

By Mr. Saggese of Winthrop, petition of Alfred E. Saggese, Jr., and another relative to proof of ownership of property in criminal cases. The Judiciary.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Eighty.

AN ACT RELATIVE TO PROOF OF OWNERSHIP OF PROPERTY IN CRIMINAL 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 278 of the General Laws is hereby amended by inserting  
2 after section 9 the following new section: —

3 *Section 9A.* In the prosecution of crimes which relate to, affect  
4 or involve the ownership or possessory interest in real or personal  
5 property, the affidavit of one purporting to be the owner or lawful  
6 possessor of said property shall be admissible and shall be *prima*  
7 *facie* evidence of its contents; provided, however, that such affi-  
8 davit shall not be admissible or *prima facie* evidence unless it is  
9 sworn to before a justice of the peace or notary public, unless it  
10 specifically described the property with which it is concerned and  
11 unless it specifically identifies the subscriber as the owner or lawful  
12 possessor of the property so described.”

