which has not established and does
10 not maintain a welfare-house.

11 (d) A welfare-house is a place where the poor are maintained at the public
12 expense under the superintendence of a county welfare board in any county or
13 portion thereof or districts composed of more than one county. District welfare
14 house, where so mentioned, is one established and maintained by more than one
15 county or portions thereof.

16 (e) A settlement of a person shall be his right under the provisions of this act
17 to relief or maintenance and support in any municipality, county or counties.

18 (f) Temporary or outdoor poor are such persons who can be relieved tempor-
19 arily at their domicile or without being maintained in an almshouse or welfare-
20 house.

21 (g) Permanent or indoor poor are such persons who may be better relieved or
22 maintained and supported under the provisions of this act by removal to a welfare-
23 house, almshouse, or, with limitations, in the home.

24 (h) A welfare board is the board of one or more counties authorized to have
25 charge and supervision and control of a welfare-house and to supervise through a
26 superintendent such work for or in relation to the poor as directed or authorized.

27 (i) A superintendent is the employee of a welfare board of a county or district
28 authorized to act for it and under its direction and to act for overseers where there
29 are none.

30 (j) State board is the New Jersey State Board of Control of Institutions and
31 Agencies.

32 (k) Commissioner is the Commissioner of Institutions and Agencies of this
33 State.

34 (l) The word "may" shall be construed to be permissive.

35 (m) The masculine noun or pronoun shall include the feminine.

36 (n) Public charge shall mean any person to whom it is necessary to furnish proper
37 relief as provided in this act.

38 (o) County adjuster is the official of that designation now authorized to act in
39 the cases of commitment or admission of insane persons to State or county hospitals
40 for the insane.

41 (p) The word "municipality" does not include, in meaning, a county, unless
42 otherwise indicated by the context, but includes any city, borough, township, town,
43 village or municipality governed by an improvement commission.

COUNTY WELFARE-HOUSE

1 2. The board of freeholders of any county may, by resolution, establish a county
2 almshouse, to be known as a welfare-house, or change the name and control and
3 management of any existing county almshouse for the care and maintenance of the

4 permanent poor, such persons requiring permanent relief other than in municipalities
5 excepted therefrom as provided in this act shall be provided for therein by said county,
6 and in almshouses maintained and supported in municipalities in such county as
7 otherwise provided in this act, shall thereafter be abolished, and the permanent poor
8 shall thereafter be maintained in the county institution, rather than in municipi-
9 pal almshouses. The said board of chosen freeholders shall have power to purchase
10 and lease real property therefor, or acquire such property and easements therein by
11 lease, purchase, or condemnation, and the powers of eminent domain may be exer-
12 cised as provided by "An act to regulate the ascertainment or payment of compensa-
13 tion for property condemned or taken for public use (Revision of 1960)," and the
14 supplements thereto and the amendments thereof. They shall have power to erect all
15 necessary buildings, make all necessary improvements and repairs, and alter any exist-
16 ing building for the use of said home, provided that the plans for such erection,
17 alteration or repair shall first be approved by the State Board of Health and the State
18 board. They shall have power to cause to be levied, assessed and collected from the
19 municipalities of the county participating in such purpose such sums of money as
20 shall be deemed necessary at first and annually thereafter to provide suitable land,
21 buildings and improvements for said welfare-houses and for the maintenance thereof,
22 and for all other necessary expenditures therefor, and the expenses of the superin-
23 tendent and his assistants as authorized and required in this act, and to borrow money
24 for the erection of such welfare-houses, and for the purchase of a site for such wel-
25 fare-houses, on the credit of the county, or portion thereof as provided in this act, and
26 issue obligations therefor in such manner as it may do for other county purposes.
27 The chosen freeholders shall have power to accept and hold in trust for the county, or
28 portion thereof so participating, any grant or devise of land, or any gift or bequest of
29 money, or other personal property, or any donation to be applied, principal or in-
30 come, or both, for the benefit of said welfare-house, and apply the same in accord-
31 ance with the terms of the gift.

1 3. When the board of chosen freeholders shall have determined to establish a wel-
2 fare-house for the permanent maintenance and relief of the poor of any county or
3 portion thereof, and shall have acquired a site therefor, and shall have awarded
4 contracts for the necessary buildings and improvements thereon, or shall have

5 resolved to maintain and operate a welfare-house as provided in this act, there shall
6 be constituted and appointed a welfare board composed of five citizens of the
7 county, as follows: The director of the board of chosen freeholders of said
8 county, and four citizens of the county or municipalities participating, two of whom
9 may be women, to be appointed by the board of chosen freeholders, who shall con-
10 stitute the managers of said welfare-house. Members shall hold their offices for four
11 years, except that the first appointments shall be respectively for one, two, three and
12 four years, which terms as to duration shall be in the order of appointments as made
13 and indicated. Vacancies in such offices shall be filled for the unexpired term
14 only. The holding of any other office by any member of said welfare board shall
15 not constitute such holding as incompatible with his office as member of such wel-
16 fare board. They shall receive no compensation for their services, except a fee of
17 five dollars for attendance at the regular monthly meetings of the board, and shall be
18 allowed their actual and necessary expenses, on the approval of the director, all of
19 which shall be audited and paid in the same manner as other expenses are paid in and
20 for such county.

1 4. They shall appoint a superintendent of welfare, who shall have the qualifi-
2 cations and be subject to the same examination as is required for that of an over-
3 seer.

1 5. Said welfare board shall elect from among its members a president, vice-
2 president and a secretary-treasurer. The superintendent appointed as herein pro-
3 vided shall not be a member of the board, and shall hold office for the term of
4 five years, or until the appointment of his successor, unless sooner removed for
5 cause after due notice and hearing. Said board of managers shall appoint such
6 other officers and employees as may be necessary; they shall fix the salaries of
7 the superintendent and such officers and employees within the limits of the appro-
8 priation made therefor by the board of freeholders, and such salaries shall be
9 compensation in full for all services rendered. The superintendent, officers and
10 employees shall be subject to such rules and regulations in the discharge of their
11 duties as may be provided by said board, and shall have, under the control of said
12 board, the general superintendence and management of said welfare-house, of the
13 grounds and buildings, and of the inmates thereof. The welfare board shall

14 have charge of all matters relating to the government, discipline, contracts and fiscal
15 concerns thereof as appropriated by the chosen freeholders and shall make such rules
16 and regulations as may be necessary for carrying out the purposes of such welfare-
17 house. They shall so equip and maintain said home as to provide proper heat and all
18 furniture, materials and supplies, medical and otherwise, as may be necessary for the
19 adequate maintenance of the permanent poor, and said board shall meet at said
20 welfare-house at least once in every month, and at such other times as may be pre-
21 scribed in the by-laws or rules of said board, and shall hold their annual meeting
22 at least one month prior to the meeting of the board of freeholders at which appro-
23 priations for the ensuing year are to be considered. All appropriations for the ex-
24 penditure of money above set forth shall be subject to the approval of the board of
25 chosen freeholders. They shall keep a public record in a book provided for that pur-
26 pose of their proceedings. The welfare house shall be subject to inspection to duly
27 authorized representatives of the State board, or the commissioner, and of the State
28 Board of Health. They shall certify all bills and accounts, including salaries and
29 wages, and transmit them to the board of freeholders of the county, who shall pro-
30 vide for their payment in the same manner as other charges against the county, except
31 such municipalities therein as do not participate as provided in this act, and shall
32 make annually, a report of the financial management and expenditures, and other
33 operations of the welfare house and the number of persons maintained therein, to-
34 gether with their recommendations to the said board of freeholders. The freeholders
35 shall provide and maintain, however, a working expense fund raised and collected as
36 the other expenses are required by this act to be provided not to exceed three hun-
37 dred dollars for the use of the welfare board. Payments therefrom shall be made
38 out of the county treasury on the voucher of the said secretary treasurer.

1 6. The superintendent of welfare shall be the chief executive officer of such
2 welfare-house, subject to the control of said board. The said superintendent under
3 the general rules and regulations shall receive such poor persons as by law are
4 properly receivable therein, or as otherwise by law may be provided, and all
5 such persons as would otherwise be receivable in a county or municipal almshouse,
6 except such poor of municipalities excepted from the establishment, support and
7 maintenance thereof, who have settlements therein.

1 7. He shall, in addition to his duties and responsibilities as chief executive
 2 officer of such welfare-house and said board, have general jurisdiction throughout
 3 the county or portion of the county which maintains a welfare-house as in
 4 this act provided and the authority and power of an overseer with the consent and
 5 approval of the governing body in all such municipalities where such municipalities
 6 have no duly constituted overseer performing such duties, by contract or otherwise,
 7 and in such work as overseer in any such municipality in any county, shall be sub-
 8 ject to all lawful rules and regulations of the said welfare board. The expense of
 9 said work of overseer by such superintendent shall be a charge upon the municipal-
 10 ities of such county so participating, to be levied, assessed and collected therefrom by
 11 the board of chosen freeholders in the same manner as other county expenses are as-
 12 sessed and collected.

COUNTY MAY CONTRACT WITH ANOTHER COUNTY FOR MAINTENANCE
 OF PERMANENT POOR.

1 8. Upon the certificate of the State board that the housing conditions and ac-
 2 commodations are sufficient and adequate for the purpose and the approval of the
 3 State Board of Health, that the sanitary conditions are such as to properly safe-
 4 guard the health of such poor persons as may be maintained therein, the board of
 5 chosen freeholders of any county may contract with any board of chosen freeholders
 6 of any other county of this State to board and care for or support or receiving perma-
 7 nent relief of such county, except such municipalities thereof as do not elect to partici-
 8 pate in such county plan which maintain their own permanent poor, and such contract
 9 authorized by the board, and entered into by the directors of the several counties con-
 10 cerned, shall provide for the permanent maintenance and relief of such poor persons,
 11 and in such case, any county so contracting, may maintain the permanent poor under its
 12 jurisdiction and authority in such almshouse or welfare house in such other county
 13 with which such contract shall be entered into. The expense under such contract for
 14 the support of the permanent poor of any county in the almshouse or welfare house of
 15 another county shall be provided for by appropriation and paid in the same manner
 16 as other county expenses, but levied, assessed and collected from the municipalities
 17 participating, excepting such as elect not to participate, which maintain their own

18 permanent poor. Such almshouse or welfare-house shall always be open to inspec-
 19 tion of a duly authorized agent of the board of chosen freeholders of any county
 20 maintaining its permanent poor therein, and of the State board and the State Board
 21 of Health. Whenever municipalities in a county elect not to participate in such
 22 county purpose, the procedure shall be as set forth in sections twenty two to twenty-
 23 four and as otherwise provided in this act, as in the case of the establishment of a
 24 welfare-house.

