

# SENATE . . . . No. 423

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## The Commonwealth of Massachusetts

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SENATE, June 1, 1932.

The committee on Bills in the Third Reading, to which was recommitted the Senate Bill authorizing Continued Display of the Flags of Certain Organizations of Veterans (Senate, No. 331), reports recommending that the same be amended by substituting therefor a new draft with the same title (Senate, No. 423); and that, when so amended, the same will be correctly drawn.

For the committee,

EDWARD H. NUTTING.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty-Two.

An Act authorizing Continued Display of the Flags  
of Certain Organizations of Veterans.

*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 two hundred and sixty-four of the  
2 General Laws, as most recently amended in sec-  
3 tion five by chapter two hundred and twenty-  
4 seven of the acts of nineteen hundred and twenty-  
5 two, is hereby further amended by striking out  
6 said section five and inserting in place thereof the  
7 following: —

8 *Section 5.* Whoever publicly mutilates, tramples  
9 upon, defaces or treats contemptuously the  
10 flag of the United States or of Massachusetts,  
11 whether such flag is public or private property,  
12 or whoever displays such flag or any representa-  
13 tion thereof upon which are words, figures, adver-  
14 tisements or designs, or whoever exposes to public  
15 view, manufactures, sells, exposes for sale, gives  
16 away or has in possession for sale or to give away  
17 or for use for any purpose, any article or sub-  
18 stance, being an article of merchandise or a

19 receptacle of merchandise or articles upon which  
20 is attached, through a wrapping or otherwise,  
21 engraved or printed in any manner, a representa-  
22 tion of the United States flag, or whoever uses  
23 any representation of the arms or the great seal  
24 of the commonwealth for any advertising or com-  
25 mercial purpose, shall be punished by a fine of  
26 not less than ten nor more than one hundred  
27 dollars or by imprisonment for not more than one  
28 year, or both; but a flag belonging to an organi-  
29 zation of veterans of the civil war, to a camp of  
30 the United Spanish War Veterans, to a post or  
31 department of The American Legion, or to a post  
32 or department of the Veterans of Foreign Wars  
33 of the United States, or belonging to or used in  
34 the service of the United States or the common-  
35 wealth, may have the names of battles and the  
36 name and number of the organization to which  
37 such flag belongs inscribed thereon. Words,  
38 figures, advertisements or designs attached to,  
39 or directly or indirectly connected with, the flag  
40 or any representation thereof in such manner that  
41 the flag or its representation is used to attract  
42 attention to or advertise such words, figures,  
43 advertisements or designs, shall for the purposes  
44 of this section be deemed to be upon the flag. For  
45 the purposes of this section, a flag shall be deemed  
46 to continue to belong to any such organization of  
47 veterans hereinbefore specified, although such  
48 organization has ceased to exist, during such  
49 time as it remains in the lawful ownership or  
50 custody of any other of the aforesaid organiza-

51 tions or of the commonwealth or of any political  
52 subdivision thereof, or of any patriotic or his-  
53 torical society incorporated under the laws of the  
54 commonwealth or determined by the adjutant  
55 general to be a proper custodian thereof.