

**HOUSE . . . . No. 2256**

---

---

**The Commonwealth of Massachusetts**

---

HOUSE OF REPRESENTATIVES, May 17, 1948.

The committee on Counties on the part of the House, to whom was referred the Bill relative to the payment of witness fees to certain police officers in certain continued criminal cases (printed as Senate, No. 85), report that the same ought to pass in the form of a new draft herewith submitted (House, No. 2256).

For the committee,

JAMES CONDON.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Eight.

### AN ACT RELATIVE TO THE PAYMENT OF WITNESS FEES TO CERTAIN POLICE OFFICERS 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 262 of the General Laws is hereby amended  
2 by striking out section 53, as most recently amended  
3 by chapter 181 of the acts of 1947, and inserting in  
4 place thereof the following section: —  
5 *Section 53.* Any officer named in section fifty who  
6 attends as a witness in a district court, including the  
7 municipal court of the city of Boston, or before a trial  
8 justice, shall, instead of his expenses, be allowed a  
9 witness fee in the amount of three dollars for each  
10 day's attendance, except his first attendance as arrest-  
11 ing officer in the case. A police officer who attends the  
12 superior court as a witness for the commonwealth shall  
13 be paid a witness fee in the amount of five dollars for  
14 each day's attendance. A police officer who is a wit-  
15 ness for the commonwealth, and who under the di-  
16 rection of the district attorney aids in securing the  
17 attendance of other witnesses, may receive, instead  
18 of his expenses, witness fees in the amount of five dol-  
19 lars for one day's attendance. Any police officer  
20 named in section fifty, who attends as a witness in a

21 criminal case pending in a district court or before a  
22 trial justice and who by reason of a continuance or  
23 postponement thereof, is required to again attend, shall  
24 be paid the amount of three dollars for each day of  
25 such further attendance. Police officers shall serve  
26 subpoenas upon witnesses when requested by the dis-  
27 trict attorney, and their returns of service shall have  
28 the same force and effect as the return of a deputy  
29 sheriff or constable.