JOINT COUNTY OR DISTRICT WELFARE-HOUSE.

1 9. The boards of chosen freeholders respectively in any two or more contigu-
 2 ous and adjoining counties may resolve that upon a like resolution being enacted
 3 in such other adjoining and contiguous county or counties as shall be named therein,
 4 provision may be made for the permanent relief of such poor persons in such coun-
 5 ties in a welfare-house to be jointly owned by such counties, or so many thereof as
 6 shall adopt the same, or as the resolutions may provide, which shall constitute a
 7 district and be conducted by a welfare board as hereinafter constituted for the per-
 8 manent relief of the poor persons of such counties; in such case permanent relief
 9 shall be provided for the poor of such counties, except those municipalities which
 10 maintain their own permanent poor and which have elected not to participate for such
 11 purpose, in such jointly maintained district welfare house; *provided, however,* that
 12 the inhabitants of such counties shall, by a majority vote of the legal voters therein,
 13 excepting from such vote the electors of such municipalities maintaining their own
 14 permanent poor in institutions as have elected not to participate for such purpose,
 15 ratify and accept the provisions of such resolutions as have been adopted and of like
 16 purport in their respective counties as hereinafter provided. In case of the adoption by
 17 a majority of such legal voters in each such county, or such counties as shall so elect if
 18 the resolutions so provide, there shall be constituted and appointed at a joint meeting
 19 of the respective boards of chosen freeholders concerned therein a District Welfare
 20 Board of five persons, citizens of the district, two of whom shall be women, who with
 21 the directors of the respective boards of chosen freeholders shall constitute the man-
 22 agers of said district welfare-house. They shall be elected so as to, as nearly as may
 23 be, make the quota in membership in said board equal in representation from the coun-
 24 ties concerned. They shall hold office for five years, except that the first appoint-

26 ments shall respectively be for one, two, three, four and five years, which terms as
27 to duration shall be in the order of the appointments as made and indicated. Vacan-
28 cies shall be filled for the unexpired term only. The holding of any other office by
29 any such member shall not be construed to be the holding of an incompatible office.

1 10. They shall have power and authority to appoint a superintendent of welfare,
2 who shall be a citizen of one of such counties, and have the same qualifications and re-
3 quirements and term of office as provided for a superintendent of welfare in any
4 county. They shall meet regularly once each month and such other times as may be
5 necessary or as they may by rule provide. They shall be paid ten dollars each for at-
6 tendance at the regular monthly meetings and shall also be reimbursed for their ex-
7 penses incurred in the performance of duties imposed by this act. Like qualifications
8 and authority shall be vested in such district welfare board as is vested in the welfare
9 board of any single county, and as herein authorized. They shall hold their annual
10 meeting at least six weeks prior to the meetings of the boards of free-
11-10 holders of the several counties at which appropriations for the ensuing year are to
17 be made, and shall provide in a budget to be made up six weeks prior to the annual
18 meetings of the respective boards of chosen freeholders concerned, the total expense
19 of the maintenance and operation of said district welfare-house, and all expenses in-
20 cluding wages and salaries, and shall apportion the same among the several counties
21 according to the population of each respective county as ascertained at the last Federal
22 census, excepting therefrom the population of such municipalities in such counties not
23 participating for such purpose as in this act provided, and each respective county
24 shall thereupon provide the funds as to their necessary quota; *provided, however,*
25 that within two weeks after the budget herein provided for shall be made up the same
26 shall be approved by the Commissioner of Municipal Accounts of the State of New
27 Jersey, and certified as correct, when it shall be certified to the respective
28 boards of chosen freeholders, in order that the quota of each county may be provided
29 for, and shall be assessed and collected by the board of chosen freeholders from the
30 municipalities of such counties so participating in said purpose for the establishment,
31 maintenance and upkeep of such district welfare-house in the same manner
32 as other taxes are assessed and collected. Said cost shall be a charge upon
33 each county or portion thereof participating in such purpose. The sums of money

34 raised in any manner authorized shall, on receipt thereof by the respective county
 35 treasurers, be paid to and held by the treasurer of the county in which the district
 36 welfare-house shall be situate, and be deposited in a separate account, in a State or
 37 National bank located and doing business in that county. The district welfare
 38 board shall certify all bills and accounts, including salaries and wages, and transmit
 39 them to the boards of freeholders concerned, who shall examine and approve the
 40 same for payment, and when so certified, transmitted, examined and approved for
 41 payment by the boards of chosen freeholders concerned the treasurer shall pay the
 42 same from said account.

METHOD OF ADOPTING A JOINT COUNTY WELFARE PLAN.

1 11. Whenever two or more counties contiguous and adjoining shall, by the
 2 boards of chosen freeholders thereof, so resolve to construct and maintain jointly a
 3 district welfare-house in lieu of a county welfare-house and municipal almshouses,
 4 which, in such case, shall be abolished, except as otherwise provided in this act, the
 5 resolution shall be submitted to the legal voters of said county at the next general elec-
 6 tion, except such thereof as are municipalities maintaining their permanent poor in
 7 institutions and have elected not to participate, at the next general election. Public
 8 notice thereof shall be given by said boards of chosen freeholders by publication not
 9 less than thirty days prior to said election in a newspaper published and circulated in
 10 the county seat of each of said counties. At any election at which the question of the
 11 adoption of the resolution shall be submitted to the voters of any county, there shall
 12 be printed upon the official ballot for such county at the next general election the
 13 word "for" and the word "against" above and immediately preceding the words
 14 "Shall the county of adopt the resolution of the board of chosen
 15 freeholders providing for the joint establishment, operation and maintenance of a
 16 district welfare-house for the permanent relief of the poor of this and the county
 17 (or counties) of (naming them), or so many thereof (or all as the resolution shall
 18 provide) as may be favorable thereto?"

1 12. If the word "for" be marked off or defaced upon the ballot, it shall be
 2 counted as a vote against the acceptance of the resolution. If the word "against" be
 3 marked off or defaced upon the ballot, it shall be counted as a vote in favor of the

4 acceptance of the resolution, and in case neither the word "for" nor the word "against"
5 be marked off or defaced upon the ballot, it shall not be counted as a vote either
6 for or against such acceptance. A canvass and return of the votes upon the question
7 of the acceptance of the resolution shall be made by the board of canvassers in the same
8 way and manner as for officers voted at such election and as other questions are
9 submitted on referendum, and the result thereof shall be certified to the Secretary of
10 State within five days thereafter, who shall canvass the vote of the two or more coun-
11 ties voting on said question, and shall certify the same within ten days thereafter to
12 the respective county clerks and to the clerk of the board of chosen freeholders of
13 each such county, and if the majority of the votes cast in each county for and against
14 the acceptance of the resolution shall be found to be in favor of its acceptance, it shall
15 then become operative in such county with such other counties as have likewise,
16 voted in favor of the adoption of such district welfare-house.

17 13. The estimated cost of the establishment or enlargement of such district wel-
18 fare house, including the purchase of the real and personal property therefor shall
19 be submitted to the several boards of freeholders concerned for approval as to such
20 cost, and no proceedings shall be begun or action taken by the welfare board unless
21 and until such cost shall have been approved by such boards.

JOINT WELFARE BOARD MAY BORROW MONEY.

22 14. At any time after a vote in favor of a district welfare-house by more than
23 one county has been authorized, as aforesaid, the boards of chosen freeholders of such
24 counties are empowered by joint resolution to borrow money and issue bonds or other
25 obligations therefor in the name of the counties concerned, and negotiate the same
26 for the purpose of raising money necessary to carry out the provisions of this act for
27 the purpose of establishing, altering or enlarging the said district welfare-house, or its
28 appurtenances. The procedure for the issuance of such bonds shall be after the man-
29 ner provided in an act entitled "An act to authorize and regulate the issuance of
30 bonds and other obligations and the incurring of indebtedness by any county, city,
31 borough, village, town, township or any municipality governed by an improvement
32 commission," approved March twenty-second, one thousand nine hundred and six-
33 teen, its supplements and amendments or revision thereof except as herein otherwise

13 provided to the extent of the purposes herein authorized. Such bonds shall not be
14 of a denomination of less than one hundred dollars, nor bear interest at a higher rate
15 than six per centum. They shall be denominated "District Welfare Bonds" of the
16 counties to be named, as obligated. They shall be payable pro rata as by this act pro-
17 vided for the payment of cost and expenses, and shall not be sold below par, and
18 shall not be subject to taxation, except for State purposes. The respective counties,
19 except municipalities not so participating so jointly constructing, operating and main-
20 taining such district welfare-house as herein provided shall, in the manner indicated in
21 the proceedings to bond the district, to be stated in the bonds, indicate the time, place
22 and manner of payment of the principal and interest thereof, and be liable for the
23 payment of such bonds, together with interest thereon in the proportion as in this act
24 indicated for such cost and expense at the time of the adoption of the resolution of
25 said board for the issuance thereof. The alteration or construction and completion
26 of such building or grounds as may be necessary for the purpose shall be approved
27 as to plans and specifications before work is commenced thereon by the State board.

1 15. Such bonds shall mature in not more than forty years from the issuance
2 thereof, and the sums necessary for each annual maturity, together with all interest
3 charges shall be provided for in the budgets of the counties participating in the same
4 manner as other expenses are provided for, and shall be raised by taxation in propor-
5 tionate amount annually in the respective counties on the certification of the propor-
6 tionate sum chargeable to and due by each such county by the Commissioner of Mun-
7 icipal Accounts of the quota and proportion respectively chargeable to each county.
8 The interest and principal thereof, and other necessary sums of money or expense,
9 shall be the debt or obligation of the district wherein they were issued in the munic-
10 ipalities of each county participating in the proportion of the population as each
11 county or part thereof bears to each other such county or part like-
12 wise participating as determined at the last Federal census prior to their
13 issue and prior to the passage of the joint resolution of the said boards
14 of chosen freeholders of the counties concerned, except as in this act
15 otherwise provided as to municipalities not so participating, and the pay-
ment thereof shall be provided for by taxation annually levied, assessed and collected
by the board of chosen freeholders from the municipalities of such counties par-

16 participating in such purpose in the proportion herein indicated in the same manner
17 that other debts and obligations of the several counties are provided for by taxation.

