

THE NEWSLETTER OF THE  
MASSACHUSETTS GENEALOGICAL COUNCIL

Volume 12

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Number 1

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## LEGISLATIVE ALERT

### PROPOSED LEGISLATION filed by the DEPT. OF PUBLIC HEALTH VITAL RECORDS TASK FORCE

Extensive study and analysis of this legislation is needed to safeguard access for genealogical research. The following report is submitted by Shirley M. Barnes, Director of Civil Records

The Massachusetts Genealogical Council Committee on Civil Records has formed a genealogical Task Force to study proposed legislation filed by the Dept. of Public Health as a House bill for action in the 1993 session of the state legislature. It is long and complicated. A DPH Task Force on Vital Records has been working for a year and a half on revisions to the Massachusetts General Laws concerning births, deaths and marriages.

The present section 2 of Chapter 46 of the MGL says the town clerk will preserve all returns of births, marriages and deaths and shall conveniently arrange them for examination. This makes these records available to research, and certainly implies that they are public records, under the generally understood meaning of that phrase. This whole concept has been removed.

Original records would be filed at the state level only, with copies to the towns. A new repository would need to be built, and more employees would be needed. Most requests for copies of records would have to go to the state, as towns would not be notified of residents born or dying in other towns. A surcharge of \$2.00 per each certificate requested is to be added to the cost of each certificate.

Records are to be closed for research and copies for a 50 year period for marriages and deaths, and a ninety year period for births, if you are not closely related to the person for whom you are requesting the copy. Genealogical research would be controlled by regulations decided upon by the Dept. of Public Health. These regulations would be reviewed by a permanent vital records improvement committee, chaired by the Registrar. One of the public members of this committee is to represent the genealogical community. We are asking that there be 2 public members chosen from a list submitted by the Massachusetts Genealogical Council. We are also asking that members of a genealogical society legally incorporated in the Commonwealth of Massachusetts be added to the list of those who would be allowed to receive copies and inspect records.

We object to the provision which would allow the destruction of ORIGINAL records after reproductions have been made.

We would prefer that the present section 2 of Chapter 46, and section 2A remain the law. The Registry has been trying to close the records for almost 20 years, under various arguments for confidentiality. The latest one is welfare fraud.

The bill proposes that marriage and death records from 1900 to 1945 be transferred to the State Archives, while calling for the closing of any records less than 50 years old. Only birth records over 90 years old would go to the Archives, which is the way the law passed in 1983 handles transfer. But the 1983 law does NOT close records to us. It preserves the old records, and makes them totally public at the state and local levels.

## EDITOR'S RUMINATIONS

There have also been restrictions placed on inspection or examination of causes of death. Only upon specific request of the spouse, children, parents, other next of kin of the decedent, guardian, informant named on the death certificate, executor, or respective authorized representative can cause of death be examined. A person tracing familial deaths or numbers of deaths in an area would have to have permission of the Registrar or town clerk. It has always been accepted that there is no privacy in death, thus the records have always been open to inspection.

This bill also proposes a surcharge of \$10.00 for filing for marriage intentions, which would make marriage intentions at least \$25.00 in some towns. This surcharge is excessive compared to that of \$2.00 for certificate copies. This surcharge money is to go into a (to be established) vital record improvement fund. There is nothing in the proposed legislation to say who would really control this fund, nor how it would be allocated to the Registry of Vital Records, to the State Archives, (which come under the Secretary of State, not the DPH,) or to the towns. A great amount of money could go into this fund with no legislative controls. It would not go into the General Fund, which is fine, but there should be written directions for allocation, probably on a percentage basis.

There will be a public hearing by the Joint Committee on Government Regulations, probably late March or early April, at the State House. **STAY ALERT FOR THE DATE, AND PLAN TO ATTEND.** You do not need to speak, but we need many genealogists there to impress the committee.

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If one's mother runs off with a traveling salesman, it is considered scandalous.

But if one's great-great-grandmother did so, ah, that's romance !

Half of the misunderstandings between Britain and America are due to the fact that neither will regard the other as what it is, in an important sense of the word, a foreign country. Each thinks of the other as a part of itself which has somehow gone off the lines, what would have been pardonable in a foreigner is blame worthy in a cousin.

Sir John Buchan, 1875 - 1940,  
Scottish writer and Canadian diplomat.

