

the term of office of the several officers shall expire annually as aforesaid; and the term of office of the county commissioners elected to serve for one year, shall expire at the close of the session aforesaid; the term of office of the one elected to serve for two years, shall expire at the close of the session in January, 1840; and the term of office of the one elected to serve for three years, shall expire at the close of the session in January, A. D. 1841, any other law contravening any of the provisions of this section to the contrary notwithstanding.

Approved Jan. 3, 1838.

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. No. 22

AN ACT for the relief of the poor.

County commissioners to take charge of paupers.

**SECTION 1.** *Be it enacted by the council and house of representatives of the territory of Wisconsin,* That the board of county commissioners, of the several counties of this territory, shall be, and they are hereby vested, with entire and exclusive superintendence of the poor in their respective counties.

What relatives bound to support.

**SECTION 2.** Every poor person, who shall be unable to earn a livelihood, in consequence of bodily infirmity, idiocy, lunacy, or other unavoidable cause, shall be supported by the father, grandfather, mother, grandmother, children, grandchildren, brothers or sisters, of such poor person, if they or either of them be of sufficient ability; and every person who shall fail or refuse to support his or her father, grandfather, mother, grandmother, child, or grandchild, sister or brother, when directed by the board of county commissioners of the county where such poor person shall be found, whether such relation reside in the county or not, shall forfeit and pay to the county commissioners, for the use of the poor of their county, the sum of fifteen dollars per month; for which if they or either of them shall fail or refuse so to do, to be recovered in the name of the county commissioners, for the use of the poor as aforesaid, before any justice of the peace, or any court having jurisdiction: *provided,* that when any

Under what penalty.

person becomes a pauper, from intemperance, or other bad conduct, they shall not be entitled to support from any relation, except parent or child.

SECTION 3. The children shall be the first called on, to support their parents, if there be children of sufficient ability. If there be none of sufficient ability the parents of such poor person shall be next called on; and if there be no parents, or children, of sufficient ability, the brothers and sisters of such poor person shall be next called on; and if there be no brothers or sisters, the grandchildren of such poor person, shall be called on, and then on the grandparents: *provided*, married females, whilst their husbands live shall not be liable to a suit.

In what order called upon.

SECTION 4. When any such poor person shall not have any such relatives, in any county in this territory, as are named in the preceding sections, or such relative shall not be of sufficient ability, or shall fail, or refuse, to maintain such pauper, then the said pauper, shall receive such relief as his or her case may require, out of the county treasury; and the county commissioners may either make contracts for the necessary maintenance of the poor, or appoint such agents as they may deem necessary to oversee and provide for the same.

When there are no such means of relief.

SECTION 5. When any minor shall become, or be likely to become, chargeable to the county, either because of being an orphan, or because the parents or other relatives as aforesaid, are unable, or refuse to support such minor, it shall be the duty of the county commissioners to bind such minor as an apprentice to some respectable householder of the county, by written indenture, which shall bind such minor, to serve as an apprentice, and shall in all respects be to the tenor and effect as required in the act concerning apprentices.

Minor paupers to be bound apprentice.

SECTION 6. When any non-resident, or any other person, not coming within the definition of a pauper, shall fall sick and die, in any county of this territory, not having money or property, to pay for his board, nursing, and medical aid, it shall be the duty of the overseers of the poor of the proper township, upon complaint being made, to give, or order to be given, such assistance, to such poor person, as they may deem just and necessary; and if said sick person shall

Expenses incurred by sickness of non-resident, how defrayed.

die, then the said overseers shall give, or order to be given, to such person, a decent burial; and the said overseers shall make such allowance for board, nursing, medical aid, or burial expenses, as they shall deem just and equitable, and order the same to be paid out of the county treasury.

Pauper must show himself to have been a resident for 12 months.

SECTION 7. *Be it further enacted,* That when application is made by any pauper or paupers, to the board of commissioners of any county in this territory, for relief, it shall be necessary for said commissioners, to require of said pauper or paupers, satisfactory evidence that he, she or they have been residents of said county, for twelve months immediately preceding the day upon which such application is made.

When pauper to be removed by commissioners.

Or by constable.

SECTION 8. That when on application made by any pauper, or paupers, to the board of commissioners as aforesaid, it shall appear to the satisfaction of said board, that the person or persons so applying for relief have resided in said county agreeably to the provisions of the foregoing section of this act—he, she or they shall be entitled to all the relief provided by this act; but if on the contrary it shall appear to the satisfaction of said board that said pauper, or paupers, shall not have been residents of said county, agreeably to the provisions of the seventh section of this act, they shall proceed to remove from their county, at the expense of said county, such pauper or paupers, to the county where said pauper or paupers may have had his, her or their residence; or may, if they think best, issue a notice, directed to some constable of the county, which notice said constable shall serve forthwith, on said pauper or paupers, requiring him, her or them to depart said county forthwith; and after so serving said notice, by reading the same to said pauper or paupers, said constable shall, within five days thereafter, return the same to the clerk of the board of commissioners, issuing the same, noting the time and manner of serving the same thereon.

SECTION 9. After service of such notice as aforesaid, no pauper or paupers shall be entitled to relief from such county, any law or custom to the contrary notwithstanding.

Commissioners may build work-houses.

SECTION 10. The board of county commissioners of any county in this territory, may if they think proper, cause to be built or procured in their respect-

ive counties, work-houses for the accommodation and employment of such paupers, as may from time to time become a county charge; and said work-house, and paupers, shall be under such rules and regulations as said board of commissioners may deem proper and just; and that if any person shall bring and leave any pauper, or paupers, in any county in this territory, wherein such pauper is not lawfully settled, knowing him or them to be paupers, he shall forfeit and pay the sum of one hundred dollars, for every such offence, to be sued for, and recovered, by and to the use of such county by action of debt, before any justice of the peace in the proper county, or any court having jurisdiction of the same.

Penalty for bringing a pauper from another county.

SECTION 11. That from and after the first organization of the first board of county commissioners, in the several counties in this territory, all acts and parts of acts, contravening any of the provisions of this act, are hereby repealed and of no effect.

Repealing clause.

Approved Jan. 3, 1838.

### No. 23.

AN ACT to incorporate the Milwaukee and Rock river canal company.

SECTION 1. *Be it enacted by the council and house of representatives of the territory of Wisconsin,* That all such persons as shall become stockholders, agreeably to the provisions of this act, in the corporation hereby created, shall be a body politic and corporate, by the name and style of "the Milwaukee and Rock river canal company," and by that name, may have succession, may sue and be sued, complain and defend, in any court of law or equity, may purchase, hold and convey real, personal or mixed estate, may make and use a common seal, and alter the same at pleasure, may make by-laws, rules and regulations for the management of its property, the regulation of its affairs, and for the transfer of its stock, not inconsistent with the laws of this territory, and of the United States; and may moreover appoint such subordinate agents,

Name and style of company.

Powers.