

HOUSE....No. 232.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, April 20, 1865.

The Committee on the Judiciary, to whom was referred the "Communication of the Attorney-General and State Auditor, containing a codification of the Acts relating to aid to Volunteers, &c.," report the accompanying Bill.

Per order,

N. J. HOLDEN.

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Sixty-Five.

AN ACT

Relating to State Aid.

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

1 SECT. 1. Any town or city may raise money by
2 taxation or otherwise, and, if necessary, apply the
3 same under the direction of their selectmen, or mayor
4 and aldermen, or city council, for the aid of the wife,
5 children or step-children, parents, brothers or sisters
6 of any person upon whom they were dependent,
7 whether an inhabitant of said town or city or not:
8 (*provided* only that those to whom aid is given shall
9 reside within the United States) who, as a part of the
10 quota of this Commonwealth, and of said town or
11 city, either

12 *First.* Has been duly enlisted and mustered into
13 the volunteer service of the United States, or into the

14 regular military service since the third day of Sep-
15 tember, eighteen hundred and sixty-two, and remains
16 actually in said military service; or,

17 *Second.* Has been drafted into the army of the
18 United States under any act of Congress, and remains
19 actually in said military service: or,

20 *Third.* Has been duly enlisted into the naval ser-
21 vice of the United States, or transferred to such ser-
22 vice from the military service: *provided* he is credited
23 to such town or city under the enrolment laws of the
24 United States; or,

25 *Fourth.* Who may have died after being duly mus-
26 tered into the military or naval service of the United
27 States upon voluntary enlistment or draft, or upon
28 transfer from the military to the naval service, first,
29 while in the service of the United States, or second,
30 after his discharge therefrom by reason of disability or
31 disease contracted while in the service, or third, after
32 his discharge at the expiration of his term of service,
33 but in consequence of disease or injury contracted or
34 received in the service and existing at the time of his
35 discharge: *provided*, no sum shall be so applied for a
36 period of more than one year, or after the payment to
37 the family and dependents of such person, or either
38 of them, of any sums under the pension act of the
39 United States, passed July fourteenth, eighteen hun-
40 dred and sixty-two; and *provided, further*, that they
41 were entitled to such aid prior to his decease or
42 discharge.

43 *Fifth.* Who may have been disabled while in the
44 service of the United States, as aforesaid, and dis-
45 charged from said service by reason of such disability,
46 or by reason of the expiration of his term of service:

47 *provided*, said disability was contracted in or caused
48 by said service, and existed at the time of discharge,
49 thereby rendering said person unable to provide for
50 those dependent upon him; and *provided, also*, that
51 no sums shall be so applied for a period of more than
52 one year, or after payment to the family and depend-
53-ents of such person, or either of them, of any sums
54 under the pension act of the United States, passed
55 July fourteenth, eighteen hundred and sixty-two;
56 and, *provided, further*, that they were entitled to such
57 aid prior to his discharge.

1 SECT. 2. The foregoing provisions relating to state
2 aid, shall apply equally to those persons who enlisted
3 as a part of the quota of any other state prior to the
4 eighteenth day of March, eighteen hundred and sixty-
5 two, if, at the time of enlistment they were inhabi-
6 tants of any town or city in this Commonwealth, and
7 to those also who, although not inhabitants of this
8 Commonwealth at the time of their enlistment and
9 muster into the military or naval service of the United
10 States, have become such by the establishment of the
11 boundary line between the states of Massachusetts
12 and Rhode Island.

1 SECT. 3. Of the sums applied, as aforesaid, there
2 shall be annually reimbursed from the treasury of the
3 Commonwealth to the town or city so applying the
4 same, a sum not exceeding one dollar per week for
5 the wife, and one dollar per week for each child and
6 parent to whom aid is furnished: *provided*, that the
7 whole sum so reimbursed shall not exceed twelve dol-
8 lars per month for all such persons dependent upon

9 any individual at the time he was or shall be duly
10 enlisted and mustered or drafted into the military
11 or naval service of the United States; including
12 herein the wife of any such individual married, and
13 any child of such individual born, after, such enlist-
14 ing and mustering or drafting: and *provided, also*, that
15 no such reimbursement shall be made of money
16 applied for the aid of any wife, child or parent afore-
17 said, of any commissioned officer in said volunteer
18 service, nor for the aid of any person, dependent upon
19 any volunteer from this state, enlisted into regiments
20 of any other state, who receive aid from such other
21 state.

1 SECT. 4. On or before the fifth day of January in
2 each year, there shall be deposited in the office of the
3 auditor of the Commonwealth, by each town and city
4 raising and applying money as aforesaid, a full and
5 particular report, setting forth the names of the
6 soldiers and sailors, for the aid of whose families
7 money has been applied as aforesaid, the names and
8 ages of the several persons for the aid of whom money
9 has been applied as aforesaid, the relations such per-
10 sons severally bear to such soldiers or sailors, the
11 sums paid to each of such persons, and the time when
12 the same were paid. And no reimbursement shall be
13 made from the state treasury to such town or city, as
14 herein before provided, until such report has been
15 sworn to by a majority of the selectmen of such town,
16 or the mayor and a majority of the aldermen of such
17 city, deposited as aforesaid, and carefully examined,
18 scrutinized, and approved by said auditor.

1 SECT. 5. All the laws now in force in aid of the
2 families of volunteers and drafted men, may be so con-
3 strued as to authorize the payment of aid retroactively,
4 so as to include any aid to which any person might
5 have been entitled if seasonably applied for, prior to
6 the application for the same: *provided, however*, that
7 such retroactive payment shall not extend beyond the
8 period of six months prior to said application.

1 SECT. 6. Chapter two hundred and twenty-two of
2 the acts of eighteen hundred and sixty-one; chapter
3 sixty-six, chapter one hundred and fifty-one, and
4 chapter one hundred and sixty-six, of the acts of
5 eighteen hundred and sixty-two; chapter seventy-nine,
6 and chapter one hundred and seventy-six, of the acts
7 of eighteen hundred and sixty-three; sections one and
8 two of chapter one hundred and forty-three, and
9 chapter forty-seven of the acts of eighteen hundred
10 and sixty-four, are hereby repealed.

1 SECT. 7. This act shall take effect upon its
2 passage.