

HOUSE No. 46

Accompanying the tenth recommendation of the Commissioner of Correction (House, No. 36). Legal Affairs.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO PETITIONS FOR THE EXERCISE OF THE PARDONING POWER, AND PROCEDURE IN CONNECTION THEREWITH.

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

1 The second paragraph of section 152 of chapter 127
2 of the General Laws, as appearing in chapter 479 of
3 the acts of 1939, is hereby amended by striking out,
4 in lines 3 and 4, the words "mailed by registered
5 mail" and inserting in place thereof the words:—
6 delivered or mailed, — and by striking out, in line 7,
7 the word "three" and inserting in place thereof the
8 word:— eight, — so as to read as follows:— The
9 commissioner shall, forthwith upon receipt of such
10 petition, cause copies thereof, together with copies of
11 all statements and signatures appended thereto, to be
12 delivered or mailed to the attorney general, the dis-
13 trict attorney in whose district said sentence was
14 imposed, and the parole board. Within not less than
15 two weeks and not more than eight weeks from the

16 date of said mailing the commissioner shall transmit
17 the original petition, together with all statements and
18 signatures appended thereto, to the governor, to-
19 gether with his written recommendation concerning
20 said petition. The attorney general, district attorney
21 and the parole board shall each forthwith, upon
22 receipt from the commissioner of the copy of the said
23 petition, file with the governor and with the commis-
24 sioner their respective written recommendations as to
25 whether or not said pardon should be granted. Said
26 recommendations shall be filed with the commissioner
27 by tendering the same in person or by mailing the
28 same by registered mail, and upon receipt thereof by
29 the commissioner such recommendations and the peti-
30 tion to which they relate shall thereupon become a
31 matter of public record.