

# SENATE . . . . No. 24

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To accompany the petition of P. Eugene Casey for legislation relative to the joint ownership of an equity in real estate by husband and wife under the old age assistance law, so called. Pensions.

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## The Commonwealth of Massachusetts

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

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An Act relative to the Joint Ownership of an Equity in Real Estate by Husband and Wife under the Old Age Assistance Law, So Called.

*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 four of chapter one hundred and eight-  
2 een A of the General Laws, as appearing in sec-  
3 tion one of chapter four hundred and thirty-six  
4 of the acts of nineteen hundred and thirty-six, is  
5 hereby amended by inserting after the word  
6 "dollars" in the fifth line the following words:—  
7 , or, in the case of joint ownership by husband  
8 and wife, four thousand dollars,— so as to read  
9 as follows:— *Section 4.* The ownership of an  
10 equity in real estate upon which an applicant  
11 actually resides shall not disqualify him from  
12 receiving assistance under this chapter; provided,  
13 that if such equity, computed on the basis of

14 assessed valuation, exceeds two thousand dollars,  
15 or, in the case of joint ownership by husband and  
16 wife, four thousand dollars, in each of the five  
17 years immediately preceding his application, the  
18 board of public welfare of the town rendering such  
19 assistance, or the bureau of old age assistance  
20 established by such board, shall, through the ap-  
21 propriate town official, require such applicant to  
22 execute a bond in a penal sum at least equal to  
23 the amount of the equity in excess of two thou-  
24 sand dollars, running to the treasurer of the town,  
25 conditioned on repayment to such town of all  
26 amounts of such assistance, without interest,  
27 such bond to be secured by mortgage of the ap-  
28 plicant's real estate. Every such bond and mort-  
29 gage shall be forthwith entered for record in the  
30 proper registry of deeds or registry district of the  
31 land court, as the case may be, and the register  
32 of deeds or assistant recorder of the land court  
33 shall thereupon record or register such bond and  
34 mortgage without fee. Out of the proceeds real-  
35 ized by the town from any such bond and mort-  
36 gage or from the estate of a person granted  
37 assistance under this chapter, or both, the federal  
38 government, through the commonwealth, shall  
39 be reimbursed to an amount not exceeding the  
40 amount contributed by it in such case and the  
41 remainder shall be apportioned between the com-  
42 monwealth and the town furnishing the assistance  
43 in proportion to the amounts of their respective  
44 contributions.