MANDATORY ORDER BY JUSTICE OF SUPREME COURT TO OFFICIALS.

1 16. On failure of any county, through its governing body, to make provision
2 in any manner as required by this act or other law for the payment of the expenses
3 and obligations imposed thereby for its proportionate share of the establishment or
4 maintenance of a district welfare-house, the board of chosen freeholders
5 of any county composing such district may appeal to any justice of the
6 Supreme Court of Judicature of this State, on ten days' notice to such defaulting
7 or delinquent board of chosen freeholders or any delinquent official thereof, or both,
8 for a mandatory order directing the performance of such actions as may be neces-
9 sary to accomplish the requisite lawful action and compel the carrying out of its ob-
10 ligation by a county in the proper proportion as to expense and payment as pro-
11 vided in this act or any other law of this State. Nothing herein contained, how-
12 ever, shall be construed to interfere with or restrict the use of any prerogative writ
13 for such purpose or to review the legality of such order. The said proceedings shall
14 be summary.

NOTICE OF ESTABLISHMENT OF DISTRICT WELFARE-HOUSE.

1 17. When the buildings as constructed or altered and furnished are completed,
2 the said district welfare board shall give notice to the boards of chosen freeholders of
3 each county that they are prepared to accommodate the poor of such contiguous and
4 adjoining counties, which shall be denominated a district in the numerical order and by
5 number as such districts shall be established in this State. Such notice shall be given
6 to each of the county adjusters and overseers within such district, and also by pub-
7 lication at the same time in a newspaper published and circulated in the county seat
8 of each of the said counties acting jointly for such purpose, and, thereafter, the
9 permanent poor shall be provided for by admission to such district welfare-house as
10 provided by law for admission and maintenance to an almshouse or county welfare-
11 house.

DISTRICT WELFARE-HOUSE EXEMPT FROM TAXATION.

1 18. The property of such district used and maintained for such purpose shall
2 be free from taxation, and subject to the like privileges and immunities as exist

3 and are provided and extended to other almshouses or welfare-houses in counties or
4 municipalities.

CERTAIN MUNICIPAL ALMSHOUSES ABOLISHED.

1 19. Whenever the care and maintenance of the permanent poor shall be under-
2 taken and established by any county in lieu of municipal care of such persons,
3 municipal almshouses, other than county almshouses or welfare-houses, shall be abol-
4 ished, and the real and personal property which has been used for such purpose
5 may be sold by the governing body and the proceeds thereof shall fall into the
6 municipal treasury and used to pay other expenses of the municipality in the same
7 manner as may be otherwise lawful or such land and premises may be put to such
8 other public use as may be lawful. Thereafter the expense of maintaining county
9 almshouses or welfare-houses shall be a charge upon the county as provided in this
10 act.

1 20. Whenever a district composed of more than one county shall be consti-
2 tuted for the maintenance of the permanent poor of such counties, as provided in
3 this act, such respective counties and the municipalities therein shall no longer pro-
4 vide and maintain almshouses or welfare houses for the relief and maintenance of
5 the permanent poor, except in municipalities excepted therefrom as provided in this
6 act, and the real and personal property which has been so used may be disposed
7 of in like manner and for like purposes as authorized in the preceding paragraph.
8 The expense of the maintenance of and provisions for the relief of the permanent
9 poor maintained in such district welfare house shall be provided and raised in the pro-
10 portion as to the respective counties as authorized in this act, and shall be raised and
11 provided for, appropriated and paid as to such proportionate quota as such expenses
12 are to be paid as directed in this act.

ESTABLISHMENT OF ALMSHOUSES OTHERWISE NOT PROHIBITED.

1 21. Nothing in this act contained shall be construed to interfere with or pre-
2 vent any county from establishing or maintaining a county almshouse as hereto-
3 fore, unless it shall have adopted the provisions herein contained for the establish-
4 ment of a welfare-house, nor to prevent any municipality not having participated
5 in the welfare-house plan and purpose from doing likewise.

COUNTY CONTRACT AUTHORIZED BY RESOLUTION EXEMPTING FROM EXPENSE THEREOF
MUNICIPALITIES NOT PARTICIPATING.

1 22. Whenever any county, as hereinabove provided, shall, in the manner
2 authorized in this act, provide for the relief and maintenance of the permanent poor
3 of such county by contract with another county for their support, relief and main-
4 tenance by such other county, either in an almshouse or welfare-house of such other
5 county, it shall authorize such contract to be entered into and adopt such other
6 other provisions as may be necessary for the purpose by resolution. Before the final
7 adoption of such resolution by any board of chosen freeholders upon the certifica-
8 tion to the clerk thereof by any municipality through its governing body in any
9 such county, which provides for and relieves and maintains its permanent poor, that
10 it elects not to participate in such county purpose, the said resolution shall be
11 amended to except therefrom such municipality or municipalities so electing not so
12 to participate, and the expense of such county for such purpose shall not be a
13 charge upon any such municipality, but shall be a charge upon that portion only
14 of the county whose permanent poor shall be thus provided for, and no imposts
15 for such purpose shall be generally levied, assessed and collected upon such taxable
16 persons or property in such county, but such imposts shall be a charge upon, levied,
17 assessed and collected from that portion of the county subject to benefit therefrom
18 by the chosen freeholders against the municipalities of the county other than those
19 maintaining the permanent poor in institutions and which have elected not to par-
20 ticipate in such county purpose.

RESOLUTION NOT TO BE PASSED WHEN INTRODUCED.

1 23. Whenever any county shall propose by resolution, as in this act provided,
2 to establish a county welfare-house, or to contract with another county for the
3 relief and maintenance of the permanent poor by such other county in a welfare-
4 house of such other county, or for the establishment of a district
5 welfare-house, the resolution so providing shall not be passed at the time of its
6 proposal, but after such proposal the action thereon shall be adjourned for at least one
7 month, when it shall be finally acted upon by said board except as herein provided.
8 Within two weeks after the proposal of such resolution, notice of the time and place of

9 final action thereon to be taken shall be published twice in two newspapers of general
 10 circulation in the county, one of which is published in the county seat. The final
 11 passage thereof may be adjourned thereafter to the next regular meeting of said
 12 board of chosen freeholders.

1 24. Whenever any county, as hereinafter provided, by its board of chosen
 2 freeholders shall propose to establish a county welfare-house or a jointly main-
 3 tained district welfare-house, as hereinafter provided, and shall do so by resolution in
 4 the manner required in this act for the purpose, if any municipality maintaining
 5 its permanent poor in an institution in any such county shall, by resolution, elect not
 6 to participate in such county purpose and certify the same to the clerk of the board
 7 of chosen freeholders of such county before the final passage of such resolution, then
 8 such proposal shall be amended accordingly, and such municipalities shall be excepted
 9 from such county purpose as hereinafter provided, and such municipalities shall not
 10 be chargeable with the expense thereof, and the sums of money deemed necessary to
 11 carry out the provisions of this act shall be a charge by the chosen freeholders and
 12 levied, assessed and collected from the municipalities of each such county not excepted
 13 from said resolution.

REFERENDUM TO ELECTORS OF COUNTY OR PART THEREOF.

1 25. In case of proposed joint county establishment and maintenance of a dis-
 2 trict welfare-house after submission of the acceptance of any such resolution to
 3 the legal voters of more than one county, the question as to such acceptance shall
 4 not be submitted to the legal voters of any municipality so excepted from the pro-
 5 visions of such resolution, but only to the electors otherwise qualified in such
 6 county, and the proportionate expense of such joint establishment and maintenance
 7 of such district welfare house shall be proportioned among such counties so estab-
 8 lishing and maintaining such district welfare-house, as herein provided, according to
 9 the population of such county or counties, excepting therefrom the population
 10 of any such municipality or municipalities not so participating, and the necessary
 11 sums required to be levied, assessed and collected shall be so raised by the board of
 12 chosen freeholders against the municipalities of the county or counties chargeable as
 13 provided in this act.

MUNICIPALITIES EXCEPTED MAY JOIN PURPOSE LATER.

1 26. Nothing contained in this act shall operate to prevent any municipality
 2 from subsequently joining in such county or joint county purpose by ordinance,
 3 which shall be adopted by referendum in the manner provided by section twenty-
 4 four of Article XXXVII of an act entitled "An act concerning municipalities,"
 5 approved March twenty-seventh, one thousand nine hundred and seventeen, or any
 6 amendment or supplement thereof, containing a referendum provision and after the
 7 adoption of such ordinance and notification thereof to the board of chosen free-
 8 holders, such municipality shall thereafter have like responsibilities in respect to
 9 such purpose as if it had originally participated therein; *provided, however*, that such
 10 ordinance or ordinances shall be accepted and approved by the board of chosen free-
 11 holders of the county by resolution after notice of the time and place of the consider-
 12 ation of such ordinance shall be given to the public who shall have an opportunity to
 13 be heard thereon. Municipalities excepted from participation in the establishment or
 14 maintenance of a welfare-house, or counties not so determining, shall continue to sup-
 15 port and relieve the permanent poor thereof as is otherwise lawful.

OVERSEERS OF THE POOR.

1 27. Overseers shall be appointed, if qualified as provided in section twenty-nine,
 2 by the municipal governing body after the passage of this act, and shall hold office
 3 for five years; *providing*, that the term of office hereby fixed shall not repeal any
 4 existing statute providing for a longer term. Any overseer may be removed by such
 5 governing body for cause, upon written charges made by any citizen, after hearing, at
 6 least one week's notice of which shall be given such overseer; *provided, however*, that
 7 in cities governed by commissions under the act approved April twenty-fifth, one
 8 thousand nine hundred and eleven, its supplements and amendments, if a member of
 9 the governing body as the head of the department is overseer, he shall not be subject
 10 to such qualifications, after examination, as required in this act, but such shall apply to
 11 other overseers and deputies; *provided, further, however*, that it shall not be obliga-
 12 tory upon any municipality not excepted from the welfare plan to appoint an overseer
 13 in any county or counties where there is a welfare board and superintendent of wel-
 14 fare, except in municipalities in counties of the first class.

