

SENATE No. 175

To accompany the petition of Maurice M. Goldman for legislation to provide suitable recognition of those residents of Massachusetts who served in the armed forces of the United States during the existing state of war. Military Affairs and Public Safety.

The Commonwealth of Massachusetts

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

AN ACT TO PROVIDE SUITABLE RECOGNITION OF THOSE RESIDENTS OF MASSACHUSETTS WHO SERVED IN THE ARMED FORCES OF THE UNITED STATES DURING THE EXISTING STATE OF WAR.

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. In order to promote the spirit of
2 patriotism and loyalty, in testimony of the gratitude
3 of the commonwealth, and in recognition of the
4 services of certain residents of Massachusetts in the
5 armed forces of the United States during the existing
6 state of war, to the full extent of the demands made
7 upon them and of their opportunity, the payments
8 hereinafter specified are hereby authorized.

1 SECTION 2. Upon application, as hereinafter pro-
2 vided, there shall be allowed and paid out of the
3 treasury of the commonwealth, to each person serving

4 as provided in section one, the sum of one hundred
5 dollars. In all cases of death in service or discharge
6 for physical incapacity received in the line of duty the
7 full amount of one hundred dollars shall be payable
8 notwithstanding the provisions of this section.

1 SECTION 3. In the case of the decease of any
2 person who would if alive be entitled to the benefits
3 of this act, the sum named therein shall be paid to
4 his dependents, if any, and otherwise to his heirs-
5 at-law: *provided*, that if there is more than one
6 dependent, or heir-at-law, payments shall in either
7 case be made in such proportions as the treasurer and
8 receiver general shall determine, and in determining
9 the order of precedence so far as practicable the
10 following order shall be observed: wife and children,
11 mother or father, brother or sister, other dependents;
12 *provided, however*, that no right or payment under
13 this act shall be subject to the claims of creditors,
14 capable of assignment, regarded as assets legal or
15 equitable of the estate of the deceased or made the
16 basis for administration thereof.

1 SECTION 4. Applications hereunder shall be filed
2 with the state treasurer upon forms to be furnished
3 by him. The assessors of the several cities and towns
4 shall, at the request of the treasurer and receiver
5 general, forthwith furnish such information relative
6 to such residence as their records may disclose.

1 SECTION 5. The adjutant general shall certify to
2 the treasurer and receiver general the dates of service
3 and any other military information necessary to carry
4 out the provisions of this act.