

# HOUSE . . . . No. 1186

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, Feb. 16, 1932.

The joint committee on the Judiciary, to whom was referred so much of the seventh annual report of the Judicial Council (Pub. Doc. No. 144) as relates to making discretionary the holding of certain inquests except upon written request of the attorney general or district attorney, report the accompanying bill (House, No. 1186).

For the committee,

PHILIP BARNET.

## The Commonwealth of Massachusetts

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

An Act relative to the Holding of Inquests.

*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. Section eight of chapter thirty-eight  
2 of the General Laws is hereby amended by striking  
3 out, in the first line and the first time it occurs in the  
4 eighth and in the eleventh lines, the word "shall" and  
5 inserting in place thereof in each instance the word:—  
6 may, — and by striking out the last sentence and in-  
7 serting in place thereof the following new sentence:—  
8 An inquest shall be held upon the written request of  
9 the attorney general or the district attorney, — so as  
10 to read as follows:— *Section 8.* The court or trial  
11 justice may thereupon hold an inquest, from which  
12 all persons not required by law to attend may be  
13 excluded. The district attorney, or any person desig-  
14 nated by him, may attend the inquest and examine  
15 the witnesses, who may be kept separate, so that  
16 they cannot converse with each other until they have  
17 been examined. Within sixty days after any case of  
18 death by accident upon a railroad, electric railroad,  
19 street railway or railroad for private use an inquest  
20 may be held, and the court or justice shall give season-  
21 able notice of the time and place thereof to the de-  
22 partment of public utilities. Within a like period

23 after any case of death in which a motor vehicle is  
24 involved, an inquest may be held, and the court or  
25 justice shall give seasonable notice of the time and  
26 place thereof to the department of public works. An  
27 inquest shall be held upon the written request of the  
28 attorney general or the district attorney.

1 SECTION 2. This act shall take effect September  
2 first of the current year.