1 28. Females, as well as males, of full age, shall be eligible to appointment as
2 overseers.

1 29. No person shall be appointed as an overseer of any municipality but a citizen
2 of the State and of the United States, and unless such appointee shall be able to read
3 and write the English language, and is capable of making and keeping such records
4 and reports as are lawfully required of him, and shall have such knowledge of the laws
5 concerning the relief and maintenance of the poor, as may be satisfactory to the
6-7 governing body of the municipality in his jurisdiction, and such governing body may
8 ascertain such qualifications of such prospective applicants by sufficient tests through
9 the means of written examinations, and to this end the State board is authorized,
10 and the governing body or the welfare board, in the case of the appointment of su-
11 perintendents by the welfare board, is directed to obtain the aid and
12 supervision thereof of the State Board of Control, which board shall
13 cause examinations to be made by such persons and at such times
14 within ten days' notice thereof and places as it may appoint and under
15 such rules and regulations as it may adopt for the purpose of determining the quali-
16 fications of superintendents, overseers and deputies. Every such examination shall
17 be conducted in such manner as the State board shall direct, and every prospective ap-
18 pointee or applicant whose examination shall be approved by said State board shall
19 be eligible but not otherwise for appointment as superintendent, overseer or deputy
20 overseer as the case may be.

1 30. In all municipalities, the overseer shall receive such salary as may be fixed
2 by the respective governing bodies in lieu of all fees; *provided, however* where
3 adjoining contiguous municipalities, through the governing bodies thereof, may agree,
4 in writing, after resolution duly passed in each that the overseer of one or more such
5 municipalities in any county, may and shall act for and in one or more such muni-
6 palities in any county in which such municipalities may be situate in lieu and in
7 the place of the appointment in any such adjoining municipality, so contracting, of
8 an overseer therein, thereupon such additional salary shall be paid such overseer as
9 shall be agreed upon, with and not without his express consent, in writing, thereto.
10 In such case, such overseer shall have like authority and the same responsibilities as
11 other overseers; and the overseer theretofore appointed in such municipality con-

12 tracting for such other overseer shall upon notice to this effect to him cease to hold
 13 such office within thirty days after the said agreement shall be executed; *provided*,
 14 *however*, that such overseer so appointed may be removed from his responsibilities and
 15 duties in such other municipality, by the governing body thereof, than that of his ap-
 16 pointment for cause or by reason of his inability to perform his duly authorized and re-
 17 quired functions if the territory is too great or the population too numerous for the
 18 proper performance thereof on the complaint of the governing body of either munici-
 19 pality on thirty days' notice to the other of application to the Court of Common Pleas
 20 of such county for a summary hearing thereon and a final determination. The final de-
 21 termination, if according to the prayer of such complaint, shall terminate such con-
 22 tract and relieve the overseer of such duties and responsibilities and the additional
 23 salary theretofore agreed to be paid to such overseer. In case of the removal of
 24 any such overseer, the municipality may appoint an overseer to act therein for the
 25 full term as herein authorized.

APPEAL FROM OVERSEER.

1 31. The overseer shall determine who are to be relieved by him, subject to ap-
 2 peal by any person on at least two days' notice to the Court of Common Pleas of
 3 the county, by petition, in writing, for a summary review and determination by the
 4 court of the action of the overseer as to the extent and amount of relief, if any, to
 5 be given or rendered.

APPOINTMENT OF DEPUTY OVERSEERS.

1 32. In all cities or municipalities, other than counties, having not less than five
 2 thousand inhabitants, or where the overseer has jurisdiction in more than one mu-
 3 nicipality, the governing body or bodies may appoint a deputy overseer, who shall
 4 have resided at least one year in the State, and have other like qualifications as those
 5 necessary to the appointment of overseers, and be under the direction of such overseer,
 6 and be vested on his approval with the same power as an overseer in the distribution
 7 of relief, with like authority for the prosecution or defense in court proceedings
 8 as is now vested in an overseer.

APPOINTMENT OF ASSISTANTS.

1 33. Such governing body or bodies may also appoint such other assistants, clerks,
2 visitors and nurses as in their judgment may be expedient, and fix their respective sal-
3 aries. The salaries so fixed shall be in lieu of all fees provided for such deputy over-
4 seers, and any such assistants, clerks and nurses who shall work under the direction of
5 the overseer and shall hold their office or employment during good behavior, and may
6 be removed upon written charges and after a hearing, due notice of which shall be given
7 therefor, by the governing body for misconduct, neglect or incompetency.

CIVIL SERVICE ACT NOT NULLIFIED.

1 34. Nothing in this act shall operate to repeal or nullify the provisions of an act
2 entitled "An act regulating the employment, tenure and discharge of certain officers
3 and employees of this State and of the various counties and municipalities thereof,
4 and providing for a Civil Service Commission and defining its powers and duties,"
5 and the acts supplementary thereto and amendatory thereof in cities which have
6 adopted, or will hereafter adopt, the same.

HELPERS TO OVERSEERS.

1 35. Overseers shall have power and authority to appoint resident helpers, with-
2 out pay and without fees, to aid in the temporary relief of poor persons under his di-
3 rection, preferably by district, in any municipality, in order that such helpers may ob-
4 serve and ascertain and assist any such overseer or deputy in ascertaining the cause or
5 causes of dependency, obtain employment for poor persons when needed, and assist
6 and advise any such overseer or deputy in instituting and prosecuting to a determina-
7 tion such proceedings as may be necessary through other agencies of the State, or its
8 political subdivisions, for the relief of the poor, the admission of them, or their law-
9 ful dependents, to such institution or agency as may be provided for mental or physi-
10 cal disability or otherwise. All such agencies for relief, such as widows' pensions, as
11 provided by law, aid under the authority conferred upon the Rehabilitation Commis-
12 sion and Public Employment Service, or other aids to relief, support or assistance,
13 public or private, shall be made use of by such overseers and their subordinates and
14 helpers to the end that causes of dependency on the part of persons or their families

15 and the need for such public relief in whole or in part may be eliminated, and they
16 are authorized under direction of the overseer or deputy to take such legal steps,
17 either as prosecutors or petitioners in legal proceedings in aid of such persons or
18 their families, as may be necessary to such end. Disbursements of helpers shall be
19 paid, on the approval of the overseer of the poor, by the governing body or district
20 welfare board. Helpers shall be registered on appointment at the office of the over-
21 seer, and shall be furnished and supplied with such evidence of their appointment and
22 authority as the overseer, with the approval of the governing body, shall determine.

OVERSEERS' RECORDS.

1 36. Overseers shall keep a record of all receipts and expenditures on their part
2 or that of their subordinates. They shall record the names of all applicants seeking
3 relief, which may be by card-index, on which the age, sex, residence, number and
4 names of children and their ages, when and where last employed, family income,
5 whether citizen or alien, place of abode for the five years preceding such applica-
6 tion for relief, and the place of nativity of every poor person who shall apply for
7 relief, together with a statement of the cause, direct and indirect, which shall have
8 operated to make such relief necessary as far as can be ascertained, together with a
9 statement of the relief or aid given, and of such relief as may have been, or is being
10 provided by all organizations as ascertained, and the name of the overseer or deputy
11 and helper having particular knowledge and charge of the case, and of witnesses of
12 the fact, with their addresses, shall be stated. On such record shall be also entered
13 the name of those responsible by law for the support of such poor person and any
14 relative agreeing or likely to agree to contribute in whole or in part, or assist in the
15 support of such poor person. In case of the commitment or admission of any such
16 person or a member of his family, through the agency of the overseer, or his assist-
17 ants, to any almshouse or welfare-house, or other institution or family, he shall file
18 a copy thereof, or a record of such admission or commitment, with the commis-
19 sioner at his office at Trenton, and in the case of an infant, a record thereof shall
20 be, within the same time, filed with the New Jersey State Board of Children's
21 Guardians at its office. Such filing within the time limited may be by registered mail.
22 Such overseers and deputies shall keep a book, setting forth therein all moneys,

23 goods and materials received by them, when and by whom received, and to whom
 24 paid out and delivered, and, in addition thereto, a separate book of orders for
 25 relief, with stubs attached. Such printed order and stubs shall show the name, resi-
 26 dence, when issued, the amount and kind of relief expended, and by whom issued
 27 and delivered. Such order shall be endorsed by the recipient and the person fur-
 28 nishing such relief as made.

1 37. The governing body or bodies shall furnish to the overseer and his deputies
 2 the necessary material, card-indexes and and other stationery for the purpose of this
 3 act, at the expense of the municipality.

OVERSEERS' REPORTS.

1 38. Overseers, annually, shall make to their county, municipal governing bodies,
 2 or district board, as the case may be, within thirty days after the first meeting there-
 3 of in the year, a report or reports, in writing, which shall be a summary of the en-
 4 tries of the aforesaid records mentioned and authorized in this act.

RELIEF BY OVERSEERS.

1 39. When any person shall apply for relief for himself or another to an over-
 2 seer or deputy, such overseer shall inquire into the facts, conditions and circum-
 3 stances of the case, and also into the matter of such person's settlement if it shall
 4 appear that such person is unable to earn a livelihood by his own labor and is a
 5 poor person and requires temporary or permanent relief; the overseer of the poor by
 6 a written order shall render such aid and material relief as he may, in his discretion,
 7 deem necessary to the end that such person may not suffer unnecessarily from cold
 8 or hunger, or be deprived of shelter; he shall also ascertain the direct or indirect
 9 causes of poverty, and whether or not such person requiring permanent relief is
 10 without adequate home or without children, grandchildren, parents or grandparents,
 11 who are by law required and able to maintain him and other persons who are will-
 12 ing to do so; he shall be committed and removed to the proper almshouse or wel-
 13 fare-house in the municipality, county or district; *provided, however,* that the overseer
 14 in any municipality in which there is no almshouse may provide for the permanent
 15 relief and support of such poor person as in his discretion the circumstances may
 16 require, or contract, with the approval of his governing body, for the support of such

17 person in the almshouse of another municipality in the same county, if there shall
 18 not be a county almshouse or county or district welfare-house. In all cases where
 19 there are relatives and others not otherwise chargeable by law who are able and
 20 willing to support and maintain or contribute to the support and maintenance of any
 21 poor person, the overseer or his deputies are authorized to enter into contract with
 22 such relatives in consideration of the support and maintenance of such poor person
 23 whereby such relatives may undertake and obligate themselves to that end, or induce
 24 such aid and support as may be possible. In all cases where a person is removed to
 25 the almshouse or welfare-house or receives permanent relief by the order of the
 26 overseer or his deputy, such order and commitment shall state the name, age, sex,
 27 nativity, place of settlement, names of children, grandchildren, parents or grand-
 28 parents, or relatives, and their place of residence, and the cause or causes of making
 29 such removal or relief necessary or advisable of every poor person so relieved,
 30 removed or committed, as aforesaid.

