

HOUSE....No. 301.

[EXTRA SESSION.]

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, November 19, 1859.

The Committee on Probate and Chancery, to whom was referred chapter 21 of an Act for revising and consolidating the General Statutes of the Commonwealth, and certain amendments to said chapter, proposed by Mr. Lothrop, of Boston, report the following amendments to said chapter, and also recommend the passage of amendments, (Nos. 2, 3,) of the Revision Committee.

H. C. RICE.

CHAPTER 21.

Section 1, line 1. After "shall," *Insert*—receive or. After "obtain," *Insert*—and.

Line 7. After "sex," *Insert*—and color.

Line 8. After "names," *Insert*—and the places of birth.

Line 13. After "names," *Insert*—and the places of birth.

Line 14. After "age," *Insert*—and color.

Line 19. After "sex," *Insert*—the color, and after "single," *Insert*—widowed.

Line 20. After "age," *Insert*—the residence.

Line 21. After "names," *Insert*—residence, and places of birth. After "parents," *Insert*—the occupation of the father, (if the deceased is a married woman or widow, state the last four facts in respect to her last husband.)

Line 22. After "death," *Insert*—the place and the date of burial.

Between sections 2 and 3, *Insert* the following section, to wit:—

1 SECT. —. Any physician having attended a person during
2 his last illness, shall, on request, within eight days after the
3 decease of such person, forthwith furnish for registration a
4 certificate of the duration of the last sickness, the disease of
5 which the person died, and the date of his decease, as nearly
6 as he can state the same.

Section 3. *Strike out* the entire section. *Insert*—

1 SECT. —. Any person having superintendence or charge
2 of the obsequies or funeral rites preliminary to the inter-
3 ment of a human body, shall forthwith obtain and return to
4 the clerk of the city or town in which the deceased resided
5 or the death occurred, the facts required by law to be
6 recorded by said officer concerning the deceased, and the
7 person making such return shall receive from his city or
8 town the fee of ten cents therefor.

9 The clerk, upon recording such facts, shall forthwith give
10 to the person making such return, or to the person having
11 charge of the interment of the body, a certificate of such
12 record, and if it is delivered to the former, he shall deliver

13 the same to the latter before the burial when practicable,
14 otherwise within seven days thereafter.

15 When any burial takes place without the delivery, at the
16 time, of such certificate, the person having charge of the
17 interment shall forthwith give notice thereof to the clerk,
18 under penalty of twenty dollars for neglect.

Section 5, line 2. *Strike out*—"and." After "indexing,"
Insert—and returning to the secretary of the commonwealth.

Line 4. *Strike out*—"five cents." *Insert*—twenty cents for
each of the first twenty entries, and ten cents for each subse-
quent entry; as the same shall be certified by the secretary of
the commonwealth.

Between sections 5 and 6, *Insert* the following section, to
wit:—

1 SECT. —. The record of the town clerk relative to any
2 birth, marriage, or death, shall be *prima facie* evidence in
3 legal proceedings, of the facts recorded. The certificate
4 signed by the town clerk for the time being, shall be admis-
5 sible as evidence of any such record.

Section 9. *Strike out*—"A." *Insert*—Any. *Strike out*—
"containing more than ten thousand inhabitants."

After section 9, *Insert* the following section, to wit:—

1 SECT. —. The secretary of this commonwealth shall
2 prosecute, by an action of tort, in the name of the common-
3 wealth, for the recovery of any penalty or forfeiture, imposed
4 by this act.

