

# HOUSE . . . . No. 1428

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, March 19, 1931.

The committee on Ways and Means, to whom was referred the Bill extending the benefits of state and military aid and soldiers' relief to veterans of the Indian campaigns and their widows and dependents (House, No. 392), report that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 1428).

For the committee,

ANDREW C. WARNER.

## The Commonwealth of Massachusetts

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

An Act extending the Benefits of State and Military Aid and Soldiers' Relief to Veterans of the Indian Wars or Campaigns, their Wives, Widows and Dependents.

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

1 SECTION 1. Section six of chapter one hundred and  
2 fifteen of the General Laws, as most recently amended  
3 by chapter two hundred and nineteen of the acts of  
4 nineteen hundred and twenty-seven, is hereby further  
5 amended by inserting after the word "therein" in the  
6 forty-fourth line, as printed in chapter three hundred  
7 and fifty-seven of the acts of nineteen hundred and  
8 twenty-four, the following new paragraph:— In  
9 valid pensioners of the United States who served  
10 under the authority or by the approval of the United  
11 States or any state or territory in any Indian war or  
12 campaign, or in connection with or in the zone of  
13 any active Indian hostilities in any of the states or  
14 territories of the United States prior to January  
15 first, eighteen hundred and ninety-eight, having en-  
16 listed in said service while an inhabitant of a town  
17 in this commonwealth and actually residing therein;

1 SECTION 2. Said section six of said chapter one  
2 hundred and fifteen, as so amended, is hereby further

3 amended by inserting after the word "therefrom"  
4 in the ninetieth line, as so printed, the following new  
5 paragraph:— The wives of invalid pensioners who  
6 served in the Indian wars or campaigns, and the  
7 widows of soldiers dying in such service, or after  
8 honorable discharge therefrom and while in receipt  
9 of a pension from the United States;

1 SECTION 3. Said chapter one hundred and fifteen,  
2 as most recently amended in section seven by section  
3 one of chapter two hundred and thirty-three of the  
4 acts of nineteen hundred and thirty, is hereby further  
5 amended by striking out said section seven and in-  
6 serting in place thereof the following:—

7 *Section 7.* The wife of a discharged soldier or  
8 sailor shall not be held to belong to any of the fore-  
9 going classes, nor shall she receive state aid unless,  
10 if the service of the soldier or sailor was in the war  
11 with Spain, the Philippine Insurrection or the China  
12 Relief Expedition, she was married to him before his  
13 final discharge from such service, and, if his widow,  
14 before September first, nineteen hundred and twenty-  
15 two, and if his service was in the civil war unless she  
16 was, if his wife, married to him prior to his final  
17 discharge from such service, and, if his widow, prior  
18 to June twenty-seventh, eighteen hundred and ninety,  
19 and if the service of the soldier was in any Indian  
20 war or campaign unless she was, if his wife, married  
21 to him prior to his final discharge from such service,  
22 and, if his widow, prior to March fourth, nineteen  
23 hundred and seventeen, and if the service of the soldier  
24 or sailor was on the Mexican border or in the world  
25 war unless she was, if his wife, married to him prior

26 to his final discharge from the service or release from  
27 active duty therein, and, if his widow, prior to January  
28 first, nineteen hundred and twenty-eight.

1 SECTION 4. The second paragraph of section ten  
2 of said chapter one hundred and fifteen, as most re-  
3 cently amended by section four of chapter one hun-  
4 dred and fifty-five of the acts of nineteen hundred  
5 and twenty-eight, is hereby further amended by in-  
6 serting after the word "wars" in the thirteenth line  
7 the words:—, Indian wars or campaigns,— so as to  
8 read as follows:— First Class, Each person of the  
9 first class shall have his settlement in the town aiding  
10 him; shall have served as a soldier, sailor or nurse  
11 in the manner and under the limitations prescribed  
12 in the first class of section six; shall have been hon-  
13 orably discharged or released from active duty in  
14 such United States service and from all appointments  
15 and enlistments therein; shall be poor and indigent  
16 and, by reason of sickness or other physical disability,  
17 in such need as would entitle him to relief under  
18 chapter one hundred and seventeen; shall not be,  
19 directly or indirectly, in receipt of any other state  
20 or military aid, or of any pension for services rendered  
21 or disabilities incurred either in the civil or Spanish  
22 wars, Indian wars or campaigns, the Philippine In-  
23 surrection, the China Relief Expedition, Mexican  
24 border service or world war service as defined in  
25 section six. The disability must have arisen from  
26 causes independent of his military or naval service  
27 aforesaid.

