

By Mr. Glaser of Malden, petition of J. Newton Esdaile and another for increasing the number of peremptory challenges of jurors in civil and criminal cases. The Judiciary.

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## The Commonwealth of Massachusetts

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

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AN ACT INCREASING THE NUMBER OF PEREMPTORY CHALLENGES OF JURORS IN CIVIL AND 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 SECTION 1. Chapter 234 of the General Laws is  
2 hereby amended by striking out section 29, as most  
3 recently amended by section 2 of chapter 428 of the  
4 acts of 1945, and inserting in place thereof the following  
5 section:—

6 *Section 29.* Upon the trial of an indictment for a  
7 crime punishable by death or imprisonment for life, each  
8 defendant shall be entitled to twelve peremptory chal-  
9 lenges of the jurors called to try the case, and in other  
10 criminal cases each defendant shall be entitled to six  
11 such challenges; provided, that each defendant in a  
12 capital case in which additional jurors are chosen under  
13 section twenty-six B shall be entitled to one additional  
14 peremptory challenge for each additional juror. In every  
15 criminal case the commonwealth shall be entitled to as  
16 many such challenges as equal the whole number to  
17 which all the defendants in the case are entitled. In a  
18 civil case each party shall be entitled to six such chal-  
19 lenges. Peremptory challenges shall be made before the  
20 commencement of the trial and may be made after the  
21 determination that a person called to serve as a juror  
22 stands indifferent in the case.

1 SECTION 2. This act shall take effect on September  
2 first, nineteen hundred and fifty-five.