PLACE OF SETTLEMENT AND REMOVALS THERETO.

1 40. Every person of full age who shall be a resident of, and domiciled with-
 2 out interruption in, any municipality for five years, or in any county for five years,
 3 but not in any municipality thereof, shall be deemed settled respectively in such
 4 municipality or county and shall so remain until he shall have gained a like settle-
 5 ment in some other municipality or county in this State, or shall have removed
 6 from this State and remained therefrom continuously for one year, or shall have
 7 gained a legal settlement elsewhere in this State. In case such person shall have
 8 removed from this State for more than one year as aforesaid, he shall not retain
 9 his settlement in any county or municipality in this State.

1 41. A married woman and her minor children shall always follow and have
 2 the settlement of her husband and of their father, if he has any within this State.
 3 If he has no such settlement, her settlement shall be as it was at the time of her
 4 becoming a resident and a domiciliary of such municipality or county wherein relief
 5 is sought, provided she shall not have, in lieu thereof, gained a settlement as is
 6 provided in section forty.

1 42. Legitimate children shall always follow and have the settlement of their
 2 father, if there be one, until they shall have gained a settlement of their own.

3 If the father has no settlement, they shall follow and have the settlement of their
4 mother.

1 43. Illegitimate children shall follow and have the settlement of their mother,
2 unless the father is legally found or admitted by him to be such at the time and
3 place of their birth, in which case they shall follow and have the father's settle-
4 ment, if such parent has a settlement within this State. If either parent has no
5 settlement, then it shall be in such municipality or county in which such child shall
6 have been born, if such birth occurred in this State. Such children born in chari-
7 table or correctional institutions, or while the mother is legally an inmate thereof,
8 whether on parole or leave of absence, shall be chargeable to the place of the settle-
9 ment of the mother or father or from which they were admitted or committed,
10 rather than to the place where that institution is located.

1 44. Every minor whose parents have no settlement in this State, who shall have
2 resided five years without interruption in any municipality or county, shall as in
3 section forty provided gain a settlement within such municipality or county; *pro-*
4 *vided, however,* that no minor who shall be brought into any county in this State,
5 or who shall be placed out in any family therein by any person, society or corpora-
6 tion, public or private, of this or any other State, shall gain a settlement.

1 45. Nothing in this act shall apply to or affect any person from outside the
2 United States of America, or in any way to change the rights or liabilities of such
3 persons as may be conferred or imposed by any law of the United States of
4 America, nor the right otherwise conferred by law to deport or remove such per-
5 sons to any other State wherein such person still retains, or may have acquired, a
6 settlement according to the laws of any State or country, and in all such cases no
7 settlement shall be deemed to have been acquired within this State.

1 46. Where permanent relief is required by any poor person in any municipality
2 in which he has gained a residence and is an inhabitant, and of such county in
3 which he shall have gained a settlement, the overseer shall proceed to commit and
4 remove such poor person to an almshouse or welfare-house, except as may be other-
5 wise provided in this act for partial relief in a home or otherwise.

1 47. Where permanent relief is required by any poor person in any munici-
2 pality in a county in which he has gained a settlement and of such county in which

3 there is no almshouse or welfare-house, or district welfare-house, the overseer shall
 4 commit and remove such person to the municipal almshouse, or furnish relief at
 5 home, if the circumstances as otherwise herein provided may be lawful and pre-
 6 ferable, or to such other municipal almshouse in the county as may, by contract,
 7 provide such relief, as provided in an act entitled "An act concerning municipali-
 8 ties," approved March twenty-seventh, one thousand nine hundred and seventeen.

SETTLEMENT IN COUNTY.

1 48. Where permanent relief is required by any poor person in any municipality
 2 in which he has not gained a settlement, but shall have gained a settlement in the
 3 county in which such municipality is situate, in which county there is not a county
 4 almshouse or welfare-house, or no provision for permanent relief, the overseer
 5 shall commit and remove such poor person to a municipal almshouse in such county
 6 by a written order, after which notice shall be served upon the board of freehold-
 7 ers of such county, who shall thereupon proceed to provide and make provision for
 8 the support and maintenance of such poor person as a county charge, the expense
 9 of which shall be borne by such entire county.

1 49. Where permanent relief is required by a poor person in any municipality
 2 in which he is a resident or an inhabitant, whose place of settlement is in another
 3 municipality or county than the one in which relief is sought the overseer shall
 4 temporarily place such poor person and proceed to remove him to the place of
 5 such settlement as directed in sections sixty-five to sixty-eight of this act, and until
 6 such other place of settlement shall be ascertained the overseer, in his discretion,
 7 may place such poor person as other permanent poor having a settlement in such
 8 place are maintained and relieved.

1 50. Permanent relief shall not be rendered by any overseer to any person who
 2 is otherwise lawfully removable who has no settlement in the municipality or
 3 county in which relief is sought or necessary, but all such persons shall be tem-
 4 porarily provided for and shall be removed by such procedure as may be lawfully
 5 necessary by the overseer as in this act is provided, or as otherwise may be pro-
 6 vided by law.

1 51. Where relief is required by a poor person in any municipality or county
2 in which he is a resident and inhabitant, who shall not have gained a settlement
3 in any municipality or county within this State, or in any other State, the overseer
4 shall provide relief. If it shall be ascertained that such person became poor from
5 causes existing prior to his being found in, or becoming an inhabitant and resi-
6 dent in, such municipality, the overseer shall proceed to remove such poor person
7 to such place from which he came by whatever lawful proceedings may be neces-
8 sary to such end with the aid of such officers as provided in this act, and the
9 expense of his removal shall be borne by the municipality from which he is removed.

1 52. When temporary relief is required by a poor person in any municipality
2 in which he is a resident and inhabitant, whose place of settlement is in some other
3 county in this State, or he shall not have become poor from any causes existing
4 prior to his becoming an inhabitant and resident in the municipality in which relief
5 is sought, the overseer shall provide and render temporary relief.

1 53. Where temporary relief is required by a poor person in any municipality
2 or county in which he may be a resident and inhabitant, and it shall be ascertained
3 that his place of settlement is outside this State, the overseer shall provide relief
4 and immediately make such application, with the aid of the county adjuster, as
5 may be necessary and otherwise lawful for his removal; *provided, however,* that
6 a record thereof shall be filed with the commissioner and his aid obtained for such
7 purpose when necessary, which aid the commissioner is authorized and directed to
8 give forthwith.

1 54. Every person who heretofore has, or shall have, acquired a settlement in
2 any county, but not in any municipality thereof, shall be chargeable as to perma-
3 nent relief and be supported and maintained or relieved by such entire county, the
4 governing body of which shall provide for the payment of the expense thereof as
5 other county expenses are paid.

CERTAIN PERMANENT ADULT POOR MAINTAINED IN THEIR HOMES.

1 55. If adult poor persons own the property where they reside in whole or
2 in part, and it is possible to maintain them more adequately and profitably within
3 the intent of this act, the overseer or superintendent, when acting in place of the

4 overseer, may apply to the Court of Common Pleas of such county for their per-
 5 manent relief in such homes in lieu of committing or place them in an almshouse
 6 or welfare-house.

PROCEDURE.

1 56. The overseer shall, by petition to said court, setting forth therein the nec-
 2 essary facts, apply for such person's relief in such manner, whereupon said court
 3 shall fix a day and date for hearing the said petition within not less than ten days
 4 from the date of such application.

1 57. Said court shall proceed in a summary manner to examine into the facts,
 2 and, upon being satisfied that permanent relief in the home to such poor person
 3 should be furnished, shall, in its discretion, order a fixed sum to be paid not ex-
 4 ceeding the rate of two hundred dollars per annum for such poor person's mainte-
 5 nance and support in such home for the period of six months from the date of such
 6 order. Such sum shall be a charge against the municipality, county or district in
 7 which such poor person has a settlement, and shall be payable monthly upon the ap-
 8 plication of the overseer or the superintendent out of the same funds that other
 9 expenses for the relief and support of the permanent poor are paid.

1 58. At the expiration of such time and every succeeding such period of time
 2 thereafter, the overseer, if further relief is necessary in such case, may apply to
 3 the said court for an order directing the continuance of such relief for a like period
 4 of time, and such relief shall be payable upon the further order of the said court;
 5 *provided, however,* that the said court may, in its discretion, summarily revoke any
 6 such order so made by him, and, thereafter, all maintenance and relief for such
 7 poor person shall cease forthwith.

1 59. Such necessary sum for the maintenance and care of such poor persons shall
 2 be paid by the governing body or district welfare board within a reasonable time and
 3 not less than thirty days from the date of ordering the support of such poor person,
 4 for the use only of the care and maintenance of such persons for whom such perma-
 5 nent relief in such case has been ordered.

CERTIFICATION BY OVERSEER OF SUMS NECESSARY TO BE APPROPRIATED.

1 60. The overseer shall within sixty days after this act takes effect transmit to
 2 the governing body or district board within sixty days after a district board has

21 been appointed an estimate of the amount necessary for carrying into effect this
 3 provision of this act for the year nineteen hundred and twenty-three, and said gov-
 4 erning body shall appropriate an amount sufficient to meet such estimated expendi-
 5 ture.