From time to time this column will appear in the newsletter to emphasize, reinforce, supplement, reflect and explain either the other articles in the current issue or a previous issue. Commentary expressed in this column is solely the opinion of the editor and does not necessarily reflect the position of the MGC.

Genealogy has been called the "later life hobby" and at many of the conferences we have attend a visual scanning of the participants would seem to confirm this characterization. However there is a another audience that we have discovered that is not so evident and not as addicted to long term dedication to the hobby but is very curious and that portends well for the future - our school age children (i.e. grandchildren) who are doing projects for a school report. Your editor's grandchildren have done genealogical reports for their school but I don't think this is an isolated experience as I have talked to quite a few people who have had the same experience. And most significant was the story of friends, a couple with five grandchildren, who told me that one of their grandchildren had visited them and asked a lot of questions about her "ancestors" for a school assignment that led this couple to go searching for answers for their grandchild. Well, can you guess what happened? Yes, they got to digging and before they realized what was happening the bug had bitten them and they are now confirmed genealogy addicts. One explanation for this phenomenon postulates that Alex Haley's book and the TV mini series Roots was the inspiration for the inclusion of genealogical projects in the school curriculum. This is a seed that has been planted at a young age and may well under the pressures of growing up, getting educated, earning a living and having a family of their own remain dormant for many years but it also may, in the leisure of their later years, burst into bloom.

In the previous issue of this newsletter we attempted to praise the work of the organizers of the September New England Conference at Sturbridge. Maybe there was a minor glitch here and there in the program but over all it was a resounding success that reflected the immense time and effort these people gave to make it happen. Let's give them another round of applause and call for an ENCORE !

*MASSACHUSETTS GENEALOGICAL COUNCIL  
SEMINAR AND LUNCHEON*

**SATURDAY, MARCH 6, 1993**

**9:45 AM to 4:00 PM**

**U.S. ARMY CORPS of ENGINEERS, BUILDING 126**

**424 TRAPELO ROAD**

**WALTHAM, MA**

**PROGRAM**

9:45 - 10:00 Doors open - Registration - Vendor booths open

10:00 - 11:00 Massachusetts Genealogical Council Annual Meeting

11:00 - 12:00 "Come to Your Census - Tips on Using the Federal Census" by Robert Oliphant  
and James Holmes

12:00 - 1:30 Lunch - Vendor booths open

1:30 - 2:30 "A Look at Naturalization Records" by Walter Hickey

2:45 - 3:45 "What You'll Find in the Microtext Department at the Boston Public Library"  
by Alice Kane

Hall is handicap accessible

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**REGISTRATION FORM**

Registration including box lunch : \$10 per person

Please reserve \_\_\_\_\_ seats for the seminar and box lunch

Amount enclosed \_\_\_\_\_ (Please make checks payable to the Massachusetts Genealogical  
Council)

Name(s) \_\_\_\_\_

Address \_\_\_\_\_

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Please return this registration form by February 28, 1993 to:

Massachusetts Genealogical Council

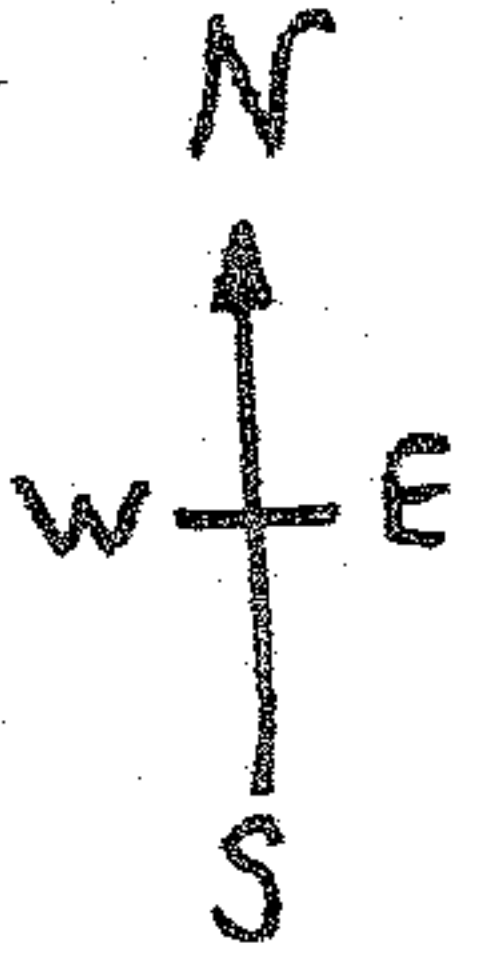
P.O. Box 5393

Cochituate, MA 01778

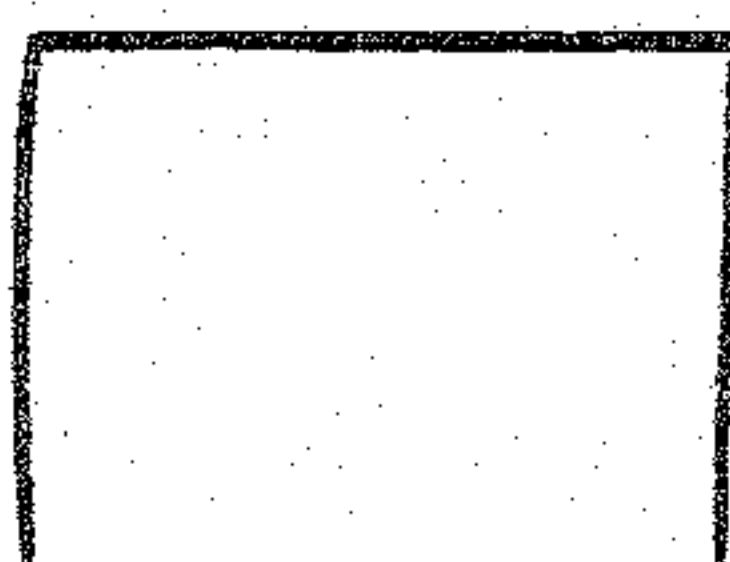
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Trapelo Road

