

By Mr. Cole of Lexington, petition of Lincoln P. Cole, Jr., for legislation to provide for punishment of persons found guilty of murder by life imprisonment except cases of murder of certain police officers or murder committed by prisoners during the period of their confinement or while attempting to escape. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-One.

AN ACT TO AMEND THE DEATH PENALTY.

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, as appearing in the
2 Tercentenary Edition, is hereby amended by striking out
3 section 2, as most recently amended by section 12 of chapter
4 731 of the acts of 1956, and inserting in place thereof the fol-
5 lowing section:—

6 *Section 2.* Whoever is guilty of murder in the first degree or
7 murder in the second degree shall be punished by imprison-
8 ment in the state prison for life except in the case of any
9 person murdering a peace officer acting in line of duty, or any
10 prisoner serving a life sentence who commits a murder while
11 in confinement or while escaping from such confinement, in
12 which case the penalty will be life imprisonment unless the
13 jury recommends the death penalty. No person shall be
14 eligible for parole under section one hundred and thirty-three
15 A of chapter one hundred and twenty-seven while he is
16 serving a life sentence for murder in the first degree; but if
17 his sentence is commuted therefrom by the governor and
18 council under the provisions of section one hundred and fifty-
19 two of said chapter he shall thereafter be subject to the
20 provisions of law governing parole for persons sentenced for
21 lesser offenses.

The first of the proposed amendments is to amend the act in relation to the appointment of judges of the courts of the State, so that the Governor may appoint judges of the courts of the State, subject to the confirmation of the Senate.

The Government of the State

In the Year One thousand five hundred and twenty one

The first of the proposed amendments

It is enacted by the Senate and House of Representatives of the State of New York in session assembled, and for the purpose of the State of New York, that the Governor may appoint judges of the courts of the State, subject to the confirmation of the Senate.

1. Chapter 205 of the Laws of 1892 is amended by adding to the first section thereof the following: "The Governor may appoint judges of the courts of the State, subject to the confirmation of the Senate."

2. Chapter 205 of the Laws of 1892 is amended by adding to the second section thereof the following: "The Governor may appoint judges of the courts of the State, subject to the confirmation of the Senate."

3. Chapter 205 of the Laws of 1892 is amended by adding to the third section thereof the following: "The Governor may appoint judges of the courts of the State, subject to the confirmation of the Senate."

4. Chapter 205 of the Laws of 1892 is amended by adding to the fourth section thereof the following: "The Governor may appoint judges of the courts of the State, subject to the confirmation of the Senate."