1 61. Thereafter, in December of each year, the overseer shall forward to the
 2 governing body or district welfare board, if acting thereunder, an estimate of the
 3 amount necessary for carrying into effect the provisions of this act. Such provision
 4 for expense shall be included in the budget or budgets of the respective counties on
 5 certification thereof by the overseer or district board for the ensuing calendar or fiscal
 6 year, and a sufficient amount appropriated to meet the necessary expenditures.

TIME OF STAY OF POOR PERSON IN INSTITUTION.

1 62. Whenever any poor person or child shall have been committed or removed
 2 to an almshouse or welfare-house by the overseer, such poor person or child shall
 3 be received by the supervisor or superintendent, and be supported and relieved therein
 4 until in the case of a person not a minor it shall appear that such person is no longer
 5 a poor person within the meaning of this act, when in the discretion of the war-
 6 den or superintendent such person so removed may be discharged, and imme-
 7 diately thereafter a written notice of such removal or discharge shall be sent to the
 8 overseer or superintendent on whose order such person was received into the alms-
 9 house or welfare-house, stating the reason or cause of such removal or discharge, and
 10 the name of the person, society or board, if any, in whose care or custody such person
 11 has been discharged; *provided, however,* that the supervisor or the superintendent of
 12 all almshouses or welfare-houses shall notify the New Jersey State Board of Chil-
 13 dren's Guardians of the commitment of all minor children under the age of eighteen
 14 years to the almshouse or welfare-house and that the New Jersey State Board of Chil-
 15 dren's Guardians, viz.: the board designated by the State board for that purpose,
 16 shall thereupon become on such admission the legal guardians of said child or chil-
 17 dren as well as when such children are thus placed elsewhere in the manner herein
 18 and otherwise provided by law.

PLACING OF POOR MINOR.

1 63. The overseer of the poor shall, upon application for permanent relief, if
 2 granted, commit any minor poor child, who shall have gained a legal settlement

3 within the meaning of this act to the almshouse or welfare-house, for a period not to
 4 exceed thirty days on or before which time said child or children shall be removed by
 5 said board, viz., the agency designated by the State board for the purpose to the care
 6 of such persons or institution as is authorized by law subject to the supervision here-
 7 after of such board or agency by said overseer and the supervisor or superintendent,
 8 and of such placement due notice, in writing, shall be given to the said Board of
 9 Children's Guardians, which board shall from time to time proceed to relieve, re-
 10 move, care for and place such child as the circumstances may require in the manner
 11 provided by law.

METHOD OF REMOVAL TO PLACE OF SETTLEMENT.

1 64. The removal of poor persons to the place of their settlement or to the place
 2 where they became poor before their being found or becoming domiciled in the place
 3 from which they may be removed, shall, when such removal is to another place in
 4 the same county, be done by action of the overseer where such person may be found
 5 or reside, and in all other cases where there is no superintendent or county adjuster
 6 to act as hereinafter provided, the overseer shall act.

1 65. The county adjuster shall, on the application of any overseer, forthwith take
 2 such necessary steps for the removal of any poor person without this State, or to
 3 another county, by negotiating with the proper authority in such other State for the
 4 reception of such poor person, who may be properly removable to any place in such
 5 State, and shall perform that function for all overseers in the county, and all over-
 6 seers in any such county are hereby directed and authorized to take the necessary
 7 steps looking to the removal of any poor person from without this State, or to
 8 another county in this State, through and by means of the aid and authority of such
 9 county adjuster.

1 66. When the removal of a poor person from the place of his domicile or where
 2 he is found to the place of his settlement is lawful and necessary, such removal shall
 3 be made by means of a written notice signed by such official to the officer having
 4 jurisdiction in the place to which such person is to be removed, if the removal is to
 5 be to a municipality in the county; if otherwise, then the county adjuster shall act
 6 for such overseer forthwith on the application of or notice from such overseer,

7 except as otherwise provided, that on a day certain, not less than ten nor more than
8 twelve days, after the date and mailing of such notice, an order will be made by the
9 removing overseer, or, if the removal is outside the county, by the county adjuster,
10 that such poor person be removed to the place of his settlement, stating the reasons
11 therefor, the place of his settlement or the place where he became poor prior to his
12 becoming an inhabitant of the municipality from whence he is to be removed. On
13 the day named in said notice, said order for removal shall be made by the overseer
14 of the poor of the municipality or county adjuster, as the case may be, from which
15 such poor person is to be removed, and, thereafter, such poor person shall, forthwith,
16 be removed to the place indicated in such notice upon the making of an order that
17 such poor person has no settlement in the municipality, county or district in which he
18 is a resident or is found, and has a settlement or became poor in such other munici-
19 pality or county prior to his becoming a resident and inhabitant or being found in
20 such municipality from whence he is to be removed, unless within ten days after
21 the mailing of such written notice the overseer to whom the same shall have been
22 mailed shall proceed to contest the allegation of the settlement of such poor person
23 or of the right to remove such poor person to the municipality or county in which
24 he has jurisdiction. Such contest shall be made by notice to the officer giving such
25 original notice, fixing a time and place when the contesting overseer shall apply to the
26 Court of Common Pleas of the county in which such poor person may be and from
27 which he is to be removed when and where the court shall hear and determine the
28 controversy, which said time and place shall not be less than ten nor more than thirty
29 days from the time of giving such original notice thereof. On failure to resist such
30 removal by the receiving overseer, such receiving overseer may not decline to receive
31 such poor person, but he shall receive him and provide such relief as is lawful; *pro-*
32 *vided, however,* that for good cause shown for the failure to contest such removal
33 the receiving overseer may, within thirty days after the receipt of such poor person
34 in his municipality, apply to the Court of Common Pleas of the county from whence
35 such person was removed to review the proceeding and to make such revised order
36 and disposition for the care and relief of such poor person and his removal, if lawful,
37 as may be proper and necessary.

1 67. If any overseer neglects to receive or remove as in this act provided a poor
2 person after the determination of the matter by any Court of Common Pleas hav-
3 ing jurisdiction, the municipality where such neglect shall have occurred shall be
4 liable for the expense of the support and relief of such poor person, which shall
5 be recoverable from time to time by the overseer incurring the cost of such relief
6 and support in the name of the municipality in an action against the municipality
7 liable therefor, with costs, which action shall be prosecuted in any court of compe-
8 tent jurisdiction, in which such action against the offending municipality the over-
9 seer, whose duty it was to receive or remove such poor person, shall be served with
10 notice of such action at law in the same manner as any summons is required to be
11 served.

USE OF OTHER AGENCIES TO REMOVE CAUSE OF DEPENDENCY.

1 68. Wherever an application for relief shall be made upon the overseer or deputy
2 of a municipality or superintendent acting when there is no overseer in
3 behalf of any person claiming or alleging to be poor and in distress,
4 and if such person or any member of his family appears to be in good health
5 and capable of earning a livelihood sufficient for the support of such poor person
6 in whole or in part, the overseer or superintendent acting as aforesaid
7 shall make every possible effort to secure employment for such person
8 and all or any other members of the same family, and shall use to
9 that end the services of such helpers as may be appointed in his jurisdiction to
10 aid in accomplishing such purpose and in maintaining supervision over such poor
11 person and have contact with his employers for the purpose not only of obtaining
12 such employment but of continuing the same, if possible, and there shall be ascer-
13 tained and remedied, if possible, the causes interfering, if any, in the obtaining or
14 continuation of such or any employment. To this end all public employment agen-
15 cies or rehabilitation bureaus, or any other agencies, public, private or charitable,
16 may be made use of, and the expense thereof, not properly an expense
of any such agency, in the discretion of the overseer or superintendent
so acting, shall be chargeable to the municipality, county in whole or
in part or joint district. Should any person for whom proper em-

17 ployment is found willfully neglect to work or labor and become, or continue,
 18 chargeable to any municipality, county or part thereof or district by reason of such
 19 failure and neglect, or any person chargeable by law for the support of any poor
 20 person shall neglect to perform reasonable work or labor, in such case the overseer
 21 of the municipality shall proceed against such person.

CONTRIBUTION TO SUPPORT BY RELATIVES.

1 69. It shall be the duty of an overseer in cases of application for relief of a
 2 poor person or persons to ascertain, if possible, the relatives chargeable by law
 3 for their support, and to proceed to obtain their assistance for such poor person or
 4 to compel them to render such assistance as is provided by law in such cases, or if
 5 such relatives are not chargeable by law with the support of such poor person but
 6 able to do so, overseers may in such case, if possible, if such relatives are willing to
 7 support such poor person in whole or in part, contract, in writing, with such per-
 8 sons for the support of such poor person.

PENALTY FOR UNLAWFUL REMOVAL OR DEPOSIT OF POOR PERSONS.

1 70. Any person who shall send, remove or entice to remove, or bring, or cause
 2 to be sent, enticed or brought, any poor person from any municipality within this
 3 State, or from any municipality without this State, or any other State, into any
 4 municipality within this State, and there leave, or attempt to leave, such person with-
 5 out having first given notice to the overseer of such municipality, or, if no overseer
 6 if there be no overseer appointed and qualified therein, in order that the support or
 7 maintenance of such poor person upon the municipality may be avoided, shall be sub-
 8 ject to a fine of one hundred dollars and costs, recoverable in an action of debt in
 9 any court of competent jurisdiction, and in default of payment thereof shall be
 10 subject to imprisonment in the common jail of the county for a period not ex-
 11 ceeding thirty days, or until such fine shall have been paid, and such person shall,
 12 as otherwise provided in this act, be returned from whence he came in the manner
 13 otherwise provided by law; *provided, however,* that such sentence or fine may be
 14 suspended before or after conviction upon condition that such person or persons
 15 shall convey such poor person to such place where he has a settlement or where he
 16 became poor without this State from which such poor person was removed, sent

17 or caused to be removed, enticed or brought, or support him at his own expense,
 18 which such removal by such person or persons shall be conditioned upon a bond
 19 to the overseer with sufficient sureties satisfactory to said court, that such removal
 20 shall be made as herein provided for, or that such person or persons shall make
 21 proper provisions with the overseer for the relief and support of such poor person.

NOTIFICATION OF APPOINTMENT OF OVERSEER OR COUNTY ADJUSTER.

