

to help remedy conditions in communities which predispose to disease; to locate and endeavour to have remedied, defects in school-going children; and to teach the little ones in the schools simple laws of hygiene and the means to be employed in protecting their own health and promoting that of others. Very special attention must always be given the children, for if we are to have a healthier people, we must prepare the foundation with healthier children.

In no other sphere does the nurse render a more essential service than in the field of tuberculosis control. She is familiar with all that constitutes proper care of the tuberculous sufferer, and alive to her responsibility for the protection of those associated with the sufferer. She is familiar with the means to be employed in the household, not only to bring about the arrest of the disease, but of more importance, the prevention of its spread to others. During her first visit, time is consumed in gaining the confidence of the patient and his associates. With this confidence well established her opportunities for doing effective work are almost unlimited. She not only talks to the patient and his family, but she demonstrates and re-demonstrates what can be done in the circumstances. In this way her work becomes efficacious. The objective of the nurse is to bring to the tuberculosis patient all those things which are necessary both for the treatment of the disease and the prevention of its spread.

During the past year a group of ten provincial

nurses inspected 38,120 school children and visited 12,178 homes in the interests of 17,493 persons. In addition upwards of 5,000 interviews were had with parents and public officials and many hours were spent in clinics.

The whole public health progression of our time is more and more becoming an educational movement, having as its aims, the prevention of disease, the prolongation of life, and improvement in the hygienic conduct of community life. In teaching the individual the principles of prevention the public health nurse has proved herself the most effectual agency at the disposal of health departments. The scope and character of her work have not been understood. She is an investigator, advisor and educator. Special training and experience qualify her to bring sympathy and relief to many sufferers, and it is logical to predict that soon the public health program of any community, large or small, will be evaluated or measured by the extent to which its public health nursing service has been developed.

Public health nursing is the most difficult branch of the nursing profession. The time consumed and difficulties encountered in obtaining results, the adverse criticism of intelligent but misinformed people, the difficulties of travel and the indifference of many people, necessitate the development of knowledge, resourcefulness and perseverance never demanded of those engaged in the less exacting yet more spectacular divisions of surgical and bed-side nursing.

Administration of Poor Relief in Nova Scotia

By T. D. MacDONALD*

I

THE following purports to be a description of the provisions for the administration of poor relief as contained in Chapter 48 of the Revised Statutes of Nova Scotia, 1923, "The Poor Relief Act", as amended in 1924, 1927, 1928, 1929 and 1934, with references to certain provisions of other statutes which are related thereto, and with references to a number of Nova Scotia cases decided upon that Act.

The gist of the Act may be shortly stated in the words of the 11th Section:

"The Overseers in every poor district shall furnish relief and support to all indigent persons having a settlement in such poor district, when they are in need thereof."

Although it was suggested by the trial Judge in a case decided in 1902 that the Overseers of the Poor are under no obligation to give relief to paupers having no settlement in their district¹, the opinion has been expressed in later cases that it is the Overseers' duty to look after all paupers in their district in the first instance regardless of the fact whether they have a settlement in such district or not, and if they relieve those having a settlement in any other poor district, there is ample provision made by which they can recover any relief given to the poor of such district², and that the primary liability and responsibility of providing relief for the poor is placed upon the Overseers of

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1. Overseers of the Poor, District No. 5, Cumberland v. McDonald, 35 N.S.R., 394.

2. Bushby vs. Town of North Sydney, 46 N.S.R., 549.

the poor district in which the pauper is found³. The test of pauperism is the necessity for immediate assistance, and a person may be entitled to relief although he may expect to come into some property⁴.

Under the scheme of The Poor Relief Act, the Province, excepting the cities and incorporated towns, is divided into "poor districts", the boundaries of which may be changed from time to time by the Council of the municipality within which such poor districts lie. When a poor district is divided or a new poor district created, any person who dwelt and had his settlement within the area affected, henceforth has his settlement within the poor district which now contains the place where he used to dwell. The verb "dwell" in this context does not mean simply bodily presence, and a person who has a settlement within a poor district, and although possessed of no permanent home has been accustomed to reside at different places within a particular village or vicinity when not away at temporary work, will, upon the division of the poor district into two, have his settlement within the new poor district within the area of which he has been so accustomed to reside, even though at the time of the division he is employed at temporary work and living within the area of the other new district.^{4a} Twenty of the ratepayers within any poor district may petition the Council to alter the boundaries of any poor district, whereupon the Council, having afforded a hearing to all persons interested and having advertised the proposed change by the posting of notices within the district to be changed, may proceed to alter the poor district in the manner proposed or otherwise, into as many poor districts as it deems necessary for the future support of the poor. The Council at the same time directs what portion of the amount required for the support of all the paupers chargeable on the old poor district shall be borne by each of the new, but thereafter the expense of maintaining such paupers is borne by the poor districts within which, after the change, their respective settlements lie. The Council may also provide that the whole municipality shall constitute one poor district and it also has power to determine that the expenses of the support of all poor persons having a settlement in any poor district in the municipality shall be borne by the municipality and not by the respective poor districts⁵.

