

HOUSE No. 1998

By Mr. Rubin of Fall River, petition of Albert Rubin that the original duty of furnishing soldiers' relief be placed on towns where the recipient of such relief resides. Military Affairs and Public Safety.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-One.

AN ACT PLACING THE ORIGINAL DUTY OF FURNISHING SOLDIERS' RELIEF ON THE TOWN WHERE THE RECIPIENT OF SUCH RELIEF RESIDES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 The first paragraph of section seventeen of chap-
2 ter one hundred and fifteen of the General Laws, as
3 most recently amended by chapter two hundred
4 and ninety-five of the acts of nineteen hundred and
5 thirty-nine, is hereby further amended by striking
6 out, in the twenty-third and twenty-fourth lines, the
7 words "have a legal settlement" and inserting in
8 place thereof the words:— shall reside and the town
9 furnishing the support shall be reimbursed by the
10 town where they or any of them have a legal settle-
11 ment, — so as to read as follows:— If a person who
12 served in the army or navy of the United States in
13 the war of the rebellion, in the army, navy or marine

14 corps in the war with Spain or the Philippine insur-
15 rection between April twenty-first, eighteen hundred
16 and ninety-eight, and July fourth, nineteen hundred
17 and two, or in the army, navy or marine corps in the
18 world war, or a pensioner of the United States who
19 served under the authority or by the approval of
20 the United States or any state or territory in any
21 Indian war or campaign, or in connection with or in
22 the zone of any active Indian hostilities in any of the
23 states or territories of the United States prior to
24 January first, eighteen hundred and ninety-eight,
25 and received an honorable discharge from all enlist-
26 ments therein, and who has a legal settlement in a
27 town in the commonwealth, becomes poor and wholly
28 or partly unable to provide maintenance for himself,
29 his wife or minor children under eighteen years of
30 age or for a needy father or mother, unless such con-
31 dition is the result of his own criminal or wilful mis-
32 conduct, or if such person dies leaving a widow or
33 minor children under eighteen years of age, or a
34 needy father or mother, such support as may be
35 necessary shall be accorded to him or his said depend-
36 ents or needy parents by the town where they or any
37 of them shall reside and the town furnishing the
38 support shall be reimbursed by the town where they
39 or any of them have a legal settlement, and his said
40 dependents or needy parents, in the case of his death,
41 shall not be deemed ineligible to receive said support
42 by reason of criminal or wilful misconduct on his
43 part at any time during his lifetime; but should
44 such person have all the said qualifications ex-
45 cept settlement, if he served in the war of the re-
46 bellion, or in the army, navy or marine corps in the
47 war with Spain or the Philippine insurrection be-

48 tween said dates, his widow, who has acquired a
49 legal settlement in her own right before August
50 twelfth, nineteen hundred and sixteen, which settle-
51 ment has not been defeated or lost, or if he served
52 in the world war and at the time of his decease was
53 a legal resident of this commonwealth, his widow,
54 who has a legal settlement and who has not remarried,
55 and his minor children under eighteen years of age,
56 shall also be eligible to receive relief under this sec-
57 tion. Any crippled, blind or helpless child, whether
58 a minor or adult, of a deceased person who served
59 in the army or navy of the United States in the war
60 of the rebellion, or in the war with Spain or the
61 Philippine insurrection between April twenty-first,
62 eighteen hundred and ninety-eight and July fourth,
63 nineteen hundred and two, and received an honorable
64 discharge from all enlistments therein, if such child
65 is receiving a pension from the United States and is
66 not otherwise eligible to receive relief under this
67 section, shall also be eligible as aforesaid. Such
68 relief shall be furnished by the aldermen or select-
69 men, or, in Boston, by the soldiers' relief commis-
70 sioner, subject, however, to the direction of the city
71 council of said city as to the amount to be paid.
72 The beneficiary shall receive said relief at home, or
73 at such other place as the aldermen, selectmen or
74 soldiers' relief commissioner deem proper, but he
75 shall not be compelled to receive the same at an
76 infirmary or public institution unless his physical
77 or mental condition requires, or, if a minor, unless
78 his parents or guardian so elect.