1 71. Every overseer shall forthwith, or within ten days after his appointment,
 2 and every county adjuster shall forthwith, and within the like time after his ap-
 3 pointment, file with the Commissioner of Institutions and Agencies, at Trenton, a
 4 certificate, showing the date of his appointment and his post-office address properly
 5 authenticated by the clerk of the governing body of the municipality in which he
 6 has jurisdiction. It shall be the duty of the commissioner to keep a complete list
 7 of all overseers of this State, and to furnish a list thereof, from time to time, and
 8 on application, to overseers, superintendents and county adjusters.

ARRIVAL OF ALIEN POOR PERSONS BY SHIP OR VESSEL.

1 72. In all cases wherein any ship or vessel shall arrive within any port, harbor
 2 or municipality within this State, having on board passengers or employees coming
 3 from any foreign port, or place, or coming from any municipality within this or
 4 without this State into any municipality within this State, it shall and may be law-
 5 ful for the overseer of the poor of the municipality at which such ship or vessel may
 6 arrive, to require of the master or commander of such ship or vessel, a bond with
 7 approved security, to the inhabitants of such municipality, in the sum of and not
 8 exceeding two hundred dollars, conditioned for the maintenance and support of
 9 any passenger or employee on board such ship or vessel, as aforesaid, who may
 10 be sick, infirm or otherwise incapable and a poor person within the meaning of this
 11 act, in the opinion of the said overseer of the poor of the municipality in which
 12 he may be found or brought to provide the support of such poor person.

1 73. If the master or commander of any ship or vessel, arriving as aforesaid,
 2 shall land or suffer to be landed from on board his ship or vessel any passenger, or
 3 employee, who may be sick, infirm or otherwise incapable of providing for his or

4 her own support, without having immediately upon arrival of such passenger, or
 5 employee, notified the overseer of the poor and by reason thereof such person is
 6 likely to become a public charge of such municipality, except by permit from the
 7 overseer of the poor of such municipality in which such poor person may be found,
 8 or brought and without first having entered into such a bond as aforesaid such
 9 master or commander so neglecting shall be liable for the expenses of the support
 10 of such poor person, which may be recovered from time to time by the overseer of
 11 the poor incurring such expense for the relief and care of such poor person in
 12 such municipality by an action in any court of competent jurisdiction in the county
 13 wherein such poor person may be for the use of the same, in an action of debt,
 14 with costs of suit, before any court having cognizance thereof.

RELATIVES CHARGEABLE.

1 74. The father and the grandfather, mother and grandmother, the
 15 children and grandchildren, husband and wife, severally and respectively
 2 of every poor, old, blind, lame and impotent person or other poor per-
 3 son or child not able to work, being of sufficient ability, shall at his,
 4 her or their charges and expense, relieve and maintain every such poor
 5 person or child, as aforesaid, in such manner as the overseer of the poor shall order,
 6 or the court, upon its own initiative or the information of any person, after notice
 7 to such person or persons and hearing the said overseer, may so order. Should any
 8 of the relatives mentioned in this paragraph fail to pay or are delinquent in the
 9 of the overseer with regard to the support of such poor person, or should such
 10 poor person be supported at public expense, it shall be lawful for the Court of
 11 Common Pleas of the county wherein such poor person may have a legal settle-
 12 ment, upon the complaint of the overseer of the poor or two residents of the
 13 municipality or county to summon the persons chargeable before it as in other
 14 actions and to summon witnesses, to order, adjudge and decree the able relatives
 15 above mentioned of any poor person or persons to pay such sum as the circum-
 16 stances may require in the discretion of the court, for each poor person or persons,
 17 as will maintain and relieve him or them, and as will relieve the public from the
 18 burden of such care and maintenance. Violation of any such order of the Court of

19 Common Pleas shall be and is hereby declared to be a contempt of said court and
20 the person so violating shall be subject to all the pains and penalties which by
21 law now may be imposed for other contempts of such court. The county, through
22 its governing body, may also bring appropriate action at law in any court of com-
23 petent jurisdiction to recover any sum of money due for the relief, support and
24 maintenance of any poor person against any persons chargeable by law therefor.

1 75. The provisions of the foregoing section shall apply to the minor children
2 of any mother in case her husband shall fail to properly support and maintain such
3 minor children, and that by reason thereof such minor children are likely to become
4 a public charge upon the municipality in which they shall have gained a legal settle-
5 ment.

DUTIES OF OFFICIAL PHYSICIANS AND NURSES - HOSPITALS.

1 76. When a physician or nurse who is employed by the governing body of any
2 municipality in this State shall be called upon or notified by the overseer of the
3 poor of such municipality to visit any poor person who may be ill or injured, he
4 or she shall visit the same, and render such medical aid as the case may demand.
5 If in his or her discretion such person is a poor person within the meaning of this
6 act, then such physician or nurse shall report the same, in writing, to the overseer
7 of the poor of such municipality, who may grant such further medical, surgical
8 or other relief as the circumstances may require to the said poor person as he may
9 deem necessary; *provided, however,* that in all cases wherein medical or surgical
10 treatment is urgent, any person may be removed and admitted to any public or
11 private hospital in such municipality in which he is found, and the director, or
12 those having charge of such hospital, shall, within a reasonable time, ascertain
13 from such sick person his name, and place of residence, if it shall appear that he
14 is a poor person within the meaning of the act, a notice in writing shall imme-
15 diately be sent to the overseer of the poor of such municipality from which such
16 poor person was removed or resided prior to such removal. Upon receipt of such
17 a notice, the overseer of the poor shall proceed and provide in a like manner for
18 the relief of such sick indigent person as is provided for, and within the meaning
19 of this act, and the expense for the same shall be borne by such municipality in
20 which he shall have gained a settlement.

1 77. Overseers of the poor shall from time to time as persons may become a
 2 permanent charge upon their municipalities as paupers, who shall be poor persons
 3 within the meaning of this act, have such persons removed to the proper
 4 almshouse or welfare-house.

RECOVERY OF EXPENSES FROM POOR PERSONS.

1 78. If at any time it shall be ascertained that any person who has
 2 been assisted by or received support from any municipality or county
 3 has real or personal property over and above that necessary for the
 4 maintenance in whole or in part of such poor person, if such poor
 5 person shall be maintained by the municipality or county at home, or
 6 over and above that sufficient for his family, or if any such person shall die, leav-
 7 ing real or personal property, an action may be maintained in the Court of Com-
 8 mon Pleas of the county by the overseer, who has furnished or provided such
 9 assistance or support, or any part thereof, against such person or his or her estate,
 10 to recover such sums of money as may have been expended by the municipality
 11 or county in the assistance and support of such person during the period for which
 12 such support was furnished, and if any person should die having received relief
 13 or maintenance as a poor person, having insurance upon his life, the proceeds of
 14 such insurance, after the payment of the expense of the last illness and the funeral
 15 expenses of such person, if the terms of the policy so permit, shall be first applied
 16 to the reimbursement of the county, municipality or district for the cost of the
 17 support and maintenance of such person, but no action shall lie, nor shall any
 18 appropriation of said insurance be made against any estate when it shall be shown
 19 to the satisfaction of the court that the proceeds thereof, or the estate, are needed
 20 to prevent the widow or minor children of the said poor person from becoming
 dependent upon the public.

UNLAWFUL TO TRANSFER POOR TO IMPROPER PLACE.

1 79. It shall be unlawful to furnish any nonresident, who may be sick, aged,
 2 injured or crippled, with transportation at the cost of the municipality until the
 3 overseer shall have ascertained the legal residence of the person applying; and any

4 transportation furnished to such person or persons shall be to their legal residence,
5 when it shall appear that the person in distress has some valid claim for support
6 or some means of support in some other place to which he or she shall ask to be
7 sent.

DEATH AND BURIAL OF POOR.

1 80. If any person shall die in any municipality, who shall not leave money
2 or other means necessary to defray his or her funeral expenses, it shall be the
3 duty of the overseer of the poor of such municipality or superintendent of a county
4 or district to employ some person to provide for and superintend the burial of such
5 deceased person, the necessary and reasonable expenses as fixed by the governing body
6 chargeable with the expense shall be paid by it upon the order of such overseer.

1 81. Any municipality, county or district may acquire by devise, gift, purchase,
2 condemnation or in any other manner, such land as in the judgment of the governing
3 body may be necessary and proper for a burial ground for those who may die therein
4 without leaving means necessary to defray their funeral expenses. Such lands may
5 be within the boundaries of an existing cemetery. The cost of the acquisition, if in
6 the opinion of the governing body or bodies where there is a district
6 1/2 welfare-house the amount of such cost will be too burdensome to be
7 borne by the taxpayers in any one year, they may issue bonds therefor, to
8 run for a period of not more than ten years, to bear interest at a rate not
9 exceeding five per centum, and may sell such bonds at public or private sale, but
10 in no case for less than the par value thereof.

CLASSIFICATION OF POOR IN INSTITUTIONS.

1 82. In the management of almshouses or welfare-houses the inmates shall be
2 classified according to age, condition of health and ability to perform manual labor.
3 Some form of employment shall be provided for such of the inmates as are able to
4 work. Inmates afflicted with any tubercular disease shall be separated from the
5 other inmates and cared for in separate dwellings.

1 83. In every almshouse, poorhouse, welfare-house, or other institutions for the
2 reception and maintenance of poor persons in this State, females shall be kept sepa-
3 rate from males at all times in their livingrooms, bedrooms, toilets, halls, stair-

4 ways, kitchens, eating rooms, outbuildings and yards; and it shall be the duty of the
 5 municipal bodies to provide the accommodations necessary to carry out the inten-
 6 tions of this act; *provided, however,* that the provisions of this act shall not apply
 7 to aged persons who are lawfully married and living together as man and wife, and
 8 who shall now or hereafter become inmates of such almshouse, poorhouse, welfare-
 9 house, or other institutions. The keeper of all almshouses, except welfare-houses,
 10 under the control of a welfare board in any county, shall be hereafter denominated
 11 "supervisor," instead of "keeper" or "warden," as heretofore.

RECORDS KEPT IN INSTITUTIONS.