The Council, at its annual meeting⁶, appoints three persons in each poor district who are the

owners of real property to be the Overseers of the Poor. The Overseers and their successors in office are a body corporate under the name of "The Overseers of the Poor for the Poor District of" They must keep a record of their proceedings and turn it over, with any money on hand, at the termination of their terms of office, to their successors. A vacancy by reason of the death of an Overseer or of his ceasing to reside within the poor district, is filled by the Warden of the municipality and three Councillors. A person appointed to the office of Overseer must serve under penalty of \$25.00 for refusing to do so.

Any of the municipalities, incorporated towns and cities within a county may enter into an agreement, subject to the approval of the Governor-in-Council, to acquire and maintain a poorhouse for the accommodation of the poor of the county. The Overseers of the Poor may require any person applying to them for relief to go into such a poorhouse, and on the refusal of such person to do so, may convey him there, but it has been suggested that aside from this provision, which is contained in Section 12 of the Act, or some other statutory provision, a pauper could not be removed and maintained against his will in a poorhouse outside of the poor district to which he belongs.⁷ The management of any such poorhouse is vested in the Councils of the towns and municipalities that own it. Such management is regulated by by-laws of the municipality within which the poorhouse is situate, or if it is situate in a town, by by-laws of the municipality of which the town formed a part before incorporation. Such by-laws are subject to the approval of the Governor-in-Council and the Councils of the towns and municipalities to whom the poorhouse belongs must be given notice of application to the Governor-in-Council to approve them. The cost of the maintenance of any such poorhouse is a matter of joint expenditure under the provisions of "The Assessment Act", which is Chapter 86 of the Revised Statutes of Nova Scotia, 1923. Under that Act the Council of each municipality, city and town within a county appoints a committee of three, called the Arbitration Committee, whose function it is to speak for such municipality, city or town, in deciding what are objects of municipal expenditure which are for the joint benefit of the municipalities, cities and towns within the one county, and the proportion of such expenditure that should be borne by the municipality, city or town which such Arbitration Committee represents. The cost of the removal to and maintenance in such a poorhouse of any pauper is, nevertheless, to be borne by the poor district in which he has a settlement. Except temporarily for a period not exceeding fourteen days, no child

3. *McKenzie vs. Overseers of the Poor for District No. 13, Cape Breton County*, 6 M.P.R., 1.

4. *Munro vs. Overseers of the Poor*, Wallace, 13 N.S.R., 501.

4a. *The Town of Joggins vs. Overseers of the Poor*, District 5, Cumberland, 58 N.S.R., 76.

5. *The Municipal Act*, R.S.N.S., 1923, Chapter 83, Section 122 (b).

6. *The Municipal Act*, R.S.N.S., 1923, Chapter 83, Section 111 (e).

7. *McDougall of The Town of Sydney Mines*, 45 N. S. R., 348.

under the age of sixteen may be kept as a pauper in any public institution for the keeping and maintaining of paupers, where there are adult paupers or harmless insane, unless the consent in writing of the Director of Child Welfare is first obtained. This officer is appointed under Section 8 of Chapter 166, Revised Statutes of Nova Scotia, 1923, "The Children's Protection Act". Any person who is a party to any detention in violation of this provision is liable to be prosecuted at the instance of the Director, but this provision does not apply to a child committed to an institution for the harmless insane under the Act "Of Local Asylums for the Harmless Insane", which is Chapter 53 of the Revised Statutes of Nova Scotia, 1923. The Overseers of the Poor may bind as apprentices or servants, the infant children of any person who is in need of relief from their district and has a settlement therein, and also all infants who are themselves in need of such relief and have settlements therein. A person to whom such infants are bound must make provision for their instruction in reading, writing and arithmetic, and for such other benefits to the infants as the Overseers think reasonable, and the agreements under which such infants are bound are subject to the approval of two Justices of the Peace⁸.

Each town is a separate poor district⁹, and the Town Council performs the duties of the Overseers of the Poor. Such duties in practice are usually delegated to a standing committee. Similar provision is made for the City of Sydney in Chapter

174 of the Acts of Nova Scotia for 1903, "An Act to Incorporate the City of Sydney". The City of Halifax is a poor district under the provisions of "The Halifax City Charter" and the duties of Overseers are performed by a committee of the City Council called the Committee on Charities. In the City of Halifax all support is given in the City Home. In the cities and incorporated towns, the expenses of the support of the poor are raised as an ordinary expense of the city or town. Outside the cities and towns, the Overseers of each poor district estimate the amount required in their respective poor districts for the ensuing year and report it to the Municipal Council in annual meeting. The Council strikes a poor rate for each district and the taxes for the support of the poor are collected by the collectors of municipal rates along with the other municipal taxes, and are handed over to the Overseers of the Poor for the district who account to the Municipal Council for such moneys before the next annual meeting. By an amending act applicable to the Municipality of the County of Cumberland, the Overseers of the Poor for each poor district are given a limited authority to borrow money with the consent of the Warden and Treasurer of the municipality, the repayment of which money, with interest, is a first charge on the poor rates of such poor district until repaid. The amending act may, by Order-in-Council, be made applicable to any other municipality, and has been so made applicable to the Municipalities of the County of Pictou, the District of Chester, and the District of Guysboro.

NOTE: The second part of the article dealing chiefly with the difficult problem of settlement rules will be published in the next issue.

8. "Of Apprentices", R.S.N.S., 1923, Chapter 137, Section 4.

9. The Towns Incorporation Act, R.S.N.S., 1923, Chapter 84, Section 167.