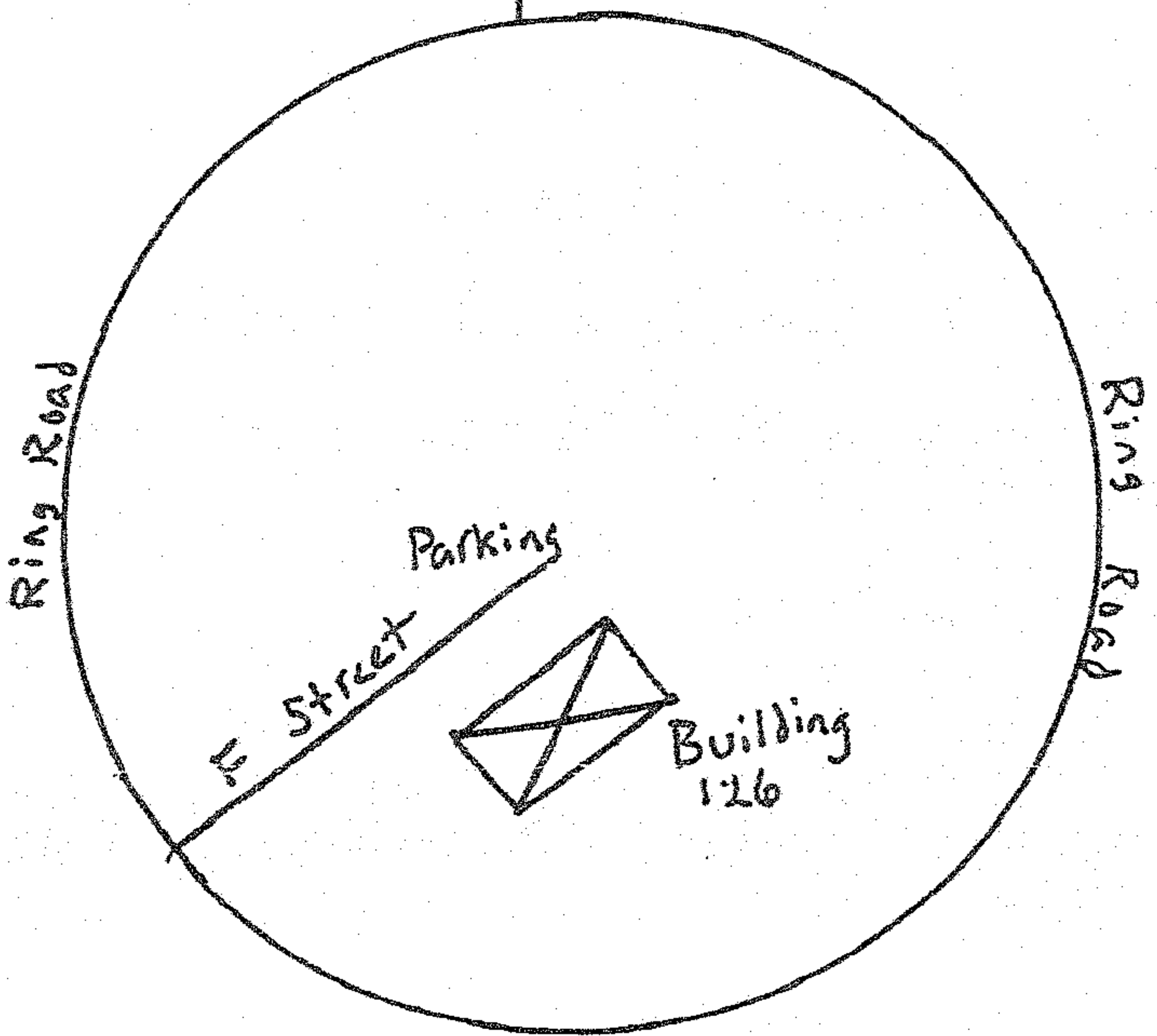
To Cambridge →



National  
Archives  
New England  
Region



STOP  Guardhouse



**MGC ANNUAL MEETING  
SEMINAR AND LUNCHEON  
MARCH 6, 1993 (Saturday)  
U.S. Army Corps of Engineers  
424 Trapelo Road, Bldg. #126  
Waltham, Massachusetts**

Enclosed with this issue of the MGC Newsletter is a program, registration form and sketch map. Time is short so complete your registration form and send it with your check before Feb. 28, 1993 to Mass. Genealogical Council, P.O. Box 5393, Cochituate, MA 01778.

Please note that the registration fee includes a box lunch and soft drink.

The annual meeting will include the reports of officers and directors, the election of officers and directors and any other business that may properly come before it.

Vendors will have items on display and for sale at tables around the hall.

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The following is the report of the nominating committee which will be presented at the annual meeting:

The Nominating Committee wishes to nominate the following people to serve as Officers and Directors for 1993.

President: ..... Kay A. Gardner-Westcott  
Vice President: ..... David G. Dearborn  
Secretary: ..... Gratia Mahoney  
Treasurer: ..... Rene Dearborn  
Director of Civil Records: ..... Shirley Barnes  
Director of Programs: ..... Sheila Fitzpatrick  
Director of Publicity: ..... Richard A. Haskell  
Director of Research: ..... Sandra Frost  
Director of Ways and Means:

Respectfully submitted,  
Elmer W. Bigwood  
Winifred G. Grinnell  
Connie T. Dearborn, Chairperson

**1870 U.S. CENSUS  
for the  
CITY OF BOSTON**

Maryann Flaherty of Carroll Genealogical Indexing has announced they are indexing the 1870 census for the City of Boston. Wards 1 through 6 are now complete and the remainder, wards 7 through 16 (ward 16 was Dorchester), will be completed by August 1st. City wide searches will be done for \$4.00 per search (including variations at no extra charge) or three names for \$10.00. Write for special quantity pricing for more than three names. Put your requests in writing to:

Carroll Genealogical Indexing  
P.O. Box 21  
Milton, MA 02187

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**ABOUT BONES**

In every organization you will find five kinds of "bones". Do you recognize any of these bones in your genealogy society?

1. The WISHBONES, they spend their time wishing their society was a success instead of working for it.
2. The JAWBONES, they talk about the society being a success but do little else.
3. The KNUCKLEBONES, they knock everything that everyone else is doing.
4. The BACKBONES, they put their shoulder to the wheel and get the job done.
5. And thank heavens for the FUNNYBONES, they make us laugh when we need it.

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Modern Hi-Tech Nursery Rhyme:

The household robot laughed to see such sport,  
and the micro-processor ran away with the cellular phone.

