

SENATE No. 214

To accompany the petition of Charles D. Rugg, Edward M. Rowe and others, that provision be made for the punishment of persons guilty of murder in the first degree by imprisonment in State Prison for life in certain cases. The Judiciary.

The Commonwealth of Massachusetts

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

AN ACT PROVIDING FOR THE PUNISHMENT OF PERSONS
GUILTY OF MURDER IN THE FIRST DEGREE BY IMPRISON-
MENT IN STATE PRISON FOR LIFE IN CERTAIN CASES.

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

1 Chapter 265 of the General Laws is hereby amended
2 by striking out section 2, as appearing in the Tercen-
3 tenary Edition, and inserting in place thereof the fol-
4 lowing section:—

5 *Section 2.* Whoever is guilty of murder in the first
6 degree shall suffer the punishment of death, unless the
7 jury shall by their verdict, and as a part thereof, upon
8 and after consideration of all the evidence, recommend
9 that the sentence of death be not imposed, in which
10 case he shall be punished by imprisonment in the state
11 prison for life; and whoever is guilty of murder in the
12 second degree shall be punished by imprisonment in
13 the state prison for life.