1 84. The supervisor or superintendent and person in charge of every institution
 2 for the poor in this State shall keep a book, to be provided by the authority charged
 3 with the care of the institution, in which book he shall enter from time to time the
 4 name, date of the commitment, age, sex, color, description, physical and mental con-
 5 dition, education, habits, occupations, condition of ancestors and family relations,
 6 cause of dependence, birthplace and date of discharge, or of death and place of
 7 burial of each and every person coming into the care of such institution, together
 8 with any other information about them which may be ascertained, and said book
 9 shall be open to the inspection of the public at all times.

1 85. For the wrongful neglect or refusal to keep the said book according to
 2 the requirements of this act, or for the willful alteration of any entry in the same, or
 3 the willful mutilation or destruction thereof, the said supervisor or superintendent,
 4 or person in charge shall be liable to a penalty of twenty-five dollars, to be recov-
 5 ered in an action of debt in any court of competent jurisdiction, together with the
 6 costs of suit, by the overseer of the poor of the municipality, superintendent or wel-
 7 fare board controlling said institution, for the use of the said municipality, county
 8 or district.

DEFICIENCIES.

1 86. When separate appropriations are made for indoor and outdoor relief of the
 2 poor in any municipality in this State, and any one of the appropriations has been or
 3 shall be expended, or is or may be inadequate alone for either such indoor or out-
 4 door relief, it shall be lawful for the governing body to provide for the continuance

5 of such relief as may be necessary for the balance of the fiscal year, and the board
6 of finance or other body having control of the finances of such municipality or dis-
7 trict in proper proportion may provide the funds necessary for such continuance by
8 the issuance of temporary loan bonds, the amount whereof shall be placed in the
9 budget for the next ensuing fiscal year, which bonds shall be issued as otherwise
10 provided and limited by law for counties or municipalities of this State, or as pro-
11 vided in this act for district welfare-houses by more than one county or parts there-
12 of.

1 87. In order to meet the expense of erecting additions to or new buildings or
2 accommodations at any county almshouse buildings or welfare-houses, or making
3 repairs to any such buildings or providing proper furniture therefor or apparatus
4 for lighting, heating, or otherwise fitting up the same, the board of chosen freehold-
5 ers of any county or municipality lawfully authorized to maintain almshouses or
6 welfare-houses, or the boards of chosen freeholders acting for more than one county,
7 of this State may from time to time issue bonds in the manner otherwise provided by
8 law in the corporate name and under the corporate seal of said county, or as pro-
9 vided herein for joint county control.

DESERTION OF FAMILY.

1 88. If any husband or father shall desert his wife or children, or if any woman
2 shall so desert her child or children and leave them, or any of them, as public
3 charges, the overseer may apply to the Court of Common Pleas of the county, and
4 the said court may order such suitable support and maintenance to be paid and
5 provided by the said husband or wife, or either of them, to be made out of his
6 property, and for such time as the nature of the case and circumstances of the parties
7 render suitable and proper in the opinion of the court, and may compel the de-
8 fendant to give reasonable security for such maintenance and support, and from
9 time to time to make such further orders touching the same as shall be just and
10 to enforce such orders; to issue process for the immediate sequestration of the
11 personal estate and the rents and profits of the real estate of the party so charged,
12 and to appoint the overseer, or another person, receiver thereof, and cause such
13 personal estate and the rents and profits of such real estate, or so much thereof as

14 shall be necessary, to be applied toward such maintenance and support as to the
15 said court shall, from time to time, seem reasonable and just, and to enforce the
16 same by proceedings as for contempt. Such orders may be revised and altered by the
17 court from time to time as circumstances may require.

1 89. Service in the absence of said party so charged and the method of proce-
2 dure shall be such as is provided in sections twenty-five, twenty-six and twenty-seven
3 of an act entitled "An act providing for divorces and for decrees of nullity of mar-
4 riage and for alimony and the maintenance of children (Revision of 1907)."

1 90. The said overseer may bring an action at law from time to time in said
2 court, in the same manner as actions are prosecuted on contract, for such amount
3 as may be necessary to pay any expense incurred or unpaid, and upon recovery of
4 judgment and the sale of any property, real or personal, of the defendant, the pro-
5 ceeds realized therefrom as in other cases on contract shall be paid to such overseer
6 and applied by him for the support and maintenance of such deserted persons, or to
7 reimburse the municipality, county or board to the extent of the expenditures so
8 made by it for such support and maintenance. Such sum so realized on execution
9 sale and not immediately used shall be kept by said overseer in a separate account in
10 a National or State bank in the place where said deserted wife or children, or any
11 of them, are placed or maintained. All surplus proceeds not expended for such pur-
12 pose shall be the property of and payable to the said defendant.

1 91. Any husband or father, who shall willfully desert his wife or children, or
2 any of them, or any woman who shall willfully desert her children, or any of them,
3 or either of whom who refuses or neglects to provide and maintain any such persons
4 so deserted or neglected, shall be deemed and adjudged a disorderly person, and if
5 any overseer of the poor otherwise having jurisdiction in such cases believes that
6 such desertion or willful refusal or neglect to so provide for any such wife and chil-
7 dren, or any of them, will cause such family to become chargeable as poor persons
8 to any county, municipality or joint county district, it shall be his duty to make com-
9 plaint thereof, under oath, before a magistrate having jurisdiction in the municipal-
10 ity, county or district where such persons reside or in the place where such father
11 or husband resides.

1 92. The proceedings against any husband, father or mother before such magis-
2 trate shall be in the manner provided in an act entitled "An act to amend an act
3 entitled 'An act to amend an act entitled "An act concerning disorderly persons (Re-
4 vision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-
5 eight," approved May twenty-third, one thousand nine hundred and six, including
6 the proceeding for the apprehension and appearance of such person so complained
7 of. Such proceedings in such case where persons are chargeable as poor for the bet-
8 ter relief of the governing body or other authority or authorities having the direc-
9 tion and government of such poor house, almshouse or welfare-house may be applied
10 by the overseer, director, or any member of the body having charge of such institu-
11 tion, in the same manner as in section ninety-one set forth and in the act referred to.

1 93. A bond to the State of New Jersey may be required by such magistrate,
2 with good and sufficient sureties, to be approved by him in the sum directed on
3 the warrant, conditioned for his or her appearance before the magistrate who
4 issued said warrant, at a time therein to be named, to answer said complaint, and
5 abide all orders, judgments and decrees that may be made against such defendant
6 touching said complaint.

1 94. Any such husband or father who deserts or willfully neglects or refuses
2 to provide for and maintain his said wife or children, or any mother who so
3 deserts or so willfully neglects or refuses to provide for and maintain her chil-
4 dren, who shall be in consequence thereof adjudged a disorderly person shall be
5 committed to the workhouse or county jail of the county or of that county compos-
6 ing a district in which such person resided at the time of the desertion, or neglect
7 or refusal to so provide, occurred for a period not exceeding sixty days in the
8 discretion of said magistrate.

1 95. None of the provisions of this act shall be construed or held to repeal
2 any of the provisions of the act entitled "An act concerning disorderly persons
3 (Revision of 1898)," and the several supplements thereto and amendments thereof,
4 nor "An act for the creation of the State Board of Children's Guardians and for
5 defining their duties and powers with respect to the maintenance, care and general
6 supervision over indigent, helpless, dependent, abandoned, friendless and poor chil-
7 dren now or hereafter becoming public charges of this State," approved March

8 twenty-fourth, one thousand eight hundred and ninety-nine, and the various
 9 amendments and supplements thereto, nor to the provisions of "An act establish-
 10 ing a court for the trial of juvenile offenders and defining its duties and powers,"
 11 approved April eighteenth, one thousand nine hundred and three, and the several
 12 supplements and amendments thereof, nor to an act entitled "An act to provide
 13 for the appointment of probation officers and defining their duties and powers,"
 14 approved April second, one thousand nine hundred and six, and the various
 15 amendments and supplements thereto, nor "An act concerning the charitable, cor-
 16 rectional, reformatory and penal institutions, boards and commissions, located and
 17 conducted in this State which are supported in whole or in part from county,
 18 municipal or State funds," approved February twenty-eighth, one thousand nine
 19 hundred and eighteen.

1 96. All acts and parts of acts, general, special or local, inconsistent with the
 2 provisions of this act be and the same are hereby repealed; *provided, however,*
 3 that nothing in this act shall be construed to alter, change or repeal the existing
 4 statutes affecting settlement and indigency in any county of this State, concerning
 5 the commitment, care and maintenance of the insane or the settlement or indigency
 6 of any alleged insane, epileptic, feeble-minded, idiotic, or other dependent person
 7 under the provisions of any existing statutes or under any statute relating to the
 8 welfare of children or to provide home life for dependent children.

1 97. Any part or parts of this act which may be found to be invalid or
 2 unconstitutional shall be severable, and the remainder of the act shall stand, and
 3 the provisions contained in this act shall not be construed to be exclusive and
 4 shall not be construed to repeal other provisions of law not inconsistent herewith.
 5 any particular grant of power contained in this act shall be held to be in speci-
 6 fication but not in limitation of general powers.

STATEMENT.

This is the same law which unanimously passed the House of Assembly at the
 1923 session without a dissenting vote. It incorporates the report and findings of the
 Joint Commission appointed by a concurrent resolution of the Legislature of 1921 and

of the Legislature of 1922 to investigate, codify and revise the laws of this State relating to the settlement and relief of the poor. It endeavors so to revise the laws concerning the poor that within reasonable and proper limits due economy and better supervision of the situation may be obtained for the benefit of the State and its various subdivisions, with the hope that so far as possible the causes of dependency may be eliminated.

The provisions of this bill are permissive rather than mandatory. In effect, the provisions establish a standard of qualification for the office of overseer of the poor, give more jurisdiction, increased responsibilities and an adequate salary to the overseers of the poor. The bill does not, however, operate to affect any present incumbent in the office of overseer during his term of office.

It provides for larger units of relief with the accompanying advantages in concentrating and organizing administration. It carries with it provision for family rehabilitation.

It has features for relieving the public of the care of "natural dependents" wherever there are relatives able to support them.

SUMMARY.

The proposed legislation will, in effect, tend to eliminate the causes of dependency and make more adequate the means to deal with the poor. It is also the object of the proposed legislation that the old system of handing out temporary relief or alms will be gradually done away with and poor persons will be so helped that they may be enabled to help themselves and not be further pauperized by the giving to them of a meal ticket, or a mere order for food for the day, or a bag of coal.