**MGC**  
Officers and Directors

President	Katherine A. Gardner-Westcott
Vice President	David C. Dearborn
Secretary	Gratia Mahony
Treasurer	Rene Dearborn
Director of Civil Records	Shirley M. Barnes
Director of Programs	Shiela Fitzpatrick
Director of Publicity	Richard A. Haskell
Director of Research	
Director of Ways and Means	

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**MGC NEWSLETTER REPRINTS FOR SALE**

Mass. Divorce Records: Where to Find Them by Roger D. Joslyn ..... \$1.00

New England Naturalization Records Index by Roger D. Joslyn ..... \$1.00

Records of Massachusetts Congregational Churches by Mary F. Morgan ..... \$1.00

Civil Records: Massachusetts Updated 1988 by Melinde Lutz Sanborn ..... \$1.00

Genealogical Research at the Boston Public Library by William Schoeffler ..... \$1.50

Genealogical Research at the Boston Public Library: An Update of Microtext Holdings by Alice Kane ..... \$1.00

The Home for Destitute Catholic Children by Ann S. Lainhart ..... \$1.00

How to Join the Mayflower Society by Alicia Williams ..... \$1.00

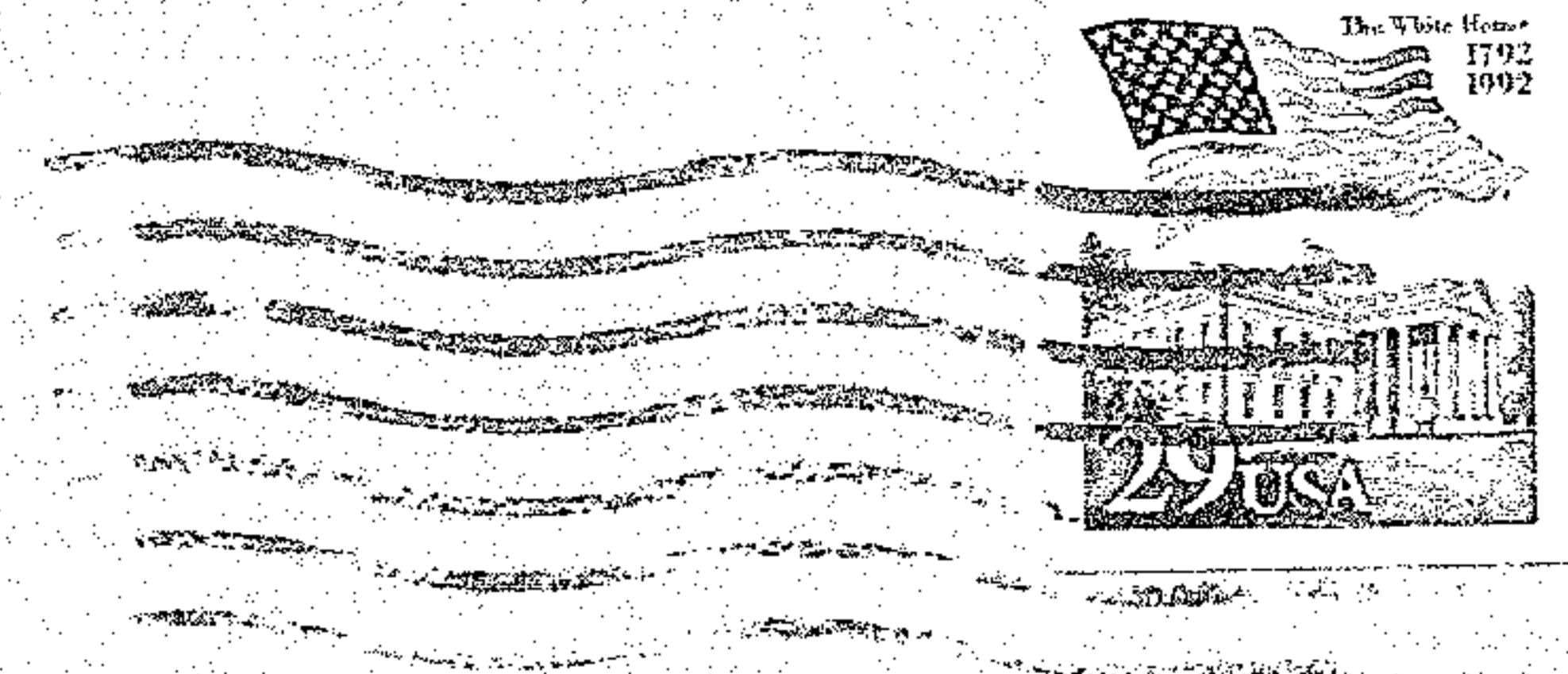
17th and 18th Century Massachusetts Court Records of the Supreme Judicial Court by Ann S. Lainhart ..... \$1.50

Order from:

MGC Reprints  
P. O. Box 5393  
Cochituate, MA 01778

Please make check payable to MGC (Mass. Genealogical Council).

**MASSACHUSETTS GENEALOGICAL COUNCIL**  
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EXP 07/31/93

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