

# HOUSE . . . . No. 1743

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Substituted by the House, on motion of Mr. Evans of Wakefield, for a Bill authorizing recovery by the board of public welfare of a city or town from the estate of a deceased person formerly in receipt of old age assistance granted or obtained through error, fraud or otherwise (House, No. 712, changed). May 17.

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## The Commonwealth of Massachusetts

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

AN ACT AUTHORIZING RECOVERY FROM THE ESTATE OF ANY DECEASED PERSON OF THE VALUE OF OLD AGE ASSISTANCE WHICH WAS GRANTED BECAUSE OF MISSTATEMENT OR FRAUD.

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

1 Chapter one hundred and eighteen A of the General  
2 Laws is hereby amended by inserting after section  
3 four A, inserted by section five of chapter seven  
4 hundred and twenty-nine of the acts of nineteen  
5 hundred and forty-one, the following new section:—  
6 *Section 4B.* Upon the death of a person to whom  
7 assistance has been rendered under this chapter  
8 which, in the opinion of the board of public welfare,  
9 would not have been rendered except for his mis-  
10 statement or fraud, or that of a person acting in his  
11 behalf, said board, through its board of old age as-  
12 sistance or otherwise, may take possession of all his

13 real and personal property; and if administration is  
14 not taken upon his estate within thirty days after  
15 his decease, they may in their own names sell and  
16 convey so much thereof as may be necessary to re-  
17 imburse the town for the value of the assistance  
18 rendered because of such misstatement or fraud.  
19 If any part of such property is withheld from said  
20 board of public welfare, they may in their own names  
21 sue for and recover possession of the real property,  
22 and shall have the same remedy for the recovery of  
23 the personal property or its value as an administrator  
24 might have in like case.