1 SECTION 5. Section seventeen of said chapter one  
2 hundred and fifteen, as most recently amended by

3 chapter one hundred and ninety-two of the acts of  
4 nineteen hundred and thirty, is hereby further  
5 amended by inserting after the word "war" in the  
6 seventh line the following:—, or a pensioner of the  
7 United States who served under the authority or  
8 by the approval of the United States or any state or  
9 territory in any Indian war or campaign, or in con-  
10 nection with or in the zone of any active Indian hos-  
11 tilities in any of the states or territories of the United  
12 States prior to January first, eighteen hundred and  
13 ninety-eight, — so as to read as follows:—*Section 17.*  
14 If a person who served in the army or navy of the  
15 United States in the war of the rebellion, in the army,  
16 navy or marine corps in the war with Spain or the  
17 Philippine insurrection between April twenty-first,  
18 eighteen hundred and ninety-eight, and July fourth,  
19 nineteen hundred and two, or in the army, navy or  
20 marine corps in the world war, or a pensioner of the  
21 United States who served under the authority or  
22 by the approval of the United States or any state or  
23 territory in any Indian war or campaign, or in con-  
24 nection with or in the zone of any active Indian hos-  
25 tilities in any of the states or territories of the United  
26 States prior to January first, eighteen hundred and  
27 ninety-eight, and received an honorable discharge  
28 from all enlistments therein, and who has a legal  
29 settlement in a town in the commonwealth, becomes  
30 poor and wholly or partly unable to provide mainte-  
31 nance for himself, his wife or minor children under  
32 sixteen years of age or for a dependent father or  
33 mother, unless such condition is the result of his own  
34 criminal or wilful misconduct, or if such person dies  
35 leaving a widow or minor children under sixteen years  
36 of age, or minor children over sixteen but under

37 eighteen years of age who attend school or are in-  
38 capacitated for work, or a dependent father or mother  
39 without proper means of support, such support as  
40 may be necessary shall be accorded to him or his  
41 said dependents by the town where they or any of  
42 them have a legal settlement, and his said dependents,  
43 in the case of his death, shall not be deemed ineligible  
44 to receive said support by reason of criminal or wilful  
45 misconduct on his part at any time during his life-  
46 time; but should such person have all the said quali-  
47 fications except settlement, if he served in the war of  
48 the rebellion, or in the army, navy or marine corps in  
49 the war with Spain or the Philippine insurrection  
50 between said dates, his widow, who has acquired a  
51 legal settlement in her own right before August twelfth,  
52 nineteen hundred and sixteen, which settlement has not  
53 been defeated or lost, or if he served in the world war  
54 and at the time of his decease was a legal resident of  
55 this commonwealth, his widow, who has a legal settle-  
56 ment and who has not remarried, and his minor chil-  
57 dren under sixteen years of age, and those over six-  
58 teen but under eighteen years of age who attend school  
59 or are incapacitated for work, shall also be eligible to  
60 receive relief under this section. Any crippled, blind  
61 or helpless child, whether a minor or adult, of a de-  
62 ceased person who served in the army or navy of the  
63 United States in the war of the rebellion, or in the war  
64 with Spain or the Philippine insurrection between  
65 April twenty-first, eighteen hundred and ninety-eight  
66 and July fourth, nineteen hundred and two, and re-  
67 ceived an honorable discharge from all enlistments  
68 therein, if such child is receiving a pension from the  
69 United States and is not otherwise eligible to receive  
70 relief under this section, shall also be eligible as afore-  
71 said. Such relief shall be furnished by the aldermen

72 or selectmen, or, in Boston, by the soldiers' relief com-  
73 missioner, subject, however, to the direction of the city  
74 council of said city as to the amount to be paid. The  
75 beneficiary shall receive said relief at home, or at such  
76 other place as the aldermen, selectmen or soldiers' re-  
77 lief commissioner deem proper, but he shall not be  
78 compelled to receive the same at an infirmary or  
79 public institution unless his physical or mental con-  
80 dition requires, or, if a minor, unless his parents or  
81 guardian so elect.

82 If an applicant for military aid or soldiers' relief has  
83 a settlement outside of the town where the application  
84 is made, the official required to act thereon shall,  
85 within three days, notify the corresponding official in  
86 the town of the applicant's settlement, and also the  
87 commissioner. If the town of settlement of an appli-  
88 cant for soldiers' relief unreasonably delays in aiding  
89 the applicant after receipt of said notice, the town of  
90 the applicant's residence shall forthwith grant such aid  
91 as the commissioner may order, and the town so grant-  
92 ing such aid shall be reimbursed in full therefor by the  
93 town of the applicant's settlement. Any town official  
94 required to act on such order of the commissioner who  
95 refuses and neglects to comply therewith shall be pun-  
96 ished by a fine of not less than twenty-five nor more  
97 than one hundred dollars.

98 This section shall also apply to army nurses who  
99 served in the army hospitals of the United States dur-  
100 ing the civil war and are entitled to state aid under  
101 section six and to army nurses and their dependents  
102 as specified herein who served in the army, navy or  
103 marine corps during the war with Spain or during the  
104 Philippine insurrection between April twenty-first,  
105 eighteen hundred and ninety-eight, and July fourth,  
106 nineteen hundred and two, or during the world war.

