

SENATE No. 313

The Commonwealth of Massachusetts.

SENATE, March 10, 1926.

The committee on Military Affairs to whom was recommended the petition (with accompanying bill, House, No. 679) of Charles A. Flanagan and another for an amendment of the law relative to keeping a record of the burial place of veterans of the several wars, report the accompanying bill (Senate, No. 313).

For the committee.

EBEN S. DRAPER.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Twenty-Six.

An Act relative to Death Certificates and Burial Permits of Veterans, and to Certain Records of Cemeteries and Crematories.

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. Chapter forty-six of the General
2 Laws is hereby amended by striking out section
3 ten and inserting in place thereof the following: —
4 *Section 10.* A physician or officer furnishing a
5 certificate required by the preceding section shall,
6 if the deceased was a veteran of any war of the
7 United States, designate in the certificate the
8 war in which the deceased served, and give both
9 the primary and secondary or immediate cause of
10 death as nearly as he can state the same, and for
11 neglect thereof shall forfeit ten dollars.

1 SECTION 2. Section forty-five of chapter one
2 hundred and fourteen of the General Laws, as
3 amended by section one of chapter one hundred
4 and seventy-six of the acts of nineteen hundred
5 and twenty-two, is hereby further amended by
6 inserting after the word "certificate" in the
7 twenty-sixth line, the words "If the death certifi-

8 cate contains a statement that the deceased was
9 a veteran of any war of the United States, that
10 fact and the designation of the war or wars in
11 which the deceased served shall appear upon the
12 permit, — so as to read as follows: — *Section 45.*
13 Except as provided in sections forty-four and
14 forty-six, no undertaker or other person shall
15 bury or otherwise dispose of a human body in a
16 town, or remove therefrom a human body which
17 has not been buried, until he has received a per-
18 mit from the board of health or its agent ap-
19 pointed to issue such permits, or if there is no
20 such board, from the clerk of the town where the
21 person died; and no undertaker or other person
22 shall exhume a human body and remove it from
23 a town, or from one cemetery to another, until
24 he has received a permit from the board of health
25 or its agent aforesaid or from the clerk of the town
26 where the body is buried. No such permit shall
27 be issued until there shall have been delivered to
28 such board, agent or clerk, as the case may be, a
29 satisfactory written statement containing the
30 facts required by law to be returned and recorded,
31 which shall be accompanied, in case of an original
32 interment, by a satisfactory certificate of the
33 attending physician, if any, as required by law,
34 or in lieu thereof a certificate as hereinafter pro-
35 vided. If there is no attending physician, or if,
36 for sufficient reasons, his certificate cannot be
37 obtained early enough for the purpose, or is in-
38 sufficient, a physician who is a member of the
39 board of health, or employed by it or by the

40 selectmen for the purpose, shall upon application
41 make the certificate required of the attending
42 physician. If death is caused by violence, the
43 medical examiner shall make such certificate. If
44 the death certificate contains a statement that
45 the deceased was a veteran of any war of the
46 United States, that fact and the designation of
47 the war or wars in which the deceased served shall
48 appear upon the permit. The board of health or
49 its agent, upon receipt of such statement and
50 certificate, shall forthwith countersign it and
51 transmit it to the clerk of the town for registra-
52 tion. The person to whom the permit is so given
53 and the physician certifying the cause of death
54 shall thereafter furnish for registration any other
55 necessary information which can be obtained as
56 to the deceased, or as to the manner or cause of
57 the death, which the clerk or registrar may
58 require.

1 SECTION 3. Section forty-seven of said chap-
2 ter one hundred and fourteen, as amended by
3 chapter three hundred and thirty-three of the
4 acts of nineteen hundred and twenty-one, is
5 hereby further amended by striking out the sec-
6 ond paragraph and inserting in place thereof the
7 following:— Upon the burial, removal, or cre-
8 mation of a body; the superintendent or other
9 officer in charge of the cemetery or crematory
10 shall indorse upon the coupon accompanying the
11 permit the fact of such burial, removal or crema-
12 tion, with the date thereof, shall make and pre-

13 serve in the files of the cemetery or crematory a
14 record of such burial, removal or cremation,
15 including any statement on the burial permit to
16 the effect that the deceased was a veteran of any
17 war of the United States, and designating the
18 war or wars in which he served, and also the loca-
19 tion of the grave or other receptacle of the body
20 or ashes of the deceased, and shall forthwith
21 return the coupon to the office issuing the same;
22 provided, that if there is no officer in charge of
23 the cemetery or crematory, such duties shall be
24 performed by the undertaker.

